

C-7

April 5, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Confirm the City Manager's promulgation of the revised Health Order for the Control of COVID-19, effective on March 22, 2022, by the City of Long Beach Health Officer as a regulation. (Citywide)

DISCUSSION

On March 19, 2020, the City's Health Officer issued a Public Health Emergency Order (Health Order) to mitigate the effects of COVID-19 within Long Beach. The City's Health Officer has revised the Health Order from time to time, as necessary, to protect public health and safety during this ongoing emergency. On March 21, 2022, the City's Health Officer issued revisions to the Health Order. The revised Health Order (attached) was issued include:

- Bars, breweries, craft distilleries, and wineries are no longer required, but are strongly recommended to maintain a process for verifying that patrons are fully vaccinated.
- Nightclubs and lounges are no longer required but are strongly recommended to maintain a process for verifying that patrons are fully vaccinated.
- K-12 schools are no longer required to adhere to the "Mandatory Requirements for Schools Using the Modified Quarantine Option", Appendix AA," which has been removed from the Health Order.
- The Youth Recreational Sports Protocol has been removed from the Health Order as an appendix. Youth Recreational Sports are strongly recommended to continue to follow the Youth Recreational Sports Guidance and are still required to follow the State Health Officer for "K-12 Schools in California for the 2021-2022 School Year".
- Starting April 1, vaccine verification or proof of negative test will no longer be required but will be strongly recommended for Indoor Mega Events.

On May 12, 2020, the City Council adopted Long Beach Municipal Code (LBMC) Chapter 8.120, "Temporary Enforcement of Long Beach Health Orders Related to COVID-19," which became effective immediately as an urgency Ordinance. Chapter 8.120 requires, where practicable, the City Council to confirm COVID-19 Health Orders for the sole purpose of authorizing the City Manager's promulgation of such Health Orders. In the event it is not feasible to do this, Chapter 8.120, as amended on January 19, 2021, requires the City Manager to, within 14 days of promulgation of said Health Orders or at the next duly noticed public meeting of the City Council, request the City Council to confirm the City Manager's promulgation of the Health Order. The City Manager's promulgation of the Health Order, and

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City Council's confirmation of such orders, authorizes enforcement authority of the Health Orders under the Proclamation of Local Emergency and provisions of Chapter 8.120.

This process recognizes the potential need for the City's Health Officer to quickly amend or update, and the City Manager to promulgate as a regulation under the LBMC, City Health Orders that protect life and property as affected by the COVID-19 emergency. The process allows for the City to respond to the rapid development of COVID-19, while ensuring the City Council maintains oversight of the COVID-19 local emergency and the City Manager's promulgation of related orders.

This matter was reviewed by Deputy City Attorney Taylor M. Anderson and by Budget Manager Grace H. Yoon on March 22, 2022.

TIMING CONSIDERATIONS

City Council action is requested on April 5, 2022. Confirmation by the City Council of the revised Health Order is a requirement of LBMC Chapter 8.120.

STATEMENT OF URGENCY

LBMC Chapter 8.120 requires the City Manager to, within 14 days of promulgation of said Health Orders or at the next duly noticed public meeting of the City Council, request the City Council to confirm the City Manager's promulgation of the Health Order. The Health Order was revised and promulgated on March 21, 2022.

EQUITY LENS

The City has incorporated the Equity Toolkit into the City's Emergency Operations Center, as requested by the City Council on April 21, 2020. The revised Health Order takes the City's equity approach into consideration when the Health Order is drafted and implemented. The City's enforcement model for compliance with the Health Order prioritizes education with the community first.

FISCAL IMPACT

The full fiscal impact of the implementation and enforcement of the revised Health Order is unknown at this time, due to the unprecedented and quickly changing nature of the response to the pandemic. The Health Order and its amendments have an inherent impact on the health of the community and economic activity of Long Beach. There is substantial evidence provided through various public City reporting that the Health Order and its amendments are positively impacting the health and safety of Long Beach residents; and, there is substantial evidence, also provided through other public documents issued by the City, that the Health Order and its amendments are negatively impacting the economy and the City's financial status. As the Health Order is modified from time to time, the modifications are intended to ensure compliance with State directives and to strike a balance, appropriate at the time of modification, between the safety and well-being of residents and other important considerations such as economic

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impacts. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. B. Modica', written in a cursive style.

THOMAS B. MODICA
CITY MANAGER

ATTACHMENT: HEALTH ORDER – 3-22-22

HEALTH ORDER FOR CONTROL OF COVID-19

ORDER ISSUED: March 21, 2022

Effective as of 12:01 a.m. on Tuesday March 22, 2022

Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (Ca. Health & Safety Code § 120275 et seq; Long Beach Municipal Code § 8.120.030.A and 8.120.030.E.3)

Summary: This Long Beach Health Officer Order (Order) supersedes all Prior Safer-at-Home Orders and Health Orders for Control of COVID-19: Beyond the State’s Blueprint for a Safer Economy (Prior Orders) issued by the Long Beach Health Officer to control the spread of the Novel Coronavirus (COVID-19) within the City of Long Beach (City).

Since this Order may change due to new information and guidance, all persons subject to this Order, including the owner, manager, or operator of any facility that is subject to this Order, is required to consult the Long Beach Department of Health and Human Services’ website regularly to identify any modifications to this Order and is required to comply with any updates until this Order is terminated. A digital copy of this Order may be found at www.longbeach.gov/covid19 or by scanning the QR Code below.



Major changes to this Order include:

- Bars, breweries, craft distilleries, and wineries are no longer required, but are strongly recommended to maintain a process for verifying that patrons are fully vaccinated.
- Nightclubs and lounges are no longer required, but are strongly recommended to maintain a process for verifying that patrons are fully vaccinated.
- K-12 schools are no longer required to adhere to the “Mandatory Requirements for Schools Using the Modified Quarantine Option”, Appendix AA.”
- Youth recreational sports are required to follow the “K-12 Schools in California for the 2021-2022 School Year”. Youth recreational sports organizations are not required, but it is strongly recommended, to follow the Youth Sports Guidance.

- Pursuant to updated guidance from the CDPH, starting April 1, vaccine verification or proof of negative tests will no longer be required, but will be strongly recommended for Indoor Mega Events.

COVID-19 case rates and community transmission are currently low per the CDC Community Levels. . As of March 18, 2022, the 7-day daily average case rate is 2.5 cases per 100,000 people. This is much lower than the 474 cases per 100,000 people reported on January 10, 2022. The risk of COVID-19 infection for those who are not or cannot be vaccinated against COVID-19 continues to remain high. Outbreaks continue to have negative consequences for businesses and institutions. Individuals, especially those who are older or who have underlying health conditions may suffer severe health outcomes from COVID 19 infection, including death.

It remains important for people to remain vigilant against variants of the virus that cause COVID-19, especially given the levels of transmission locally and in other parts of the world, and due to the fact that the current COVID-19 vaccines may not be effective against these new and emerging variants. The Omicron variant is the primary variant in the City and has spread at a rate not seen with any other COVID-19 variant. Data suggests that the immune response to COVID-19 vaccination might be reduced in some immunocompromised people, which increases their risk of serious health consequences from COVID-19 infection. For the aforementioned reasons, it is prudent to recommend indoor masking in certain settings as an effective public health measure to reduce transmission between people.

This Order is issued to help slow and improve the level of community transmission of COVID-19 in Long Beach. This Order's primary intent is to reduce the transmission risk of COVID-19 in Long Beach for everyone, especially those who are not fully vaccinated and fully vaccinated but immunocompromised, in the absence of other protective measures, such as physical distancing requirements and capacity limits. Accordingly, this Order allows businesses, schools, and other activities to remain open while at the same time putting in place certain requirements designed to limit the transmission risk of COVID-19 and contain any COVID-19 outbreaks.

The Health Officer will continue to monitor the rate of COVID-19 disease spread, the severity of the resulting illnesses and deaths caused, California Department of Public Health (CDPH) and Centers for Disease Control and Prevention (CDC) recommendations, and the effect of this Order. If needed, this Order may be extended, expanded, or otherwise modified to protect the public's health.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101475, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY OF LONG BEACH ORDERS AS FOLLOWS:

1. Continue Practicing COVID-19 Infection Control Measures. All persons living within the City of Long Beach (City) should continue to practice required and recommended COVID-19 infection control measures at all times and when among other persons when in community, work, social, or school settings, especially when multiple unvaccinated persons from different households may be present and in close contact with each other. All persons living within the City must continue to comply with the [City Isolation Order](#) or [City Quarantine Order](#), where applicable.
2. Face Masks. All individuals must follow the requirements included the February 28, 2022 "Guidance for the Use of Face Coverings" issued by the California Department of Public Health, as it may be amended from time to time, which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face->

[coverings.aspx](#). Failure to comply with any requirement set forth in the State Public Health Officer Order titled “Guidance for the Use of Face Coverings”, as it may be amended, is considered a violation of this Order.

3. **Mandatory Reporting by Businesses and Governmental Entities.** Persons, including businesses and governmental entities, within the City of Long Beach must continue to follow COVID-19 infection control protocols and guidance provided by the Long Beach Department of Health and Human Services regarding isolation of persons confirmed or suspected to be infected with the virus that causes COVID-19 disease or quarantine of those exposed to and at risk of infection from COVID-19. In instances where the City has not provided a specific guidance or protocol, specific guidance or protocols established by the State Public Health Officer shall control.
 - a. In the event that an owner, manager, or operator of any business knows of three (3) or more cases are identified within the workplace within a span of 14 days the employer should report this cluster to the Long Beach Department Health and Human Services at 562-570-INFO.
 - b. In the event that an owner, manager, or operator of any business is informed that one or more employees, assigned or contracted workers, or volunteers of the businesses has tested positive for, or has symptoms consistent with COVID-19 (case), the employer must have a protocol to require the case(s) to isolate themselves at home and require the immediate self-quarantine of all employees that had a workplace exposure to the case(s).
4. **Considerations for People at Risk of Severe Illness or Death from COVID-19.** At this time, people at risk for severe illness or death from COVID-19 – such as, unvaccinated older adults and unvaccinated individuals with health risks – and members of their household, should defer participating in activities with other people outside their household where taking protective measures (e.g. wearing a face mask and physical distancing) may not occur or will be difficult, especially indoors or in crowded spaces. For those who are not yet fully vaccinated, staying home or choosing outdoor activities as much as possible with physical distancing from other households whose vaccination status is unknown is the best way to prevent the risk of COVID-19 transmission.
5. **Travel Advisory.** The Health Officer recommends that individuals follow CDPH and CDC travel guidance, which may be found at <https://www.cdph.ca.gov/programs/CID/DCDC/pages/COVID-19/Travel-Advisory.aspx> and <https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>.
6. **Encourage Activities that Can Occur Outdoors.** All businesses and governmental entities are urged to consider moving operations or activities outdoors, where feasible, and to the extent allowed by local law and permitting requirements as there is generally less risk of COVID-19 transmission outdoors as opposed to indoors.
7. **Ventilation Guidelines.** All businesses and governmental entities with indoor operations are urged to review and implement the Ventilation Guidelines as feasible. See California Department of Public Health Interim Guidance for Ventilation, Filtration and Air Quality in Indoor Environments, which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Interim-Guidance-for-Ventilation-Filtration-and-Air-Quality-in-Indoor-Environments.aspx>.
8. **Additional Requirements for High-Risk Health Care and Congregate Settings.** This Order incorporates by reference as if fully set forth herein the State Public Health Officer Order of July 26, 2021 titled “Health Care Worker Protections in High-Risk Settings”, as it may be amended from time to time, which requires additional statewide facility-directed measures to protect particularly

vulnerable populations in hospitals, acute health care and long-term care settings, high-risk congregate settings and other health care settings. The Order may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Unvaccinated-Workers-In-High-Risk-Settings.aspx>. Failure to comply with any requirement set forth in the State Public Health Officer Order titled “Health Care Worker Protections in High-Risk Settings”, as it may be amended, is considered a violation of this Order.

9. Additional Requirements for Visitors in Acute Health Care and Long-Term Care Settings. This Order incorporates by reference as if fully set forth herein the State Public Health Officer Order as amended on February 7, 2022 titled “Requirements for Visitors in Acute Health Care and Long-Term Care Settings”, as it may be amended from time to time, which requires additional statewide facility-directed measures to protect particularly vulnerable populations from visitors during indoor visitations at hospitals, skilled nursing facilities, and intermediate care facilities. The Order may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Requirements-for-Visitors-in-Acute-Health-Care-and-Long-Term-Care-Settings.aspx>. Failure to comply with any requirement set forth in the State Public Health Officer Order titled “Requirements for Visitors in Acute Health Care and Long-Term Care Settings”, as it may be amended, is considered a violation of this Order.
10. Health Care Worker Vaccine Requirement. This Order incorporates by reference as if fully set forth herein the State Public Health Officer Order of January 25, 2022 titled “Health Care Worker Vaccine Requirement”, as it may be amended from time to time, which requires additional statewide measures to protect particularly vulnerable populations. The Order may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Health-Care-Worker-Vaccine-Requirement.aspx>. This Order shall additionally apply any requirements in the State Public Health Officer Order titled “Health Care Worker Vaccine Requirement” to dental workers and home health care workers. Failure to comply with any requirement set forth in the State Public Health Officer Order titled “Health Care Worker Vaccine Requirement”, as it may be amended, is considered a violation of this Order.
11. Vaccine Verification Required for Workers in Schools. This Order incorporates by reference as if fully set forth herein the State Public Health Officer Order of August 11, 2021 titled “Vaccine Verification for Workers in Schools”, as it may be amended from time to time, which requires additional statewide measures to protect particularly vulnerable populations, such as students that are not vaccinated and younger students who are not yet eligible for vaccines. The Order may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Vaccine-Verification-for-Workers-in-Schools.aspx>. Failure to comply with any requirement set forth in the State Public Health Officer Order titled “Vaccine Verification for Workers in Schools”, as it may be amended, is considered a violation of this Order.
12. Sectors that Continue to Require Additional Risk Reduction Measures. The following sectors serve persons and populations that have lower rates of vaccination, persons who are at higher risk of being infected, or persons who are not yet eligible to be vaccinated. As such, these sectors continue to require additional risk reduction measures and must operate subject to the following conditions:
 - a.
 - b. K-12 Schools. All public and private K-12 schools in the City shall provide instruction in accordance with guidance issued by the State Health Officer for “K-12 Schools in California for the 2021-2022 School Year”, as it may be amended from time to time, which may be found at [K-12 Guidance 2021-22 School Year \(ca.gov\)](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/K-12-Guidance-2021-22-School-Year.aspx) . Failure to comply with any requirement

set forth in guidance issued by the State Health Officer for “K-12 Schools in California for the 2021-2022 School Year”, as it may be amended, is considered a violation of this Order.

- c. Day Care. Day Care must adhere to guidance issued by the State Health Officer titled “COVID-19 UPDATED GUIDANCE: Child Care Programs and Providers”, as it may be amended from time to time, which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Child-Care-Guidance.aspx>. Failure to comply with any requirement set forth in the State Public Health Officer guidance titled “COVID-19 UPDATED GUIDANCE: Child Care Programs and Providers”, as it may be amended, is considered a violation of this Order.
- d. Youth Sports. Youth recreational sports must operate in accordance with guidance issued by the State Health Officer for “K-12 Schools in California for the 2021-2022 School Year”, as it may be amended from time to time, which may be found at K-12 Guidance 2021-22 School Year (ca.gov). Failure to comply with any requirement set forth in the State Public Health Officer guidance titled “K-12 Schools in California for the 2021-2022 School Year”, as it may be amended, is considered a violation of this Order. The Health Officer strongly recommends youth sports follow the Recreational Sports Guidance, which may be found at [Schools \(longbeach.gov\)](https://schools.longbeach.gov)
 - i. Bars, Breweries, Craft Distilleries, and Wineries. The Health Officer strongly recommends bars, breweries, craft distilleries, and wineries to maintain a process for verifying that patrons who are 21 years of age or older (and minors 12 years of age or older, where permitted at the establishment) are fully vaccinated against COVID-19.
- e. Nightclubs and Lounges.
 - i. For purposes of this Order, “nightclub” means a commercial establishment dispensing beverages for consumption on the premises and in which dancing is permitted or entertainment is provided, and/or has its primary source of revenue as the sale of alcohol for consumption on the premises, cover charges, or both. For purposes of this Order, “lounge” is defined as a business that operates primarily for the preparation, sale, and service of beer, wine, spirits, hookah, or cigars. Minors are not permitted in a lounge.
 - ii. The Health Officer strongly recommends that nightclubs and lounges maintain a process for verifying that patrons who are 18 years of age or older are fully vaccinated against COVID-19.
- f. Restaurants. Due to the increased risk of transmission at places where people are indoors and unmasked, the Health Officer strongly recommends that the operators of restaurants, which include, brewpubs, breweries, bars, pubs, craft distilleries, and wineries that hold a City-issued restaurant permit to provide sit-down, dine-in bona fide meals, reserve and prioritize indoor seating and service for patrons who are fully vaccinated against COVID-19.
- g. Mega Events. All individuals, operators, businesses and establishments must follow the requirements included the March 18, 2022 “Beyond the Blueprint for Industry and Business Sectors (Including Mega Events)” issued by the California Department of Public Health, as it may be amended from time to time, which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Beyond-Blueprint->

[Framework.aspx](#). Failure to comply with any requirement set forth in the State Public Health Officer titled “Beyond the Blueprint for Industry and Business Sectors (Including Mega Events)”, as it may be amended, is considered a violation of this Order.

13. For purposes of this Order, an individual is considered “fully vaccinated” against COVID-19 two weeks or more after they have received the second dose in a 2-dose series (e.g. Pfizer-BioNtech or Moderna) or 2 weeks or more after they have received a single-dose vaccine (e.g. Johnson and Johnson [J&J]/Janssen).

PURPOSE AND FINDINGS

14. Purpose. This Long Beach Health Officer Order (Order) supersedes all Prior Safer-at-Home Orders (Prior Orders) issued by the Long Beach Health Officer. This Order aligns with the various health orders implemented by the State Public Health Officer and referenced in this Order regarding COVID-19.
15. Intent. This Order’s intent is to continue to protect the community from COVID-19, in particular those individuals who are not, or cannot be, fully vaccinated against COVID-19 in the City as other protective measures are removed and to increase vaccination and booster rates to reduce the spread of COVID-19 long-term, so that the whole community is safer and so the COVID-19 pandemic can come to an end.
16. Least Restrictive Means. The orders contained in this Order are necessary and least restrictive preventive measures to control and reduce the spread of COVID-19 in the City, help preserve critical and limited healthcare capacity in the City, and save the lives of City Beach residents.
17. State Law Requires Health Officer to Take Measures Necessary to Prevent the Spread of a Communicable Disease. The California Health and Safety Code section 120175 requires the Health Officer knowing or having reason to believe that any case of a communicable disease exists or has recently existed within the City to take measures as may be necessary to prevent the spread of the disease or occurrence of additional cases. Furthermore, California Health and Safety Code sections 101040 and 101475 grant the Health Officer the authority to take any preventive measure that may be necessary to protect and preserve the public health from any public health hazard during a State or local emergency within their jurisdiction.
18. Continuing Severe Health and Safety Risk Posed by COVID-19. This Order is based upon scientific evidence and best practices, as currently known and available, to protect members of the public from avoidable risk of serious illness and death resulting from the spread of COVID-19, as well as to protect the healthcare system from a surge of cases into its emergency rooms and hospitals. This Order is issued based on the following determinations: evidence of continued significant community transmission of COVID-19 within the City; documents asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that people in the City continue to be at risk for infection with serious health complications, including hospitalizations and death from COVID-19, due to age, pre-existing health conditions, being unvaccinated or not eligible for vaccination, and more infectious variants of the virus that causes COVID-19 and which have been shown to cause more severe disease being present in the City; and further evidence that City residents, including younger and otherwise healthy people, are also at risk for serious negative health outcomes and for transmitting the virus to others; the age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including hospitalizations and death, from COVID-19; and further evidence that others, including younger and

otherwise healthy people, are also at risk for serious outcomes.

19. Local Health Conditions Relating to COVID-19. Existing community transmission of COVID-19 in the City is decreasing but continues to present a high risk of harm to the health of those who are not or cannot be vaccinated against COVID-19. Currently, there is a vaccine available to protect against COVID-19. However, new variants of the virus that may spread more easily or cause more severe illness remain present in the City and remain a risk for those who are not vaccinated against COVID-19. Due to the fact that unvaccinated persons are remain more likely to get infected and spread COVID-19 via the air and concentrates indoors, other measures are necessary until the majority of the population is vaccinated to prevent the spread of COVID-19. As of March 18, 2022, there have been at least 125,353 cases of COVID-19 and 1,256 deaths reported in the City of Long Beach. Making the risk of community transmission worse, some individuals who contract COVID-19 have no symptoms or have only mild symptoms, and so are unaware that they carry the virus and transmitting to others. Since even people without symptoms can transmit the virus, and because new evidence shows the COVID-19 is now more easily spread, universal indoor masking is a risk reduction measure that is proven to reduce the risk of transmitting the virus.
20. Continued Monitoring of Epidemiological Data. The Health Officer will continue monitoring epidemiological data to assess the impact of lifting restrictions and fully re-opening sectors. Those indicators include, but are not limited to:
 - a. The number of new cases, hospitalizations, and deaths among residents in areas in the lowest Healthy Places Index (HPI) quartile and by race/ethnicity.
 - b. The percentage of COVID-19 tests reported that are positive.
 - c. The COVID-19 case rate.
 - d. The availability of COVID-19 vaccines and the percentage of eligible City residents vaccinated against COVID-19.
 - e. The number of fully vaccinated people who get sick, hospitalized, or die from COVID-19.
21. Incorporation of State and Local Emergency Proclamations. This Order is issued in accordance with, and incorporates by this reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the and the March 4, 2020 Proclamation of Local Emergency by the City Manager, and the Declaration of Local Health Emergency by the Health Officer, ratified by the City Council on March 10, 2020, respectively, the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, and guidance issued by the California Department of Public Health, as each of them have been and may be supplemented.
22. Obligation to Follow Stricter Requirements of Orders. This Order is consistent with the provisions in the Governor's Executive Order N-60-20 and the State Public Health Officer's August 28, 2020 Order that local health jurisdictions may implement or continue more restrictive public health measures if the jurisdiction's Local Health Officer determines that health conditions in that jurisdiction warrant such measures. Where a conflict exists between this Order and any state public health order related to the COVID- 19 pandemic, the most restrictive provision (i.e., the more protective of public health) controls. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision

of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in the City. Also, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls.

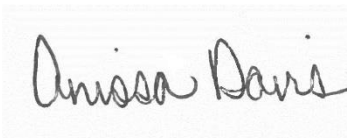
23. Requirement to Operate Pursuant to Local Licenses and Permits. All businesses permitted to operate pursuant to this Order shall operate in accordance with all current local licenses or permits, including business licenses, health permits, and the like.
24. Authority of the City Manager to Facilitate Business Activities Outdoors. The City Manager or appropriate designee to develop written protocols to facilitate various business activities outdoors in accordance with City and State health guidelines and Health Orders and in compliance with all other applicable State and Federal laws such as the Americans with Disabilities Act, with emphasis on developing protocols that protect the health, safety and welfare of the community. Any issuance of a permit to operate in an outdoor space is temporary due to the COVID-19 pandemic and does not create a vested property right in any parklet, public right-of-way, or any other property used to facilitate outdoor business operations due to the COVID-19 pandemic.
25. Copies of the Order. The City shall promptly provide copies of this Order by: (a) posting it on the Long Beach's Department of Health and Human Services website (<http://www.longbeach.gov/health/>), (b) posting it at the Civic Center located at 411 W. Ocean Blvd., Long Beach, CA 90802, (c) providing it to any member of the public requesting a copy, (d) issuing a press release to publicize the Order throughout the City, and (e) by serving via email on large facilities known to the Health Officer that are likely to be subject to this Order (but service via email is not required for compliance). The owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public requesting a copy.
 - a. The owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public requesting a copy.
 - b. Because guidance may change, the owner, manager, or operator of any facility that is subject to this Order is ordered to consult the Long Beach Department of Health and Human Services' website (<http://www.longbeach.gov/health/>) daily to identify any modifications to the Order and is required to comply with any updates until the Order is terminated.
26. Severability. If any section, subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
27. Enforcement.
 - a. In consultation with the City Attorney and in accordance with Chapter 8.120 of the Long Beach Municipal Code, the City is permitted to discontinue municipal utility service to any business operating in violation of this Order, as appropriate.
 - b. The entities subject to this Order that are not required to close may otherwise remain open for business and perform operations during the duration of this Order under the condition that entities adhere to this Order any state public health order related to the COVID-19 pandemic. Entities permitted to remain open for businesses that do not adhere to this Order may be subject to mandatory closure for the duration of this Order, including any amendment or

extension hereto. This Section shall not apply to the Long Beach Airport, or any business identified as federal critical infrastructure therein.

- c. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both. To protect the public's health, the Health Officer of the City of Long Beach may take additional action(s) for failure to comply with this Order. Violation of this Order is a misdemeanor punishable by imprisonment, fine or both under California Health and Safety Code Section 120275 et seq and Chapter 1.32 and 8.120 of the Long Beach Municipal Code.
- d. Pursuant to Long Beach City Charter Section 109, Sections 8634 and 41601 of the California Government Code; Sections 101040, 101475, and 120175 of the California Health and Safety Code; and Chapters 8.08, 8.26, and 8.120 of the Long Beach Municipal Code, these Orders and Directives as issued by the Health Officer shall be enforceable by the Chief of Police of the City of Long Beach to ensure compliance with and enforcement of this Order and the Directives set forth herein.
- e. Further, and in addition to the criminal penalties set forth herein, these Orders and Directives as issued by the Health Officer shall be enforceable by the City Manager of the City of Long Beach. For the duration of the declared health emergency, the City Manager is permitted to designate and authorize appropriate employees of the City to issue Administrative Citations and levy civil fines and penalties to those individuals, businesses, and others who are in violation of the Orders and Directives contained herein in accordance with the provisions of Chapter 9.65 of the Long Beach Municipal Code.

28. Effective Date. This Order shall become effective at 12:01 a.m. on **March 22, 2022** and will continue to be until it is extended, rescinded, superseded, or amended in writing by the Health Officer.

IT IS SO ORDERED:



Anissa Davis, MD, DrPH,
Health Officer, City of Long Beach

Date: **March 21, 2022**

PROMULGATION OF EMERGENCY REGULATIONS

As Director of Civil Defense for the City of Long Beach pursuant to Long Beach Municipal Code ("LBMC") section 2.69.060.A, and in accordance with the provisions of LBMC Chapter 8.120, I am authorized to promulgate regulations for the protection of life and property as affected by the COVID-19 emergency pursuant to Government Code section 8634, and LBMC sections 2.69.070.A and 8.120.020. The following shall be in effect for the duration of the Long Beach Health Order, HEALTH ORDER FOR CONTROL OF COVID-19, issued above, which is incorporated in its entirety by reference:

The Long Beach Health Officer Order HEALTH ORDER FOR CONTROL OF COVID-19, shall be promulgated as a regulation for the protection of life and property.

Any person who, after notice, knowingly and willfully violates or refuses or neglects to conform to the above referenced lawfully issued Health Order shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. (Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3.)

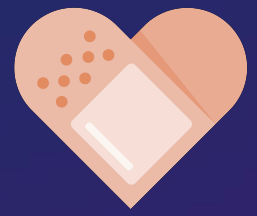
IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read 'T.B. Modica', with a long horizontal stroke extending to the left.

Thomas B. Modica
City Manager, City of Long Beach
Date: March 21, 2022

Long Beach Visual Guidance

Verifying Proof of COVID-19 Vaccination



How to verify if a person is fully vaccinated

- ✔ Check to see if the name on the vaccination record matches a photo ID, AND
- ✔ Check proof of COVID-19 vaccination for vaccination type and date(s) (a and b on image)
 - If Johnson & Johnson (J&J), verify single dose with date 14 days prior to today
 - If Pfizer or Moderna, verify two doses with dates, the most recent being 14 days prior to today

Acceptable proof of COVID-19 vaccination

A. Vaccine Record Card or Health Record

Vaccine	Product Name/Manufacturer	Date	Healthcare Professional or Clinic Site
1 st Dose COVID-19	MODERNA PFIZER J+J 000A01B	03/03/2021 mm dd yy	S a
2 nd Dose COVID-19	MODERNA PFIZER 001B00A	03/17/2021 mm dd yy	S b
Other		mm dd yy	
Other		mm dd yy	

- CDC COVID-19 Vaccination Record Card (White Card)
- World Health Organization (WHO) Vaccine Record Card (Yellow Card)
- Documentation of vaccination from the healthcare provider or entity that provided the COVID-19 vaccines
- California Immunization Registry (CAIR2) Vaccination Record

The person can show the card, a photo of the card as a separate document, or a photo of the card stored on a phone or electronic device.

B. Digital Vaccination Record

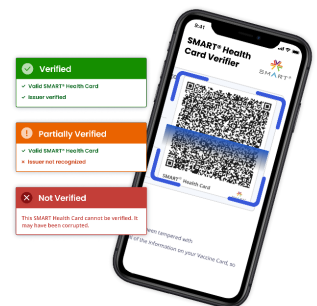
Vaccination Information

Name: Jane Smith
DOB: 01/01/1980
Dose #1 Date: 03/03/2021 a
Dose #1 Type/Mfr.: Moderna / Pfizer / J&J
Dose #2 Date: 03/17/2021 b
Dose #2 Type/Mfr.: Moderna / Pfizer

Issued by:

- California Department of Public Health (CDPH)* (free)
- An approved company (e.g. Healthvana and Carbon Health) (free)

* Businesses can download the free SMART Health Card verifier app to read the QR code (thecommonsproject.org/smart-health-card-verifier). Scan the code and confirm there's a green "Verified" indicator at the top of the screen and the required information ✔ is shown.



For visitors from other state or countries, ask for similar vaccination documentation issued by their local government.

A person who was vaccinated outside the US is considered to be fully vaccinated 14 days after they finish a series of a COVID-19 vaccine that vaccine is listed for emergency use by the World Health Organization (WHO) – currently AstraZeneca-Oxford (e.g., Covishield, Vaxzevria), Sinopharm, and Sinovac.

For more information, visit the [vaccine records](#) at VaccinateLACounty.com

9/16/21 DRAFT

EXAMPLES OF VACCINATION RECORDS

California Department of Public Health Digital Vaccination Record



Verified

- ✓ Valid SMART® Health Card
- ✓ Issuer verified

Partially Verified

- ✓ Valid SMART® Health Card
- ✗ Issuer not recognized

Not Verified

This SMART Health Card cannot be verified. It may have been corrupted.

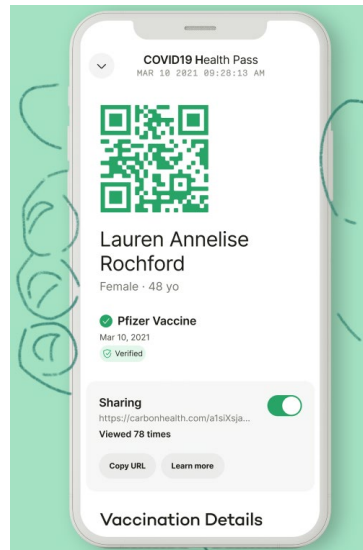


CDPH Digital Vaccination record after being scanned by the SMART Health Card Verifier App. Image from thecommonsproject.org/smart-health-card-verifier

Healthvana



Carbon Health COVID-19 Health Pass



CDC Vaccination Record Card

COVID-19 Vaccination Record Card

Please keep this record card, which includes medical information about the vaccines you have received.
Por favor, guarde esta tarjeta de registro, que incluye información médica sobre las vacunas que ha recibido.

✓ **SMITH** **JANE**
Last Name First Name MI

01/01/1960 00123456
Date of birth Patient number (medical record or IIS record number)

Vaccine	Product Name/Manufacturer	Date	Healthcare Professional or Clinic Site
1 st Dose COVID-19	MODERNA PFIZER J+J 000A01B	03/03/2021 mm dd yy	S a
2 nd Dose COVID-19	MODERNA PFIZER 001B00A	03/17/2021 mm dd yy	S b
Other		mm dd yy	
Other		mm dd yy	

California Immunization Registry (CAIR2) Vaccination Record

IMMUNIZATION RECORD
Comprobante de Inmunización

Name **John Doe**
nombre

Birthdate **05/04/1964** Sex **Male**
fecha de nacimiento *sexo*

Allergies
alergias

Vaccine Reactions
reacciones de la vacuna

History of Chickenpox **No** Date Printed **06/09/2021**
historia de varicela

RETAIN THIS DOCUMENT - CONSERVE ESTE DOCUMENTO