

ORDER OF THE HEALTH OFFICER

Temporary Prohibition of Group Events and Gatherings

Required Social Distancing Measures

Closure and Limitations of Certain Businesses

DATE ORDER ISSUED: March 16, 2020

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 § 120295)

Summary: During a State of Emergency, California law empowers the Health Officer of the City of Long Beach (Health Officer) to take measures necessary to protect the public from the spread of the Novel Coronavirus (COVID-19) within the City of Long Beach (City). In accordance with the Centers for Disease Control's (CDC) Interim Guidance for Large Events and Mass Gatherings (March 15, 2020); the California Department of Public Health's Mass Gathering Guidance (March 11, 2020); and Governor Newsom's Guidance Regarding Bars and Restaurants (March 15, 2020), the Health Officer is ordering significant protective measures to stem or slow the spread of COVID-19 within the Long Beach community.

Because of the rapid spread of COVID-19 and the need to protect the most vulnerable members of our community, this Order prohibits all indoor public and private gatherings and all outdoor public and private events within a confined space, where at least 50 people are expected to be in attendance at the same time. This Order applies within the City, beginning March 16, 2020 at 11:59 p.m. and continues through March 31, 2020, subject to the terms and conditions more particularly set forth below.

For all gatherings that are not prohibited, the Health Officer orders the event and gathering holders and venues to implement the following infection control precautions:

- (1) Enforce social distancing within the confined space by requiring attendees to be separated by six (6) feet;
- (2) Provide access to hand washing facilities with soap and water or hand sanitizer that contains at least 60 percent alcohol;
- (3) Post a sign in a conspicuous place at the public entry to the venue instructing members of the public to not attend if they are experiencing symptoms of respiratory illness, including fever or cough; and
- (4) Adhere to communicable disease control recommendations provided by the Long Beach Department of Health and Human Services.

Further, this Health Officer Order requires all permanent food facilities to limit their services to only preparing and offering food to customers via delivery service, via pick up for take-out dining only, or via drive thru.

This Order immediately requires closing the following types of businesses:

- (1) Bars, pubs, cocktail lounges, or nightclubs that do not serve food;
- (2) Wineries, breweries, distilleries, and tap rooms that do not serve food or are not licensed to sell bottled or packaged alcohol off the licensed premises;
- (3) Gyms and fitness centers; and

- (4) Movie theaters, live performance theaters, bowling alleys, and arcades.

The Health Officer will continue to monitor COVID-19 disease spread, State and CDC recommendations, and the impact of the required measures, and as needed, may revisit, extend, expand, or otherwise modify this Order to protect the public's health.

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

1. Effective March 16, 2020 at 11:59 p.m., and continuing through March 31, 2020, all public and private group events and mass gatherings, as defined below, of 50 or more people are prohibited anywhere within the City of Long Beach (City).
2. For public and private events and gatherings attended by between 10-49 members of the public, held in a confined or enclosed space, and not prohibited by this Order, the organizer of the event and the owner, manager, or operator of the venue holding the event or gathering shall:
 - a. Enforce social distancing measures by requiring attendees who remain at the event for over 10 minutes to be separated by at least six (6) feet from other attendees during the entirety of the event or gathering. Persons who attend the event or gathering as a group, e.g., a group of family members or household contacts, may sit or remain together, but groups of attendees must be separated by a distance of at least six (6) feet.
 - b. Provide access to hand washing facilities with soap and water or with hand sanitizer that contains at least 60% alcohol.
 - c. Post a sign in a conspicuous place at all public entries to the venue that instructs members of the public to not attend if they are experiencing symptoms of respiratory illness, including fever or cough.
 - d. Adhere to communicable disease control recommendations provided by the CDC, including guidance for cleaning and disinfecting the site. See guidance posted at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>.
3. Effective immediately, and in accordance with Governor Newsom's COVID-19 Guidance on March 15, 2020, all permanent food facilities, as defined by Health and Safety Code § 113849, may only prepare and offer food that is provided to customers via delivery service, via pick-up for takeout dining, and via drive-thru.

Bars, pubs, cocktail lounges, night clubs, wineries, breweries, and distilleries that offer food to consumers may remain open only for purposes of continuing to prepare and offer food to consumers via delivery service, via pick-up, or drive-thru. Wineries, breweries, or distilleries licensed by Alcoholic Beverage Control to sell alcohol for consumption off the licensed premises may also remain open for purposes of selling bottled or packaged alcohol via delivery service or via pick-up only.

Permanent food facilities that provide and offer food to consumers for pick up must require patrons or groups of patrons who are ordering food and beverages to be and remain at least six (6) feet apart from each other while inside the facility.

4. Further, the Health Officer orders the immediate closure of the following types of businesses:
 - a. Bars, pubs, cocktail lounges, or nightclubs that do not serve food;

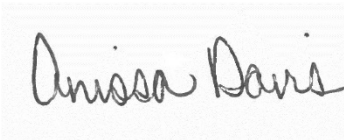
- b. Wineries, breweries, distilleries, and tap rooms that do not serve food or are not licensed to sell bottled or packaged alcohol off the licensed premises;
 - c. Gyms and fitness centers; and
 - d. Movie theaters, live performance theaters, bowling alleys, and arcades.
5. This Order is based upon 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. The Order supports the California Department of Public Health and the CDC's efforts to institute necessary social distancing measures to reduce community transmission of COVID-19.
6. Existing community transmission of COVID-19 in the City presents a substantial and significant risk of harm to the health of residents. Currently, there is no vaccine available to protect against and no specific treatment for COVID-19. As of March 16, 2020, there have been at least 5 cases of COVID-19 reported in City.
7. The virus that causes COVID-19 can be spread easily through person-to-person contact. This risk of transmission is increased when people are in close proximity. All group events and gatherings pose an increased risk for transmission of COVID-19 and thus, are a substantial risk to public health. Circumstances associated with Group Events and Mass Gatherings, smaller events and gatherings, and the public's presence in businesses where it is usual for patrons to have extended close contact, that are likely to exacerbate the spread of COVID-19 include, without limitation: (a) the increased likelihood that these events, gatherings, and businesses will attract people from a geographic area with known COVID-19 community transmission, (b) the prolonged time period during which large numbers of people are in close proximity, (c) the difficulty in tracing and controlling additional exposures when large numbers of people attend a single event, and (d) the inability to ensure both that attendees are not infected with COVID-19 and will follow adequate hygienic and social distancing practices.
8. In the absence of a specific immunization or treatment for COVID-19, social distancing is the only and most readily available tool to prevent this disease. Increasing social distancing and limiting gatherings are proven ways to slow transmission of communicable diseases. Accordingly, to reduce the community transmission of COVID-19, the Health Officer has ordered the temporary prohibition of all Group Events and Mass Gatherings, as defined in Section 9, and is also requiring the closure of certain businesses where it is usual practice for patrons to remain in close proximity.
9. Definitions:
 - a. For purposes of this Order, Group Events and Mass Gatherings are any gathering, assembly, event, or convening that brings together or is likely to bring together 50 or more persons at the same time in an indoor or outdoor confined or enclosed space, for any purpose including a business, cultural, religious, athletic, entertainment, social, or other special event. These types of Group Events and Mass Gatherings are likely to result in situations where people will be within six (6) feet of each other for an extended period of time (greater than 10 minutes).
 - b. Group Events and Mass Gatherings include, without limitation: (a) any convention, arena, or meeting space with fixed seating or other set-up where seating is placed adjacent to each other in rows; (b) any space where event attendees stand in close proximity to each other, such as a concert or other performance that includes "standing room only" sections; (c) an

admission or concession line/queue; and (d) a confined or closed outdoor space: (i) that is enclosed by a fence, physical barrier, or other structure and (ii) where people are within six (6) feet of one another for more than ten (10) minutes. Specific examples include, but are not limited to, conventions, conferences, training activities, concerts, and athletic events.

10. This Order is intended to deter the spread of COVID-19 by preventing people from being in unnecessary close contact. Certain activities are essential to the functioning of the City and the well-being of our residents and must continue. Accordingly, the requirements in this Order do not apply to the following sites or situations where residents must obtain or participate in essential governmental, educational, or other essential services (those that meet basic human needs): (a) attendance at regular school classes, work, or essential governmental services; (b) places where people are in transit or waiting for transit including the Long Beach Airport or bus or train stations or terminals; (c) grocery stores and retail stores; (d) congregate living situations, including dormitories; (e) hospitals and healthcare facilities.
11. This Order does not prohibit use of enclosed spaces where 50 or more people may be present at different times during the day, as long as 50 or more people are not present in the space at the same time.
12. This Order does not apply to the following:
 - i. Cafeterias, commissaries, and retail food facilities located within hospitals, nursing homes, governmental buildings that provide essential services to the public, or within other licensed health care facilities.
 - ii. Grocery stores, farmers markets, and pharmacies.
 - iii. Charitable or governmental organization providing meals to the indigent population.
 - iv. Concessionaires or food services within the Long Beach Airport.
13. This Order does not, in any way, restrict: (a) first responder access to the site(s) named in this Order during an emergency or (b) local, state or federal officers, investigators, or medical or law enforcement personnel from carrying out their lawful duties at the site(s) named in this Order.
14. The entities subject to this Order that are not required to close may otherwise remain open for business and perform essential functions and operations during the duration of this Order.
15. 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).
16. 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.
17. 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.

18. If any 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.
19. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the and the March 4, 2020 declarations of a local and public health emergency issued by the City Council of Long Beach, the Proclamation of Local Emergency by the City Manager, and the Declaration of Local Health Emergency by the Health Officer, respectively, and as they may be supplemented. To protect the public's health, the Health Officer 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 Section Code Section 120275 et seq. Further, pursuant to California Government Code Section 41601, the Health Officer requests that the Long Beach Chief of Police ensure compliance with and enforcement of this Order.
20. This Order shall be effective until 11:59 p.m. on March 31, 2020, or until it is earlier rescinded, superseded, or amended by the Health Officer or State Public Health Officer, in writing.

IT IS SO ORDERED:

A handwritten signature in black ink that reads "Anissa Davis". The signature is written in a cursive, flowing style. The name "Anissa" is written in a larger, more prominent script than "Davis".

Anissa Davis, MD, DrPH,
Health Officer, City of Long Beach
Date: March 16, 2020