

DEPARTMENT OF HEALTH
CITY OF NEW ORLEANS

LA TOYA CANTRELL
MAYOR

GILBERT MONTAÑO
CHIEF ADMINISTRATIVE OFFICER

JENNIFER AVEGNO, MD
DIRECTOR OF HEALTH

CHANTELL REED, MSHCM
DEPUTY DIRECTOR OF HEALTH

CITY OF NEW ORLEANS HEALTH DEPARTMENT

GUIDELINES FOR COVID-19 REOPENING

May 26, 2021

I. PURPOSE

Mayor LaToya Cantrell issued a “Mayoral Proclamation to Further Promulgate Emergency Orders During the State of Emergency Due to COVID-19” (“Mayoral Proclamation”) on May 15, 2020, which allows the City of New Orleans to enter into a phased reopening of businesses following a two month Stay at Home Mandate. These phases will continue to prohibit certain activities in the interest of public health and to prevent the further spread of the SARS-CoV-2 virus. The New Orleans Health Department provides this document to aid in the interpretation and implementation of the May 15, 2020 Mayoral Proclamation and to provide additional guidance and mandates for residents and businesses in the City of New Orleans.

II. FACTUAL BACKGROUND

SARS-CoV-2, the virus that causes Coronavirus 2019 Disease (“COVID-19”) is a communicable respiratory disease that can be easily transmitted especially in group settings. It is believed to be spread easily amongst the population by various means of exposure, including person to person transmission and attaching to surfaces for prolonged periods of time. Due to the contagious nature of the virus and emerging scientific evidence regarding transmission, non-pharmacological interventions are indicated to slow the spread of the virus, such as physical and social distancing, increased sanitation protocols, and use of personal protective equipment as much as possible while in public. Slowing transmission through these measures safeguards public health and safety, protects the most vulnerable populations that have been disproportionately affected by COVID-19, and protects the ability of health care providers to avoid surge conditions in response to an influx of patients. As a novel virus, there is a limited scientific understanding of this virus, and measures specific to reducing harm from COVID-19 must be guided by sound evidence-based research as it emerges. One known proven way to slow transmission is to limit interactions among people to the greatest extent practicable through non-pharmacological interventions such as those described above.

Due to the direct and definitive threat to public health and safety from COVID-19, Mayor LaToya Cantrell has taken emergency actions to mitigate the effects and prevent further deaths and illness for the people of the City of New Orleans from COVID-19. On March 11, 2020, Mayor Cantrell filed a “Mayoral Proclamation of a State of Emergency Due to COVID-19,” which allowed Mayor

Cantrell to exercise the emergency authorities provided to the Mayor in La. R.S. 29:727, and in coordination with state and federal agencies, to thoroughly prepare for and respond to the COVID-19 emergency. Following the dramatic increase in the number of positive cases in New Orleans, from one (1) case on March 9, 2020 to seventy-five (75) cases and two deaths in Orleans Parish as of March 15, 2020, Mayor Cantrell filed the March 16, 2020 Mayoral Proclamation to impose restrictions on public and private gatherings, to close businesses where large gatherings routinely occur, and to limit restaurant operations to take out and delivery. On April 16, 2020, there were 5,847 positive cases and 302 deaths due to COVID-19; therefore, Mayor Cantrell extended the Mayoral Proclamation due to the continued high number of new cases and deaths.

On May 15, 2020, Mayor Cantrell issued a Mayoral Proclamation to Further Promulgate Emergency Orders During the State of Emergency Due to COVID-19, which extends the April 15th restrictions until Health Department guidance provides otherwise. The Proclamation directs the Department of Health to promulgate temporary regulations to introduce a phased approach to easing the restrictions in place, with flexibility provided to the public health professionals to immediately respond in real time and adjust restrictions if necessary with adjustments based on public health data, guidance of the CDC and State health department, or applicable law.

III. PUBLIC HEALTH MILESTONES

As of May 15, 2020, the City of New Orleans had met the public health milestones for entering a phased reopening process as described by evidence-based guidance for jurisdictions and health departments issued by the World Health Organization, White House, Centers for Disease Control and Prevention (CDC), and Johns Hopkins University. This guidance identifies when it may be safe to enter a phased easing of restrictions, which allows the reopening of some businesses during the COVID-19 emergency. It requires jurisdictions to meet the following four public health milestones in order to enter a phased reopening process. The four public health milestones and thresholds are currently defined as follows.

Sustained decrease in number of new cases

Jurisdictions must see a downward trajectory of documented cases within a 14 to 21-day period. The New Orleans Health Department will continue to monitor new positive cases to determine the need to reissue restrictions if cases increase above 50 per day (averaged over at least 3 days) or consecutive increase in cases for more than 5 days. The positivity rate showing the percent of new cases over the total number of tests reported and the R0 which shows the transmission rate will also be factors to consider. The positivity rate should fall below 5% and R0 should remain at or below 1.0. As of May 25, 2021, the case counts, transmission rate and positivity rate have all been low for over 12 weeks. Case counts are below 50 cases per day, the positivity rate is under 1%, and the transmission rate is below 1.0.

Consistently testing at 4-5% of population

Jurisdictions must be able to test 4-5% of their population over the course of a month to ensure that all symptomatic individuals have access to testing, and that the number of new cases is representative of the disease spread within the community and not a result of diminished testing capacity. The City of New Orleans continues to have high rates of testing through healthcare providers and community-based testing locations. The number of tests completed will be

monitored by the New Orleans Health Department to ensure that testing remains at this capacity of at least 15,000 per month. Across New Orleans, there have been over 1,000 tests per day since July 2020.

Adequate staffing for contact tracing

In order to isolate and identify exposure of close contacts, the Louisiana Department of Health will need to increase their ability to implement contact tracing. As of June 8, 2020, there were over 600 individuals able to provide contact tracing in Louisiana and this number is expected to grow to 700 individuals. The number of contact tracers is based on the ability to contact all new positive cases within 24 hours of LDH receiving the test results. The New Orleans Health Department will work with LDH to determine the levels of contact tracing necessary and provide assistance if necessary.

Adequate healthcare system capacity

Healthcare systems, especially hospitals, must be able to care for all COVID-19 and non-COVID-19 patients without using surge capacity. The New Orleans Health Department utilizes data from regional hospitals and LDH to monitor hospitalization rates and availability of hospital beds, intensive care unit (ICU) beds, ventilators, and personal protective equipment supplies.

The CDC considers an individual to be fully vaccinated when at least two weeks have passed since receiving the last dose of a complete vaccine series. The City of New Orleans continues to meet all public health milestones and has fully vaccinated over 58% of all adults with the COVID-19 vaccine. Therefore, the New Orleans Health Department is easing restrictions on certain activities. These restrictions will be effective as of May 28, 2021 at 6:00 A.M.

IV. MANDATES FOR RESIDENTS AND BUSINESSES IN THE CITY OF NEW ORLEANS

General Directives to All Individuals and Businesses

Pursuant to the May 15th Mayoral Proclamation to Further Promulgate Emergency Orders During the State of Emergency Due to COVID-19, the New Orleans Health Department provides the following general directives to all individuals and businesses to best mitigate the further spread of COVID-19 in New Orleans. The CDC advises the best way to prevent the spread of the illness is to avoid being exposed to the virus, so individuals and businesses should follow these directives to the maximum extent feasible, effective May 28, 2021.

- All residents and visitors to the City of New Orleans should take personal responsibility to prevent the further spread of COVID-19, including but not limited to, remaining in their homes whenever possible and avoiding gatherings;
- Individuals who are considered high risk for complications due to COVID-19, such as the elderly and people with pre-existing health conditions should remain at home unless accessing essential services;
- Individuals who are not fully vaccinated should maintain social distancing of at least six feet from other (non- household) individuals;

- Individuals who are not fully vaccinated over the age of 2 and without breathing complications (i.e. use of oxygen) should wear a face covering at all times when in public or with people from another household;
- Individuals are required to wear face coverings in the following settings, as specified in Federal and State guidelines:
 - While passengers and operators of public conveyances, including airplanes, ships, ferries, trains, buses, taxis, ride-shares, and the corresponding transportation hubs;
 - Government offices (including City of New Orleans government);
 - In all healthcare facilities, including physician’s offices, hospitals, and long-term care facilities;
 - All early childhood, elementary, and secondary educational institutions
- Businesses must comply with all safety requirements as set forth herein;
- Nothing in these guidelines shall prevent private businesses from requiring masks or social distancing to conduct operations.
- Movement around the City should be limited so as to minimize interaction with large groups;
- Live entertainment is only allowed following the rules set forth on pages 15-19.

Specific Directives: Gathering Size, Mandatory Closures

Pursuant to the May 26th Mayoral Proclamation to Further Promulgate Emergency Orders During the State of Emergency Due to COVID-19, the New Orleans Health Department further provides the following specific directives and guidance to best mitigate the further spread of COVID-19 in New Orleans, **effective May 28, 2021:**

1. As defined by the Center for Disease Control and Prevention (“CDC”) and adopted by the City of New Orleans, a gathering refers to a planned or spontaneous event, indoors or outdoors, with a small number of people participating or a large number of people in attendance such as a community event or gathering, concert, festival, conference, parade, wedding, or sporting event. The City of New Orleans further considers gatherings to include any time when members of different households congregate for any reason not otherwise set forth in these guidelines. All indoor public and private gatherings shall be limited to 250 individuals and outdoor public and private gatherings shall be limited to 500 individuals. All individuals in indoor and outdoor gatherings must wear masks according to mask guidelines above. While attending such gatherings, individuals who do not live in the same household must maintain six feet in distance between themselves. Individuals who live in the same household are not required to maintain social distancing between themselves.
2. Any gathering that exceeds the limits of 250 individuals indoors/500 individuals outdoors are subject to the following limitations:
 - Indoor events may operate at 50% of capacity without requirements for masking or distancing, OR at 100% of capacity if all participants wear masks through the duration of the event (except while actively eating or drinking).
 - Outdoor events may operate at 75% of capacity without requirements for masking or distancing, OR at 100% of capacity if all participants wear masks through the duration of the event (except while actively eating or drinking).

- Alternatively, any indoor or outdoor event that exceeds the gathering limits may operate at 100% capacity without masking or distancing IF all participants provide proof of full vaccination status OR a negative COVID test result within 72 hours of the time the event begins.

Mandatory Safety Requirements for all Businesses and Institutions Allowed to Operate Effective May 28, 2021

All businesses and institutions allowed to operate effective May 28, 2021, must implement and comply with the following Mandatory Safety Requirements in order to limit interactions among individuals and limit virus transmission:

- All businesses and institutions must prohibit individuals from entering the premises if they have symptoms of illness; should, to the extent feasible, have unused face coverings in stock to provide customers who request face coverings upon entry; and may require face coverings if desired for safe operations;
- All essential and exempt businesses should take measures to prevent gatherings of employees, customers, visitors, and any other individuals while operating, to the maximum extent feasible. Loitering outside of any essential service providers or open businesses shall be prohibited;
- When working inside, doors and windows should be opened to promote air flow to the greatest extent possible and the number of people occupying a single indoor space should be limited to the smallest number feasible;
- When two or more people are occupying a vehicle for work related purposes, they should wear face coverings, unless fully vaccinated;
- All workers must have easy and frequent access to soap and water or hand sanitizer during the duration of work, and frequent handwashing or hand sanitizing is required, including before entering and leaving job sites;
- All common spaces and equipment, including bathrooms, frequently touched surfaces and doors, tools, equipment, and vehicles must be cleaned and disinfected routinely throughout the work day;
- All workers must wear face coverings over their nose and mouth when in the presence of others or food, unless fully vaccinated;
- A translucent shield or "sneeze guard" should be provided for retail cashiers, when applicable (the presence of this shield does not replace the need to wear a face covering);
- Congregation of workers is discouraged;
- If the nature of an employee's work or the work area does not allow employees to safely consume meals in the workspace, an employer may designate a common area or room where meals may be safely consumed, provided the following conditions are met
 - Occupancy shall be limited to the smallest number feasible
 - Hand washing facilities and/or hand sanitizer shall be immediately available at the entrances of a designated common area or room;
 - There shall be cleaning of the area at regular intervals throughout the day;
 - At the entrances of a designated common area or room the employer shall clearly post the policy limiting the occupancy of the space, and the minimum hand washing/hand sanitizing, spacing and cleaning requirements;

- Workers shall not report to, or be allowed to remain at, a work or job site if sick or symptomatic (with fever higher than 100.4oF/38.0oC, cough, and/or shortness of breath, diarrhea, or any other symptom suggestive of COVID-19);
- Non-symptomatic COVID-19 positive workers are not allowed on site, and any workers who have contact with a worker or any other person who is diagnosed with COVID-19 are required to quarantine for at least 10 days, or according to the CDC’s test-based quarantine strategy;
- Individuals who have tested positive can be allowed to return to work if they have not had symptoms for at least 3 days and at least 10 days have passed since their symptoms began or their test result was positive, if asymptomatic;
- To the extent feasible, prior to the start of each work shift, pre-screening or a survey shall be required to verify each employee has no symptoms of illness (fever, cough, and/or shortness of breath),
- To the extent feasible, employers should be considerate of employees with pre-existing morbidities or health conditions;
- All workers should observe strict social distancing of at least six feet while on the job, unless they are fully vaccinated; and

Additional Requirements for Certain Businesses and Institutions

Certain businesses and institutions that do not provide essential services are exempt during this phase effective May 28, 2021, and will be allowed to reopen. The following exempt businesses and institutions must comply with the Mandatory Safety Requirements above and the Louisiana State Fire Marshal guidelines for their sector in addition to the following requirements:

RETAIL STORES

Retail stores shall be allowed to open at 100% of permitted occupancy while following all State Fire Marshal guidelines for “Shopping and Retail.”

- Face coverings are strongly encouraged, but not required for individuals who are fully vaccinated.

RESTAURANTS

Restaurants shall be allowed to open at 100% of indoor permitted occupancy and 100% of outdoor permitted occupancy while following the State Fire Marshal guidelines for “Restaurants Cafes Bars.”

- Food service establishments licensed as standard restaurants under the CZO that provide table service will be required to utilize a reservation system to track names and phone numbers of customers, keep this information for 21 days, and provide it to LDH if requested for contact tracing purposes.
- Patrons must wear masks unless actively eating or drinking, unless they have been fully vaccinated.
- Private events must adhere strictly to the guidelines, guidance from the State Fire Marshal, and the gathering size limits.
- Takeout and delivery are highly encouraged.
- Indoor and outdoor live entertainment is only allowed according to the gathering size limits above and following the rules set forth on pages 15-19.

BARS WITHOUT A STATE AR-CONDITIONAL PERMIT

Bars without a state AR-Conditional permit shall be allowed to open for indoor seating at 100% capacity and outdoor seating to 100% capacity and must follow the State Fire Marshal guidelines for “Restaurants Cafes Bars.”

- Bar games, including but not limited to pool, darts, shuffleboard and cornhole, are allowed with the following rules:
 - Face coverings must be worn by all players actively taking their turn unless fully vaccinated.
 - Playing surfaces shall be sanitized between each game where the players involved change.
 - Shared items such as pool sticks, pool balls, pool cue, darts and bean bags shall be thoroughly cleaned and disinfected between each customer use.
- Bars shall utilize a reservation system to track names and phone numbers of customers, keep this information for 21 days, and provide it to LDH if requested for contact tracing purposes.
- Live entertainment is allowed only according to the gathering size limits above and following the rules set forth on pages 15-19.
- Face coverings are required at all times for employees and customers except while actively eating or drinking, unless individuals are fully vaccinated.
- Customers must be 21 or older to enter.

BARS OR OTHER ESTABLISHMENTS WITH A STATE AR-CONDITIONAL PERMIT

Bars or other establishments with a state AR-Conditional permit may operate as standard restaurants under these guidelines, regardless of their use designation by the city of New Orleans. These establishments must adhere to all of the restaurant guidelines set forth herein and in the Comprehensive Zoning Ordinance.

BREWERIES, MICROBREWERIES, DISTILLERIES AND MICRODISTILLERIES

Breweries, Microbreweries, Distilleries and Microdistilleries shall be allowed to open with social distancing at 100% indoor capacity and 100% of outdoor permitted occupancy and they must follow the State Fire Marshal guidelines for “Restaurants Cafes Bars.”

- Live entertainment is allowed only according to the gathering size limits above and following the rules set forth on pages 15-19.
- Bar games, including but not limited to pool, darts, shuffleboard and cornhole, are allowed with the following rules:
 - Face coverings must be worn by all players actively taking their turn unless fully vaccinated.
 - Playing surfaces shall be sanitized between each game where the players involved change.
 - Shared items such as pool sticks, pool balls, pool cue, darts and bean bags shall be thoroughly cleaned and disinfected between each customer use.

BREWERIES, MICROBREWERIES, DISTILLERIES AND MICRODISTILLERIES WITH LDH FOOD PERMITS

Breweries, Microbreweries, Distilleries and Microdistilleries with LDH Food Permits shall be allowed to open with social distancing at 100% indoor capacity and 100% of outdoor permitted occupancy and they must follow the State Fire Marshal guidelines for “Restaurants Cafes Bars.”

- Breweries, Microbreweries, Distilleries and Microdistilleries with LDH Food Permits shall utilize a reservation system to track names and phone numbers of customers, keep this information for 21 days, and provide it to LDH if requested for contact tracing purposes.
- Live entertainment is allowed only according to the gathering size limits above and following the rules set forth on pages 15-19.
- Face coverings are required at all times for employees and customers except while actively eating or drinking, unless individuals are fully vaccinated.

ADULT LIVE PERFORMANCE VENUES

Adult Live Performance Venues shall be allowed to open following all rules for bars under these guidelines.

- Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days
- Stage and poles must be sanitized between performers.
- Stage, poles, private rooms, champagne rooms, back rooms and any other customer contact rooms must be sanitized between performers.
- All patrons, employees and performers must wear face coverings unless actively eating or drinking, unless fully vaccinated.
-

SALONS, BARBER SHOPS AND TANNING ESTABLISHMENTS

Salons, Barber Shops and Tanning establishments shall be allowed to open at 100% of permitted occupancy.

- Chairs should be arranged to keep people at least six feet apart, unless fully vaccinated.
- Employees must maintain strict PPE usage
- Gloves must be worn and changed between customers.
- Face coverings are required at all times for employees and customers unless fully vaccinated.
- Services must be tracked using a reservation system to track names and phone numbers of customers, keep this information for 21 days, and provide it to LDH if requested for contact tracing purposes.

PERSONAL CARE, TATTOO, MASSAGE AND ESTHETICIAN SERVICES

Personal Care, Tattoo, Massage and Esthetician Services shall be allowed to open at 100% of permitted occupancy while following the State Fire Marshal guidelines for “Tattoo Massage Esthetician.”

- Chairs must be arranged to keep people at least six feet apart, unless fully vaccinated.
- Employees must maintain strict PPE usage.
- Face coverings are required for employees and customers at all times unless fully vaccinated.
- Services must be tracked using a reservation system to track names and phone numbers of customers, keep this information for 21 days, and provide it to LDH if requested for contact tracing purposes.

HOUSES OF WORSHIP

Houses of Worship shall be allowed to open for services at 100% of permitted occupancy.

- Online or drive up services are highly encouraged.

- Scheduled time slots or the use of an appointment or reservation system for services is encouraged.
- Face coverings are required at all times unless fully vaccinated.
- Plans for entrances and exits to reduce gatherings are required, and crowd managers must be in place per State Fire Marshal guidelines.
- Choirs and live music are allowed with the following rules:
 - Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days
 - Measure performance/practice space to determine the best setup for adherence to social distancing requirements. Limit the size of the choir/band with wind instruments according to spacing availability. Spacing and distancing should not be reduced in order to accommodate more individuals. Consider decreasing choir or band size, potentially alternating weeks for participants if necessary. Consider use of larger facilities as available.
 - Performers must not share music stands or sheet music. The performance area and materials such as stands should be sanitized after each performance/practice.
 - Choral performers should have their own well-fitted masks which allow for proper vowel formation while keeping the mouth and nose covered unless fully vaccinated.
 - Microphones should not be shared. If shared, cleaning should occur between each use.
 - Instruments should not be shared. If shared, cleaning should occur between each use. Percussion performers must not share mallets without properly disinfecting them.
 - Wind instrument performers should have masks with slits at the mouth to fit mouthpieces for playing their instruments only, unless fully vaccinated. At all other times when not playing, the performers should wear a well-fitted mask that covers nose and mouth, unless fully vaccinated. Instrument bell covers should be used in all settings. Ideally, bell covers should be made of nonstretchy material that has a Minimum Efficiency Reporting Value (MERV) of 13.

POOL HALLS, BOWLING ALLEYS, SKATING RINKS, TRAMPOLINE PARK, CHILDREN INDOOR PLAY CENTERS, INDOOR PLAYGROUNDS AND ARCADES

Pool Halls, Bowling Alleys, Skating Rinks, Trampoline Park, Children Indoor Play Centers, Indoor Playgrounds and Arcades may open at 100% capacity with approval from the State Fire Marshal. Patrons must wear masks unless actively eating or drinking, unless they have been fully vaccinated.

CHILDCARE, EARLY LEARNING CENTERS, K-12 SCHOOL AND SUMMER PROGRAMS

Childcare, Early Learning Centers, K-12 School and Summer Programs shall be allowed to open according to restrictions put forth by the local governing school system, Louisiana Department of Health, Louisiana Department of Education, and other state agencies.

ADULT DAY CARES AND PACE PROGRAMS

Adult Day Care and PACE programs shall be allowed to open according to restrictions put forth by the Louisiana Department of Health.

MOVIE THEATERS

Movie Theaters shall be allowed to open at 100% of permitted occupancy while following the State Fire Marshal guidelines for “Movie Theaters.”

- Face coverings are required at all times for employees and customers except while actively eating or drinking unless fully vaccinated.

CONCERT AND MUSIC HALLS

Concert and Music Halls with fixed/permanent seating shall be allowed to open at 100% of permitted occupancy, while following the State Fire Marshal guidelines for “Movie and other Theaters.”

- Face coverings are required at all times for employees and customers except while actively eating or drinking unless fully vaccinated.
- Live entertainment is allowed following the rules set forth on pages 15-19.

MUSEUMS, ZOOS AND AQUARIUMS

Museums, Zoos and Aquariums shall be allowed to open at 100% of permitted occupancy while following the State Fire Marshal guidelines for “Museums Zoos Aquariums.”

- Tactile exhibits should submit a written plan to the Health Department for approval.
- Face coverings are required at all times unless fully vaccinated.

GYMS AND FITNESS CENTERS

Gyms and Fitness Centers shall be allowed to open at 100% of permitted occupancy and group fitness classes may operate at 100% of capacity with no physical contact, while following all of the State Fire Marshal guidelines for “Fitness Centers and Health Clubs.”

- Physical distancing measures for equipment and exercise areas should be arranged to keep six feet between individuals, such as the use of barriers or closing certain machines.
- Face coverings are required at all times unless fully vaccinated.
- Scheduling and/or a sign-in system is required.
- On-site sanitation attendants are required.

OFFICE BUILDINGS AND ORGANIZATIONS AND BUSINESSES WITHIN OFFICE BUILDINGS

Office Buildings and Organizations and Businesses within Office Buildings shall be allowed to open at 100% of permitted occupancy.

- Face coverings are required at all times unless individuals are fully vaccinated.
- Employees that can work remotely should consider doing so if appropriate. Virtual meetings are highly encouraged.
- Conference rooms should be limited to the minimum number feasible to conduct operations.
- In City government buildings, face coverings are required at all times unless alone in a separate office.

CONFERENCE VENUES AND MEETING ROOMS

Conference Venues and Meeting Rooms shall be allowed to open at 100% as long as no food or drinks are being served, while following the State Fire Marshal. If food and/or drinks are being served, the Indoor Event Venues guidelines must be followed.

- Individuals are encouraged to maintain a six foot distance between each other at all times, unless fully vaccinated.
- Gathering of unseated individuals are subject to the restrictions on gathering sizes.
- Trade shows and exhibit spaces are allowed with approval from the State Fire Marshal and the Department of Safety and Permits.
- Face coverings are required at all times unless fully vaccinated.

EVENT VENUES, RECEPTION HALLS, AND HOTEL BALLROOMS

Event Venues, Reception Halls, and Hotel Ballrooms shall be allowed according to the gathering size guidelines above, while following the State Fire Marshal guidelines for “Event Venues.”

- Individuals are encouraged to maintain a six-foot distance between each other, unless fully vaccinated.
- Face coverings are required at all times except while eating and drinking, unless fully vaccinated.
- Gatherings of unseated individuals are subject to the restrictions on gathering sizes above.
- Indoor live entertainment is only allowed following the rules set forth on pages 15- 19.
- Dancing is allowed by fully vaccinated individuals.

OUTDOOR EVENTS, AMUSEMENT PARKS, FESTIVAL AND FAIRS

Outdoor Events, Amusement Parks, Festival and Fairs shall be allowed to operate according to the gathering size guidelines above, with special event permit and State Fire Marshal approval, and following the State Fire Marshal guidelines.

- The event must be fenced-in or within a contained area.
- Open-air ride seating arrangements are encouraged to allow for six foot distancing between non-related groups, unless fully vaccinated.
- Enclosed rides shall limit occupancy only to related small groups of 6 persons maximum.

LIBRARIES

Libraries shall be allowed to open at 100% of permitted occupancy.

- Face coverings are required at all times.
- Individuals and groups are encouraged to maintain 6 feet of distancing at all times.

COMMUNITY CENTERS

Community Centers shall be allowed to open at 100% of permitted occupancy while following the State Fire Marshal guidelines for “Business and Organizations.”

- Group events are subject to gathering size rules as set forth herein.
- Face coverings are required at all times unless fully vaccinated.

OUTDOOR RECREATION SPACES AND SPORTS COMPLEXES

Outdoor Recreation Spaces and Sports Complexes shall be allowed to open according to the gathering size guidelines above. Any events taking place in recreation spaces or sports complexes that are not athletic competitions, must obtain a special event permit or registration certificate as appropriate. All recreation spaces and sports complexes must follow the State Fire Marshal guidelines for “Indoor and Outdoor Sports, Racing.”

INDOOR RECREATION SPACES AND SPORTS COMPLEXES

Indoor Recreation Spaces and Sports Complexes shall be allowed to open according to the gathering size guidelines above while following the State Fire Marshal guidelines for “Indoor and Outdoor Sports, Racing.”

- Individuals are encouraged to maintain a six foot distance between each other at all times, unless fully vaccinated.
- Events are limited to timed, seated, ticketed events.
- Face coverings are required for all attendees and spectators unless fully vaccinated.
- Youth and recreational sports must follow the general and sport-specific guidelines put forth by the LHSAA. Collegiate sports must adhere to both City and conference general and sport-specific guidelines.

OUTDOOR PLAYGROUNDS, WATER PARKS, SPLASH PADS, AND WATER PLAY VENUES

Outdoor Playgrounds, Water Parks, Splash Pads, and Water Play Venues shall be allowed to open at 100% capacity. Individuals and groups from different households are encouraged to maintain 6 feet of distancing at all times, unless fully vaccinated.

SWIMMING POOLS

Swimming Pools shall be allowed to open following the State Fire Marshal guidelines for “Swimming Pools and Athletic Facilities.”

CASINOS, RACETRACKS, AND VIDEO POKER ESTABLISHMENTS

Casinos, Racetracks, and Video Poker Establishments shall be allowed to open at 100% of permitted capacity with 100% of gaming tables open.

- Face coverings are required at all times except while eating and drinking unless fully vaccinated.
- Individuals and groups from different households are encouraged to maintain 6 feet of distancing at all times.

WALKING AND BIKING TOURS

Walking and Biking Tours shall be allowed to operate with no more than 28 individuals and each tour group must maintain distance between groups

- Individuals from different households should maintain six feet between each other, unless fully vaccinated.
- Face coverings are required at all times unless fully vaccinated.

CARRIAGE TOURS

Carriage Tours shall be allowed to operate at 100% capacity. Tours must follow State Fire Marshal guidelines.

- Individuals from different households should maintain six feet between each other, unless fully vaccinated.
- Face coverings are required at all times unless fully vaccinated.

BUS TOURS

Bus Tours shall be allowed to operate at 100% capacity while following State Fire Marshal guidelines.

- Individuals should maintain six feet between each other, unless fully vaccinated.
- Face coverings are required at all times unless fully vaccinated.

ALL OTHER BUSINESSES OR ORGANIZATIONS

All other businesses or organizations that are not listed above but have been approved to reopen by the State Fire Marshal in accordance with a Gubernatorial Proclamation may present their approval by the State Fire Marshal to the Department of Safety and Permits, who shall consult with the Department of Health to confirm compliance with these Guidelines, and may reopen according to the State Fire Marshal requirements provided with their approval. If the Department of Health instead determines that such a business or organization fits within a category of business or organization listed above, such business or organization shall be subject to the requirements for that category listed above.

Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries

Pursuant to the May 15th Mayoral Proclamation to Further Promulgate Emergency Orders During the State of Emergency Due to COVID-19, the Department of Safety and Permits, in conjunction with the New Orleans Health Department, provides the following additional temporary options for outdoor seating to Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries, effective **May 28, 2021**:

All Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries may provide indoor and outdoor seating to customers only if they operate in accordance with the guidelines from the State Fire Marshal.

All Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries that have a current sidewalk café permit or parklet permit may utilize the spaces covered by the permit, but only if they operate in accordance with the guidelines from the State Fire Marshal and the safety measures herein. Tables shall be arranged in a way to ensure ADA compliance and shall be located no closer than 8' from the center of the required walking path. Loitering outside of any of these establishments shall be prohibited.

Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries that would like to apply for a sidewalk café permit, or whose sidewalk café permit requires renewal, may apply for a temporary sidewalk use permit without fees. The same is true for businesses seeking to apply for parklet permits. The added value brought to citizens and public health by expanding the availability of outdoor restaurant seating outweighs the fees associated with these applications during the COVID-19 emergency. These temporary sidewalk café permits and parklet permits will be evaluated under the current sidewalk café regulations and parklet standards, as well as for compliance with the guidelines from the State Fire Marshal. All such permits will expire on June 30, 2021, or the expiration date listed on the face of the permit, whichever is later, unless the City determines that an extension of this date is warranted.

Enforcement of the off-street parking provisions contained in the CZO applicable to Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries is hereby temporarily suspended. Restaurants, Bars, Breweries, Microbreweries, Distilleries and Microdistilleries with off-street parking may use those spaces for outdoor seating, provided they operate in accordance with the guidelines from the State Fire Marshal, the safety measures herein, and all other applicable law. Tables shall be arranged in a way to ensure ADA compliance and shall be located no closer than 8' from the center of any required walking path. Loitering in or near the outdoor seating areas of any of these establishments shall be prohibited. In no way shall this temporary privilege be construed as a permanent right.

Sidewalk cafes, parklets, and seating in parking lots shall be considered part of the premises for purposes of this section.

Live Entertainment Guidance (effective May 28, 2021)

Live entertainment for the purposes of the COVID-19 reopening guidelines is defined as: Any one (1) or more of any of the following live performances, performed live by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: musical act, theatrical play or act, including stand-up comedy, magic, dance performances, dance clubs, and disc jockey performances using vinyl records, compact discs, computers, or digital music players when the disc jockey is in verbal communication with the clientele of the establishment. This does not include adult live performances. These guidelines have been created based on the most current recommendations from scientific research institutions.

Indoor Live Entertainment

Indoor Live Entertainment in front of an audience may be performed in restaurants, bars, concert halls, music halls, live performance venues, and event venues following the capacity limits listed above based on the business type. All venues must follow all occupancy capacities and other guidelines as listed for the business type. All venues must obtain a Special Event permit or a Certificate of Registration to allow live entertainment.

- Venues are encouraged to provide at least one of the following mitigation measures if singing and/or wind-blown instruments are included in the performance:
 - HVAC system(s) that provides a minimum of 6 air changes per hour (ACH) within the space occupied by the audience and performers. Guidance on calculating this rate can be found at [opensafely.la.gov](https://www.opensafely.la.gov).
 - Direct air flow towards the performers/stage and away from the attendees at a minimum rate of 2,000 Cubic Feet per Minute (CFM). Guidance on calculating this rate can be found at [opensafely.la.gov](https://www.opensafely.la.gov).
 - An independent HVAC system, dedicated exclusively for the performance area that provides a minimum of 6 air changes per hour (ACH).
 - Use of a physical barrier, like Plexiglass, in front of sources of high-velocity aerosols including singers and wind-blown instruments.

- Require singers to wear well fitted masks, which allow for proper vowel formation while keeping the mouth and nose covered, throughout the entire performance, unless fully vaccinated.
- A minimum of 10 feet of separation should be provided between the performers and attendees. The performance area should not be above the attendees (e.g. indoor balconies), but an elevated stage with the required 10-foot separation is permitted.
- All patrons must be seated and wear masks unless actively eating and drinking, unless fully vaccinated. Patrons should refrain from cheering or singing along, unless fully vaccinated. Patrons are prohibited from dancing, unless fully vaccinated.
- Seating should not be allowed within 3 ft of aisles or above entrances, exits or performers.
- Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days.
- All conductors must wear facemasks unless fully vaccinated. Performers that play wind-blown instruments should wear a face mask with an opening to fit the mouthpiece of the instrument unless fully vaccinated.
- Live music events are permitted only by performers who are contracted or hired by the business. Singing and performances by patrons (karaoke or open mic) is not permitted.
- All wind-blown instruments must have a bell cover or be in an instrument bag.
- Spit valves are prohibited from being emptied onto the floor, and performers should use a PuppyPad or similar device to empty spit valves.
- Performers must not share music stands, sheet music, instruments, or microphones, and items such as stands and microphones should be sanitized after each performance.
- Signage must be posted indicating that singing and instrumental music produced by wind instruments are thought to be higher risk activities for COVID-19 spread. Older adults and people with certain medical conditions are at increased risk to become severely ill from COVID-19. It is especially important for people at increased risk of severe illness from COVID-19, and those who live with them, to protect themselves from getting COVID-19.

Outdoor Live Entertainment

Outdoor Live Entertainment in front of an audience shall be allowed provided that all requirements set forth in these guidelines are adhered to. All events or venues must obtain a Special Event Permit.

- All patrons must be seated and wear masks unless actively eating and drinking unless fully vaccinated. Patrons should refrain from cheering or singing along, unless fully vaccinated. Patrons are prohibited from dancing unless fully vaccinated.
- Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days
- Performers that play wind-blown instruments should wear a face mask with an opening to fit the mouthpiece of the instrument unless fully vaccinated.
- All wind-blown instruments must have a bell cover or be in an instrument bag.
- There must be a 2-foot aisle between audience and performers.

- All singers and speakers should use amplification if necessary to avoid projecting their voices to increase their volume.
- Spit valves are prohibited from being emptied onto the floor, and performers should use a PuppyPad or similar device to empty spit valves.

Special Event Permits for Live Entertainment

Any party seeking to host a live entertainment performance during this phase shall be required to obtain a **special event permit** from the City in order to do so. A special event permit may allow live entertainment when it is otherwise not permitted. Pursuant to her Emergency Proclamation, the Mayor has waived prohibitions in the CZO and in the municipal code limiting the number of special event permits a venue may be eligible for as well as prohibitions regarding the frequency of permitted special events.

Live Entertainment Permitting Guidelines:

- Applications to permit live entertainment may be submitted online or by email to specialevents@nola.gov.
- Special event permit applications submitted less than seven (7) days in advance of the event seeking permitting or registration may be summarily denied.
- Special event permits which include live entertainment as part of the event shall apply subject to the guidelines set forth by the Governor, State Fire Marshal, and Mayor.
- Pursuant to her Emergency Proclamation, the Mayor has waived prohibitions in the CZO against outdoor live entertainment for establishments meeting all of the requirements contained in this document and which obtain a special event permit.
- Hosting live entertainment without obtaining a proper permit, or in violation of the terms of the permit and documentation submitted therewith shall be considered to be a violation of these guidelines and may subject the hosting venue to enforcement activity, including but not limited to revocation of the permit, revocation of a business's ability to open under these guidelines, misdemeanor charges for owners, managers, and/or staff, and cessation of electrical service to the business. Businesses holding Alcoholic Beverage Outlet permits from the City are also advised that the right to maintain such permits is contingent on the business following all applicable laws, including those contained in any Mayoral Proclamation and in these guidelines or any subsequently issued by the City.
- Live entertainment permits shall be initially granted for a ten-day period. The application must list all proposed events during said ten-day period. After the conclusion of this ten-day period, applicants may apply to extend their permit for up to a six-month period. All proposed events must also be detailed in that application as directed by Safety and Permits.

STREET PERFORMERS AND BUSKERS

- Street Performers and Buskers shall be allowed to perform on public rights-of-way.
- Street performers and buskers are encouraged to maintain small audiences.
- Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days
- Performers that play wind-blown instruments should wear a face mask with an opening to fit the mouthpiece of the instrument unless fully vaccinated.

- All wind-blown instruments must have a bell cover or be in an instrument bag.
- All singers and speakers should use amplification if necessary to avoid projecting their voices to increase their volume.

REHEARSALS

- Rehearsals without an audience may take place in any indoor or outdoor location, but outdoors is always preferred. Windows should be opened when possible.
- Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days
- Performers that play wind-blown instruments should wear a face mask with an opening to fit the mouthpiece of the instrument unless fully vaccinated.
- All wind-blown instruments must have a bell cover or be in an instrument bag.
- All singers and speakers should use amplification if necessary to avoid projecting their voices to increase their volume.
- Spit valves are prohibited from being emptied onto the floor, and performers should use a PuppyPad or similar device to empty spit valves.

FRONT PORCH CONCERTS

Live entertainment at private residences in front of an audience may take place in accordance with the following rules. The City will deem the following events to be eligible for Porch Concert Permits and waive fees for these permits which meet the following criteria. **If any of these criteria are not met, a special event permit is required:**

- The applicant seeks to hold the event at their private residence. Proof may be required in the form of an act of sale or lease if DSP determines its necessary.
- Amplification is allowed as long as (1) the concert does not violate the City’s noise ordinance and (2) there is no modification of existing electrical systems on the premises.
- The event will not include any of the following:
 - Stages or other platform or structural construction
 - Tents
 - The sale of alcohol
 - Entry fees of any kind.
 - The event will include no more than 25 individuals.
- The following rules must be followed at all Front Porch Concerts:
 - All audience members should be seated and wear masks unless actively eating and drinking unless fully vaccinated. Audience members should refrain from cheering or singing along, unless fully vaccinated. Audience members are prohibited from dancing, unless fully vaccinated.
 - Performers should be fully vaccinated or have not tested positive for COVID-19 or experienced COVID- like symptoms in the last 10 days, or have had close contact with a COVID-19 case in the past 14 days.
 - Performers that play wind-blown instruments should wear a face mask with an opening to fit the mouthpiece of the instrument unless fully vaccinated.
 - All wind-blown instruments must have a bell cover or be in an instrument bag.

- All singers and speakers should use amplification if necessary to avoid projecting their voices to increase their volume.
- Spit valves are prohibited from being emptied onto the floor, and performers should use a PuppyPad or similar device to empty spit valves.

Special Event Guidance

Any party seeking to host a special event in the City during the current phase shall be required to obtain a special event permit from the City in order to do so. Pursuant to her Emergency Proclamation, the Mayor has waived prohibitions in the CZO and in the municipal code limiting the number of special event permits a venue may be eligible for as well as prohibitions regarding the frequency of permitted special events. For the purposes of these reopening guidelines, “special events” are defined as any event that is not allowed by right by an establishment’s zoning designation under the CZO (or by an approved conditional use) and by these guidelines.

SPECIAL EVENT GUIDELINES:

Special events must adhere to the following rules:

- Anyone hosting a special event must prohibit individuals from entering the event premises if they have symptoms of illness, should require that all participants and attendees wear face coverings unless fully vaccinated, should, to the extent feasible, have unused face coverings in stock to provide to participants and attendees who do not have face coverings upon entry, and must post signage at all entrances to the event clearly indicating such requirements and prohibitions.
- Participants and attendees must have easy and frequent access to soap and water or hand sanitizer during the duration of the event, including any set-up or dismantling of the event space, and frequent hand washing or hand sanitizing is required including before entering and after leaving the event.
- All common spaces and equipment, including bathrooms or port-o-lets and frequently touched surfaces and doors, tools, and equipment must be cleaned and disinfected before, during, and after the event.
- Everyone attending the event, including those who may be working or volunteering at the event, shall be considered to be a “participant or attendee” as the term is used herein.
- Participants and attendees should maintain strict social distancing of at least six feet during all phases of the event, including set-up and dismantling of the event space unless fully vaccinated.
- All attendees at special events should have socially-distant seating. Applicants are expected to provide plans regarding how they will ensure that these activities do not occur.
- No gathering shall allow more than 250 people indoors and 500 outdoors.
- Applications to permit special events may be submitted online or by email to specialevents@nola.gov.
- Special event permit applications submitted less than seven (7) days in advance of the event seeking permitting may be summarily denied.
- Applications to permit special events shall be required to submit the following information, as well as any other information requested by the Department of Safety and Permits:

- A site plan showing the area where the event will take place, including any stage or performance areas, all tables and chairs, restrooms, and any other relevant physical features. The site plan must conform to social distancing requirements.
- A detailed organizational plan for the event which specifies the following:
 - A listing of any food or beverages to be sold, including whether alcoholic beverages will be sold;
 - Any ticketing or attendance fees;
 - A planned schedule of the event;
 - Any other information requested by the Department of Safety and Permits.
- A list of safety measures to be taken to ensure that the event can proceed without endangering the public health, including but not limited to:
 - Sanitizing stations;
 - Ability to collect names and contact information of all participants for contact tracing purposes, as well as policies to retain this information for at least 21 days;
 - Policies to prevent congregation;
 - Policies to encourage mask wearing by unvaccinated individuals;
 - Policies to prevent symptomatic participants or attendees from joining the event;
 - Policies to enforce maximum occupancy; and
 - Noise mitigation policies.
- Special event permits are a privilege, not a right, and the City retains the ability to grant or deny any application for any reason.
- Hosting live entertainment without obtaining a proper permit, or in violation of the terms of the permit and documentation submitted therewith shall be considered to be a violation of these guidelines and may subject the hosting venue to enforcement activity, including but not limited to revocation of the permit, revocation of a business's ability to open under these guidelines, misdemeanor charges for owners, managers, and/or staff, and cessation of electrical service to the business. Businesses holding Alcoholic Beverage Outlet permits from the City are also advised that the right to maintain such permits is contingent on the business following all applicable laws, including those contained in any Mayoral Proclamation and in these guidelines or any subsequently issued by the City
- Special event permits may be initially granted for a ten-day period. The application must list all proposed events during said ten-day period. After the conclusion of this ten-day period, applicants may apply to extend their permit for up to a six-month period. All proposed events must also be detailed in that application as directed by Safety and Permits.

GRADUATIONS (EFFECTIVE MAY 28, 2021)

An event that meets the following characteristics will NOT require a special event permit. Any event that does not meet each of the below qualifications, even if it is a graduation ceremony, must obtain a special event permit.

- The event must be hosted by an educational facility. This shall include primary, secondary, university, or vocational educational facilities as defined in the CZO.
- The event must be held for the purpose of celebrating the academic advancement of students of the educational facility.

- The event shall not include live entertainment provided by anyone other than students and/or staff of the educational facility. These performers will adhere to all live entertainment guidance herein related to masking, distance, separation, and other risk mitigation measures.
- Ceremonies held in indoor sporting and/or entertainment venues or indoor multi-purpose centers (such as arenas, civic centers, convention centers, conference centers, gymnasiums, enclosed stadiums) shall be allowed 33% capacity of both fixed spectator seating and 33% of net occupiable floor areas, or 1 person per every 45 square feet, whichever is less.
- Ceremonies held in outdoor sporting and/or entertainment venues shall allow 50% capacity of fixed spectator seating and 25% of net occupiable field areas, or 1 person per every 45 square feet, whichever is less. The event must be controlled by invitations, ticket sales, or reservations.
- The event will require assigned seating or ushers to escort attendees to seats with social distancing of at least 6 feet between family units.
- Family units will not include more than 10 people.
- All participants should be masked unless fully vaccinated and remain seated for the duration of the ceremony.
- Graduate exit, along with graduate guest exit, upon diploma receipt is encouraged to achieve an orderly egress of the crowd.
- Restroom attendants are encouraged in order to maintain lines and appropriate spacing.
- Concession sales should be avoided.
- Ceremonies shall be limited to no more than 90 minutes.
- The event must follow all other City and State guidelines for event venues.

Based on public health data and emerging evidence of the SARS-CoV-2 virus and COVID-19 disease, the Director of Health may amend, update, revise, or clarify any portion of this document including public health milestones, definitions of phases, eligible businesses, or any other provision, in order to institute updated measures for the control of the epidemic and to protect the health and safety of the public. Exemptions may be revoked based on failure to comply with requirements set forth in this document, or due to other public health data that indicates such a setting or activity is not aligned with minimizing exposure to the virus.

V. ENFORCEMENT OF THESE GUIDELINES

The Louisiana Homeland Security and Emergency Assistance and Disaster Act provides that “any person . . . violating any order, rule, or regulation promulgated pursuant to this Chapter, shall be fined not more than five hundred dollars, or confined in the parish jail for not more than six months, or both.” La. R.S. 29:727(G). Additionally, Section 54-501 of the City Code provides that whoever “violates any provision of an emergency order issued by a competent official under authority of a declaration of emergency made pursuant to state law, or whoever during such a declared state of emergency sells anything at a price that violates R.S. 29:732, shall be guilty of a misdemeanor.” Section 54-25 of the City Code says that such a misdemeanor “shall be punished by a fine not exceeding \$500.00, or by imprisonment for not more than five months or both such fine and penalty” Mayor Cantrell has declared a state of emergency to exist in New Orleans via proclamation on March 11, 2020 and has imposed orders subject to these penalty provisions in her May 15, 2020 Proclamation. These emergency orders will be strictly enforced, and compliance is of the utmost importance.

Enforcement measures may include, but are not limited to, prohibiting a business from offering take-out services, revocation of a business's ability to open under these guidelines, revocation of any special event or live entertainment permits, revocation of certificates of registration, misdemeanor charges for owners, managers, and/or staff, and cessation of electrical service to the business. Businesses holding Alcoholic Beverage Outlet permits from the City are also advised that the right to maintain such permits is contingent on the business following all applicable laws, including those contained in any Mayoral Proclamation and in these guidelines or any subsequently issued by the City.