

OFFICE OF THE CHIEF OF POLICE

NOTICE 11.2

November 23, 2021

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: PROOF OF FULL VACCINATION WITH A COVID-19 VACCINE
REQUIRED TO ENTER CERTAIN PUBLIC LOCATIONS

This Notice establishes enforcement procedures pertaining to Los Angeles Municipal Code (LAMC) Sections 200.122, 200.123, and 200.124, which require proof of vaccination with a COVID-19 vaccine to enter certain indoor public locations, City facilities, and outdoor large events.

The COVID-19 pandemic remains a significant challenge in the City of Los Angeles, particularly considering the highly contagious delta variant. Daily cases and community transmission remain high and, according to health experts, are likely to increase during the coming weeks due to the amplified spread of respiratory viruses in the fall and winter months.

On October 6, 2021, the Los Angeles City Council acted to promote the health and safety of its residents, workers, and patrons by passing Article 10 which contains LAMC Section 200.121. This Section defines “Covered Location,” “Full Vaccination/Fully Vaccinated,” “Outdoor Large Event,” “Proof of Negative COVID-19 Test,” and “Proof of Vaccination.” Article 10 also entails LAMC Sections 200.122, 200.123, and 200.124 which will require proof of vaccination to enter indoor public locations, City facilities, and outdoor large events.

Effective November 4, 2021, and until further notice, Department personnel may enforce LAMC Sections 200.122, 200.123, and 200.124 and shall be guided by the enforcement and evidentiary guidelines outlined in this Notice.

Los Angeles Municipal Code Section 200.121

The following definitions have been added under LAMC Section 200.121:

- 200.121(D) Covered Location means any of the following locations in the city:
 1. Establishments where food or beverages are served, including, but not limited to, restaurants, bars, fast food establishments, coffee shops, tasting rooms, cafeterias, food courts, breweries, wineries, distilleries, banquet halls, and hotel ballrooms;

2. Gyms and fitness venues, including, but not limited to: gyms, recreation facilities, fitness centers, yoga, Pilates, cycling, barre, dance studios, hotel gyms, boxing and kickboxing gyms, fitness boot camps, and other facilities used for conducting indoor group fitness classes;
3. Entertainment and recreation venues, including, but not limited to, movie theaters, music and concert venues, live performance venues, adult entertainment venues, commercial event and party venues, sports arenas, convention centers, exhibition halls, museums, malls, shopping centers, performing arts theaters, bowling alleys, arcades, card rooms, family entertainment centers, play areas, pool and billiard halls, and other recreational game centers; and,
4. Personal care establishments, including spas, nail salons, hair salons, barbershops, tanning salons, estheticians, skin care and cosmetology services, body art professionals, piercing shops, and massage therapy, except as medically required.

Exception: A “Covered Location” does not include any location that does not have an Indoor Portion or that is required by a Department of Public Health Order to check proof of COVID-19 vaccination status prior to providing indoor service.

- 200.121(G) Full Vaccination/Fully Vaccinated means 14 or more days after completing the entire recommended series of vaccination with a COVID-19 vaccine. Currently, an individual is considered “Fully Vaccinated” at least two weeks after receiving a second dose of the Pfizer or Moderna COVID-19 vaccine or two weeks after receiving the single dose of the Johnson & Johnson Janssen COVID-19 vaccine.
- 200.121(K) Outdoor Large Event means an outdoor event with attendance in-between 5,000 and 9,999 patrons. An outdoor large event includes conventions, conferences, expos, concerts, shows, nightclubs, sporting events, live events and entertainment, fairs, festivals, parades, theme parks, amusement parks, water parks, large private events or gatherings, marathons or endurance races, and car shows. Outdoor large events may have either assigned or unassigned seating, and may be either general admission or gated, ticketed, and permitted events.
- 200.121(N) Proof of Negative COVID-19 Test means a printed document, email or text message displayed on a phone, from a test provider that shows results of a polymerase chain reaction (PCR) or antigen COVID-19 test. The test must have Emergency Use Authorization (EUA) by the U.S. Food and Drug Administration or operate per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. The test must be conducted within 72 hours before entry into a covered location, City facility, or outdoor large event. The printed document, email, or text message must include the person’s name, type of test performed, date of the test, and negative test result.

- 200.121(O) Proof of Vaccination means one of the following demonstrating proof of Full Vaccination:
 1. A Vaccination Card issued by the United States Centers for Disease Control and Prevention (CDC) COVID-19 Vaccination Card, which includes the name of the person vaccinated, type of vaccine provided, and date last dose administered, or similar documentation issued by another foreign governmental agency;
 2. A photo of a vaccination card (both sides), compliant with Subsection 0.1, above, as a separate physical photograph or stored on a phone or electronic device;
 3. Documentation of vaccination from a licensed healthcare provider; or,
 4. A personal digital COVID-19 vaccine record issued by the State of California or similar documentation issued by another state, local, or foreign governmental jurisdiction, or by a private company. California residents can visit the State of California's Digital COVID-19 Vaccine Record website at myvaccinerecord.cdph.ca.gov and download a QR Code on a phone.

Los Angeles Municipal Code Sections 200.122, 200.123, and 200.124

200.122 LAMC	A covered location shall require each patron who appears to be 18 years of age or older to provide proof of vaccination and photo identification upon entering an indoor portion of the covered location.
200.123 LAMC	Proof of vaccination and photo identification required for a patron who appears to be 18 years of age or older to enter indoor portion of a City facility.
200.124 LAMC	An operator of an outdoor large event that is ticketed or held in a defined space with controlled points of entry, must verify proof of vaccination or proof of negative COVID-19 test and photo identification for each patron who appears to be 18 years of age or older, prior to entry to the event.

Exemption for 200.122 LAMC: A patron may be exempt from the requirements of this section if they are entitled under any applicable law to a reasonable accommodation for a medical condition, restriction, or a sincerely held religious belief. To be eligible for an exemption, the patron must provide the covered location with a self-attestation that the patron has a medical condition, restriction, or a sincerely held religious belief that qualifies the patron for the exemption.

Enforcement

Officers are reminded that the primary goal in responding to calls for service (i.e., flag down or radio call) concerning violations of LAMC Sections 200.122, 200.123, and 200.124 is to educate and obtain voluntary compliance from individuals, who officers reasonably believe, are violating such ordinance.

When officers either receive a complaint of, or observe, and thereafter confirm that individuals operating a “Covered Location” (LAMC Section 200.121) or an “Outdoor Large Event” (LAMC Section 200.124) and are in violation, officers may take the respective action following a supervisory request and response to the scene:

1. Establish contact with the operator(s) in violation, educate the individual(s) by describing what conduct constitutes the violative behavior, and ensure that a concerted effort to obtain voluntary compliance is undertaken; and,
2. When, in the absence of voluntary compliance, it becomes necessary to initiate enforcement action, officers may issue an Administrative Citation Enforcement (ACE) citation to the operator(s).

Note: When investigating or issuing an ACE citation for the violation, officers should attempt to obtain the most current address available through means of physical identification from the individual by requesting permanent state, federal, or foreign consulate identification, or if the violator possesses no physical identification, by a verbal representation. Where probable cause exists that a person has falsely represented or identified themselves as another person, or as a fictitious person during a lawful detention, criminal enforcement is permissible pursuant to Penal Code Section 148.9(a).

For incidents regarding patrons failing to provide the necessary proof of vaccination requested by the venue operator, officers shall educate the patron(s) by describing what constitutes the violative conduct and attempt to obtain voluntary compliance. Should the patron refuse to leave the location, enforcement under Penal Code Section 602 – Trespassing remains an option.

Body Worn Video

Department personnel are reminded that BWV cameras shall be activated prior to the initiation of any investigative or enforcement activity with a member of the public. Accordingly, officers shall record the contact, warning, and enforcement of the provisions outlined in this Notice.

If you have questions regarding this matter, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE
Chief of Police

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