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CITY OF NEW ORLEANS

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CITY OF NEW ORLEANS HEALTH DEPARTMENT

GUIDELINES FOR COVID-19 REOPENING

March 3, 2022

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 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. Another such non-pharmacological intervention that has been proven to slow the spread of COVID-19 is the use of masks or face coverings. The U.S. Centers for Disease Control and Prevention (“CDC”) has established guidance on the appropriate types of masks and face coverings and their use. The

guidance may be found at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/types-of-masks.html>.

Another proven way to slow the spread of COVID-19 is through vaccination. The CDC has stated that vaccination is an effective tool to prevent the spread of COVID-19 and benefits both vaccine recipients and those they come into contact with, including persons who for reasons of age cannot themselves be vaccinated.

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. COVID-19 COMMUNITY LEVEL

On February 25, 2022, the Center for Disease Control and Prevention (CDC) issued new guidance for health officials to consider when making decisions about COVID-19 community prevention strategies. The new guidance assumes high levels of vaccination and high levels of population immunity from both vaccination and prior infections, which reduces the risk of medically significant disease, hospitalization, and death from COVID-19 for most people. As of February 28, the City of New Orleans has fully vaccinated 84.7% of more all adults with the COVID-19 vaccine. However, only 67.6% of all New Orleanians have been fully vaccinated, and just 45.4% of the 5 to 17 year old population has been fully vaccinated.

Importantly, the CDC also recommends that local health officials take into consideration local metrics, information, and factors when making local decisions related to local COVID mitigation and prevention strategies. Examples of these additional factors include: wastewater surveillance, circulating novel variants of concerns, local high-risk congregate settings, and upcoming large events. In addition to the three metrics established by CDC above, the Health Department will continue to take into consideration local information and factors that provide context to COVID-19 community

levels in Orleans Parish and the related need for community prevention strategies.

The updated CDC guidance includes new measures and thresholds for evaluating Covid-19 Community Levels, which focus on COVID-19 hospitalizations and the potential for strain on the local health system. The three measures and thresholds are currently defined as follows.

Total new COVID-19 cases per 100,000 population in the past 7 days

To determine whether the Covid-19 Community Level is low, medium, or high, health officials must first evaluate whether the total number of new COVID-19 cases per 100,000 population in the last 7 days is fewer than 200 or 200 or greater. As of February 26, the number of new cases per 100,000 in the past 7 days in Orleans Parish is 102.27.

New COVID-19 hospital admissions per 100,000 population in the past 7 days

In addition to the rate of new cases, health officials must evaluate the number of new COVID-19 admissions per 100,000 population in the past 7 days. As of February 25, the number of new COVID-19 hospital admissions per 100,000 in Orleans Parish is 9.23.

Percent of staffed inpatient hospital beds occupied by COVID-19 patients

The third measure CDC recommends using to determine COVID-19 Community Level is the percent of staffed inpatient beds in local hospitals that are filled by COVID-19 patients. As of February 25, the percentage of staffed inpatient beds in Orleans Parish that are filled by COVID-19 patients is 1.9%.

COVID-19 Community Levels – Use the Highest Level that Applies to Your Community				
New COVID-19 Cases Per 100,000 people in the past 7 days	Indicators	Low	Medium	High
Fewer than 200	New COVID-19 admissions per 100,000 population (7-day total)	<10.0	10.0-19.9	≥20.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	<10.0%	10.0-14.9%	≥15.0%
200 or more	New COVID-19 admissions per 100,000 population (7-day total)	NA	<10.0	≥10.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	NA	<10.0%	≥10.0%

The COVID-19 community level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past 7 days

As of February 28, 2022, Orleans Parish is categorized as having **LOW COVID-19 Community Level**, when considering the three CDC measures together and using the thresholds listed in the chart above. Therefore, the New Orleans Health Department is lifting certain restrictions pursuant to the Mayor’s emergency powers provided by La. R.S. 29:727(F) and the “Mayoral Proclamation to Further Promulgate Emergency Orders During the State of Emergency Due to COVID-19” filed on May 15, 2020. These updated guidelines will be effective as of March 3, 2022 at 6:00 A.M.

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

General Directives to All Individuals and Businesses

Pursuant to the May 15, 2020, 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, institutions, 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 March 3, 2022. If there exists a conflict within these guidelines between general directives/requirements and specific directives/requirements applicable to specific facilities or activities, the specific directives or requirements shall apply.

- 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 are not required to wear a mask or face covering with the exception of the following:
 - Passengers and operators of public conveyances, including airplanes, ships, ferries, trains, buses, taxis, ride-shares, and the corresponding transportation hubs, as specified in Federal guidelines;
 - Any person working in a healthcare or long-term care setting, as specified in Federal guidelines
- Additionally it is recommended that masks or face coverings be worn by any person: in a correctional facility, in a school, in a homeless shelter, or who is immunocompromised, is exhibiting symptoms of COVID-19 or has tested positive for COVID-19 in the prior 10 days.
- 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; and
- Live entertainment is only allowed following the rules set forth on pages 9-13, in addition to the specific directives below, when applicable.

Specific Directives: Entry to Certain Indoor Establishments

In accordance with CDC guidance that vaccination is an effective tool to mitigate the spread of COVID-19 among the general public, including vaccine recipients and those they come into contact with, restrictions will remain in place on premises that feature or routinely allow for higher-risk interactions among patrons and staff. On the premises of these establishments, it is critical that vaccination or testing requirements be implemented in order to provide protection for the individual and those around them (including children who cannot be vaccinated), protecting public health while still preserving essential work and commerce. Therefore, proof of vaccination or frequent testing with negative test results shall be required prior to entry into certain indoor establishments, as provided below.

Prior to entering the following indoor establishments, all individuals who are 5 years of age or older must provide evidence to designated staff or leaders of:

- 1) having received two doses of a two-dose COVID-19 vaccine series or a single dose of a single-dose COVID-19 vaccine series that has received full approval or emergency use authorization from the U.S. Food and Drug Administration or the World Health Organization; or
- 2) having received at least one dose of a COVID-19 vaccine as part of a clinical trial; or
- 3) evidence of a negative antigen or PCR COVID-19 test taken no more than 72 hours before entry, with the individual's name, date of test, and result clearly visible on an official report.

Establishments Subject to this Requirement:

Indoor dining and drinking:

- Restaurants
- Bars
- Breweries, Microbreweries, Distilleries and Microdistilleries

Indoor fitness:

- Gyms
- Indoor group fitness centers or individual fitness classes

Indoor entertainment and/or performances:

- Indoor sports complexes/stadiums/arenas
- Concert and music halls
- Event spaces (hotel ballroom, event venue, reception halls)
- Pool halls, bowling alleys, indoor play centers, arcades, skating rinks, indoor playgrounds and arcades
- Adult live performance venues
- Casinos, racetracks, and video poker establishments
- Indoor amusement facilities

Acceptable evidence of a COVID-19 vaccination includes:

- 1) LA Wallet App's SMART Health Card,
- 2) An original, digital photograph, or photocopy of CDC Vaccination Card (both sides)
- 3) An official vaccine record issued by another state, a foreign nation, or the World Health Organization.

- 4) An official vaccine record issued through a vaccine clinical trial

Staff and employees of establishments listed above who are unvaccinated may provide evidence of a negative COVID-19 test taken at least every 7 days for entry to the workplace.

Nothing in these guidelines should be interpreted to restrict businesses that are not included in the above list from issuing vaccination and testing requirements for their staff and patrons.

Specific Directives: Gathering Size, Mandatory Closures

Pursuant to the May 15, 2020, 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 March 3, 2022.

As defined by the Centers 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, 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.

a) Indoor Events

- All individuals attending indoor gatherings in the types of establishments listed in the previous section are subject to the requirement to show proof of their COVID-19 vaccination or a negative test result as outlined in that section, regardless of the size of the indoor gathering.

b) Outdoor Events of More Than 500 Individuals

- Individuals attending outdoor events of more than 500 individuals at which total attendance is greater than 50% of the outdoor venue’s full capacity must provide proof of full vaccination status OR a negative COVID PCR or antigen test result from a test conducted within 72 hours of the time the event begins.
- An outdoor event is defined as an event occurring at a venue that has an enclosed outdoor space with clear entry and exit points.

Mandatory Safety Requirements for all Businesses and Institutions Allowed to Operate

All businesses and institutions allowed to operate effective March 3, 2022, must implement and comply with the following Mandatory Safety Requirements in order to limit interactions among individuals and limit virus transmission:

- 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;
- 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;
- A translucent shield or "sneeze guard" should be provided for retail cashiers, when applicable);
- 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;
- 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.

Employee Isolation and Quarantine Recommendations

- Workers should not report to, or be allowed to remain at, a work or job site if sick or symptomatic (with fever higher than 100.4°F/38.0°C, cough, and/or shortness of breath, diarrhea, or any other symptom suggestive of COVID-19);
- Employees who test positive for COVID-19 who are non-symptomatic or mildly symptomatic should not be allowed on site for at least five days after testing positive, regardless of their vaccination status. If on day 5 the worker is still non-symptomatic or mildly symptomatic and a repeat test performed on day 5 is negative, they may be allowed to return to work. If the repeat test on day 5 is positive, the employee should remain in isolation and test every two days until a negative test result is obtained. When the employee tests negative, they may be allowed return to work.
- When diagnostic testing is in short supply, these individuals may be allowed to return to work after day 5 without a test if asymptomatic they continue to wear high-quality masks (surgical, KN95 or N95) for 5 days after return.
- Employees who test positive for COVID-19 who are moderately or severely symptomatic with fever should not be allowed on site for at least seven days, regardless of vaccination status. The employee should isolate until s/he has no fever for at least 24 hours without the use of fever-reducing medicine and other symptoms have improved, and a repeat test on day 7 is negative. If a repeat test on day 7 is negative, they may be allowed to return to work but should wear high-

- quality masks (surgical, KN95 or N95) around others for at least 5 days thereafter.
- When diagnostic testing is in short supply, these individuals may be allowed to return to work after day 10 without a test if asymptomatic.
- Any employee who has contact with a worker or any other person who is diagnosed with COVID-19 should follow CDC’s quarantine guidelines based on the exposed employee’s vaccination status: <https://www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html>

Additional Requirements for Individuals, Certain Businesses, and Institutions

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.

INDOOR AND OUTDOOR RECREATION SPACES AND SPORTS COMPLEXES

Indoor and Outdoor Recreation Spaces and Sports Complexes shall be allowed to open according to the gathering size guidelines above.

- 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.

RESTAURANTS, BARS, BREWERIES, MICROBREWERIES, DISTILLERIES, AND MICRODISTILLERIES

Pursuant to the May 15, 2020, 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 March 3, 2022:

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.

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 March 31, 2022, 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 March 3, 2022)

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.
- 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.
- Seating should not be allowed within 3 ft of aisles or above entrances, exits or performers.
- If a performer tests positive for COVID-19 or is exposed to someone who is diagnosed with COVID-19, they should follow the Employee Isolation and Quarantine Recommendations included in the above section titled Mandatory Safety Requirements for all Businesses and Institutions Allowed to Operate
- 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, including the gathering size limitations. All events or venues must obtain a Special Event Permit.

- Performers must follow the Employee Isolation and Quarantine Recommendations
- 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.
- If a performer tests positive for COVID-19 or is exposed to someone who is diagnosed with COVID-19, they should follow the Employee Isolation and Quarantine Recommendations included in the above section titled Mandatory Safety Requirements for all Businesses and Institutions Allowed to Operate
- 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.

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 it is 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:
 - If a performer tests positive for COVID-19 or is exposed to someone who is diagnosed with COVID-19, they should follow the Isolation and Quarantine Recommendations included in the above section titled Mandatory Safety Requirements for all Businesses and Institutions Allowed to Operate
 - 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.
- 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.
- 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.
- 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 wearing masks or face coverings;
 - 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.

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 indicate 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.