



Santa Clara County
**PUBLIC
HEALTH**

MANDATORY DIRECTIVE:



Gatherings

Issued July 14, 2020

sccgov.org/coronavirus

Revised and Effective: February 26, 2021

County of Santa Clara

Public Health Department

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MANDATORY DIRECTIVE FOR GATHERINGS

Please confirm that your gathering is allowed under the State Order. Where there is a difference between the local County Order and the State Order, the more restrictive order must be followed.

Information on the State's Order and State guidance is available at covid19.ca.gov.

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Every person, business, and entity in Santa Clara County must follow *both* the County and the State Public Health Officer Orders. Below is information on: (1) the State's general gathering rules, and (2) the current rules for *indoor* gatherings in Santa Clara County.

1. General State Gatherings Rules:

On August 28, 2020, the State issued a Statewide Public Health Officer Order ("State Order," available [here](#)) and the Blueprint for a Safer Economy ("Blueprint," available [here](#)). The State Order and Blueprint establish statewide restrictions applicable to each "tier" to which counties are assigned.

State Restrictions on Gathering Type: The State Health Officer has generally prohibited gatherings of all kinds statewide, with limited exceptions for certain types of gatherings. The only types of gatherings currently allowed by the State are the following: (1) worship services; (2) cultural ceremonies like weddings and funerals; (3) protest or political activities; (4) any gathering that is explicitly allowed by a State COVID-19 [Industry Guidance document](#) or by the State's "[Stay home Q&A](#)" page; and (5) small outdoor gatherings of up to three households (which are allowed for any purpose). Note that while wedding *ceremonies* are allowed up to the attendance limits specified in this Directive, the State prohibits wedding *receptions* of more than three households.

All gatherings are subject to the mandatory requirements in this Directive and any other applicable County Health Officer Directive, the County Health Officer's Revised Risk

Reduction Order issued on October 5, 2020, the applicable restrictions under the State Order and Blueprint, the State’s COVID-19 Industry Guidance documents, and any applicable health and safety regulations.

2. Current Rules for Indoor Gatherings in Santa Clara County:

Religious gatherings may occur indoors at 20% capacity. They must comply with all rules listed in this Directive for indoor gatherings. The Health Officer strongly discourages such indoor gatherings and urges religious institutions and congregants not to host or attend indoor gatherings.

Because indoor gatherings continue to pose a severe risk of COVID-19 transmission, all other indoor gatherings are currently prohibited. No gatherings other than religious gatherings may occur indoors, and the rules listed below for indoor gatherings **do not apply** to any gatherings other than religious gatherings until this restriction is lifted.

While COVID-19 is still circulating in our community, the Health Officer strongly discourages any gathering together with people from other households. Indoor gatherings are particularly risky because COVID-19 transmission occurs more easily indoors than outdoors, and COVID-19 continues to circulate widely. The most recent scientific evidence underscores the increased risk of transmission indoors, and **indoor gatherings are always strongly discouraged, even when allowed**. But gatherings are not prohibited by this Directive as long as everyone attending the gathering strictly complies with all the requirements set forth below to reduce risk and keep everyone who attends as safe as possible.

A “gathering” is an event, assembly, meeting, or convening that brings together multiple people from separate households in a single space, indoors or outdoors, at the same time and in a coordinated fashion—like a wedding, banquet, conference, religious service, festival, fair, party, performance, competition, movie theater operation, fitness class, barbecue, protest, or picnic. Although the County allows all types of gatherings to occur in compliance with this Directive and the Mandatory Directive on Capacity Limitations, at this time the State generally allows gatherings only for specified purposes. See the “General State Gatherings Rules” at the top of this Directive for details. Because the stricter of the requirements applies, the only types of gatherings allowed in the County are those allowed by the State.

This Directive does not regulate whether a facility is open or closed. For example, facilities that are typically used for gatherings—such as places of worship, meeting halls, and event spaces—may remain open for purposes that do not involve gatherings, even when gatherings are prohibited indoors.

This Directive explains the local requirements for gatherings in Santa Clara County. **This Directive is *mandatory*, and failure to follow it is a violation of the Health Officer’s Order issued October 5, 2020 (“Order”).**

The Order Issued October 5, 2020

The Order imposes several restrictions on all businesses and activities to ensure that the County stays as safe as possible. All persons and businesses (including nonprofits, educational entities, and any other business entity, regardless of its corporate structure) that organize or host gatherings—such as religious institutions, wedding venues, wedding planners/coordinators, convention centers, athletic facilities, and conference/meeting room rental facilities—must comply with the following requirements, and must ensure that participants comply with all applicable requirements:

- **Social Distancing Protocol:** All businesses and governmental entities that have not already done so must fill out and submit an updated Social Distancing Protocol under the October 5, 2020 Health Officer Order. **Social Distancing Protocols submitted prior to October 11, 2020 are no longer valid.** The Revised Social Distancing Protocol must be filled out using an updated template, which is available [here](#). The Protocol is submitted under penalty of perjury, meaning that everything written on the form must be truthful and accurate to the best of the signer’s knowledge, and submitting false information is a crime. The Protocol must be distributed to all workers, and it must be accessible to all officials who are enforcing the Order.
- **Signage:** All businesses and governmental entities must print (1) an updated COVID-19 PREPARED Sign and (2) a Social Distancing Protocol Visitor Information Sheet, and both must be posted prominently at all facility entrances. These are available for printing after submission of the Revised Social Distancing Protocol online. The Revised Social Distancing Protocol specifies additional signage requirements.
- **Capacity Limitation:** All businesses must comply with the capacity limitations established in the [Mandatory Directive on Capacity Limitations](#).

Rules for All Gatherings

In general, the more people a person interacts with at a gathering, the closer the physical interaction is, the more enclosed the gathering space is, and the longer the interaction lasts, the higher the risk that a person with an unknown SARS-CoV-2 infection (the infection that causes COVID-19) might spread it to others. If not everyone follows the rules to safely gather, the risk of spreading SARS-CoV-2 is even higher. Based on those principles, the Health Officer’s directives for *all* gatherings are:

1. *All Gatherings Must Have an Identified and Designated Host Who Is Responsible for Ensuring Compliance with All Requirements*

- a. A specific person or business (including nonprofits, religious organizations, educational entities, or any other business entity) must be the designated host for the gathering and ensure compliance with all requirements in the Order and this Directive. **The host is responsible and subject to enforcement for any failure by participants to comply with the Order and this Directive.**

2. *Don't Attend Gatherings If You Feel Sick or You Are in a High-Risk Group*

- a. If you feel sick or have any COVID-19-like symptoms (fever, cough, shortness of breath, chills, night sweats, sore throat, nausea, vomiting, diarrhea, tiredness, muscle or body aches, headaches, confusion, or loss of sense of taste/smell), **you should stay home and should not attend any gatherings.**
- b. As explained on the [People Who Need Extra Precautions](#) page, people at higher risk of severe illness or death from COVID-19 are strongly urged not to attend any gatherings.

Specific Rules and Recommendations for Outdoor Gatherings

Outdoor gatherings are significantly safer than indoor gatherings, and the Health Officer strongly recommends that all gatherings be held outdoors. The following rules and recommendations apply to all outdoor gatherings:

3. *Definition of "Outdoor Gathering"*

- a. To qualify as an outdoor gathering, the gathering **must** be held entirely outdoors, except that attendees may go inside to use restrooms.
 - i. A facility is considered "outdoors" only if the facility allows the free flow of outdoor air through the entire space, as specified in the California Department of Public Health's mandatory guidance on [Use of Temporary Structures for Outdoor Business Operations](#).
 - ii. Fences and screens that do not impede airflow are not considered walls or sides for purposes of determining whether an area is outdoors. Partitions around or within the facility may be used and do not qualify as sides so long as they are no more than 3 feet in height as measured from the floor.

- b. The maximum number of people allowed at an outdoor gathering is specified in the [Mandatory Directive on Capacity Limitations](#). This includes everyone present, such as hosts, workers, and guests.

4. *Rules and Recommendations for Physical Distancing at Outdoor Gatherings*

- i. The Health Officer strongly recommends that all persons stay at least 6 feet away from other people (except people in their own household) at outdoor gatherings at all times.
- ii. Any seating arrangements must provide at least 6 feet of distance (in all directions—front-to-back and side-to-side) between different households at outdoor gatherings. This can be done by spacing chairs apart, or for fixed seating like benches or pews, by marking off rows and indicating seating areas with tape.

5. *Rules and Recommendations for Face Coverings at Outdoor Gatherings*

- a. Any person who is not able to maintain at least 6 feet of social distance from a person or persons not in their household is required to wear a face covering unless it is not possible to carry out the activity while wearing a face covering (e.g., while participating in water sports).
- b. Additionally, the Health Officer recommends that everyone wear a face covering at all other times at outdoor gatherings.

6. *Rules and Recommendations for Singing, Chanting, Shouting, and Wind Instruments at Outdoor Gatherings*

- i. Singing, chanting, shouting, and playing wind instruments are permitted at outdoor gatherings.
- ii. Anyone who is singing is required to maintain at least 6 feet of social distance from everyone not in their household. Additionally, the Health Officer strongly encourages people who are singing to:
 - 1. Maintain increased social distancing (greater than 6 feet);
 - 2. Wear a face covering; and
 - 3. Sing at lower volume than normal.
- iii. The Health Officer strongly encourages persons who are chanting or shouting to:

1. Maintain increased social distancing (greater than 6 feet);
2. Wear a face covering; and
3. Chant or shout at lower volume than normal.

iv. The Health Officer strongly encourages persons who are playing wind instruments to:

1. Maintain increased social distancing (greater than 6 feet); and
2. Cover the opening of the instrument (e.g., with cloth) to reduce the spread of respiratory droplets from the instrument.

7. Hosting Multiple Outdoor Gatherings

- a. A venue may host *multiple outdoor gatherings* at the same time (for example, multiple small wedding ceremonies in a large outdoor space like a 20-acre ranch)—as long as:
 - i. Each gathering follows all the rules in the Order and in this Directive. Each gathering must, for instance, have its own designated host.
 - ii. Each gathering has its own area marked by prominent signage, barriers, or ropes, and there is a buffer zone of at least 100 feet between the boundaries of any two separate gatherings.
 - iii. The participants at a gathering, including hosts, workers, and guests, do not mix between or among different gatherings and stay strictly in their own area.
 - iv. There are sufficient restroom facilities, or a system of using the restroom facilities, such that participants from different gatherings do not have contact with one another when they use the restroom.

Specific Rules for Indoor Gatherings (When Indoor Gatherings Are Allowed)

Indoor gatherings may not be allowed depending on the County's current tier under the State's Blueprint for a Safer Economy and other local factors. See the "Current Rules for Indoor Gatherings in Santa Clara County" box at the top of this Directive for information on current rules.

Even when indoor gatherings *are* allowed, the Health Officer **strongly discourages** them because they pose a severe risk of COVID-19 transmission. To reduce the risk of transmission, all indoor gatherings must comply with the following mandatory requirements:

8. *Definition of “Indoor Gathering”*

- a. An indoor gathering is any gathering that takes place—in whole or in part—in a facility that does not meet the [State’s definition of “outdoors”](#) (see Section 3.a above for more details).

9. *Attendance at Indoor Gatherings*

- a. The maximum number of people allowed at an indoor gathering is specified in the [Mandatory Directive on Capacity Limitations](#). This includes everyone present, such as hosts, workers, and guests.

10. *Rules for Physical Distancing at Indoor Gatherings*

- i. Everyone **must** stay at least 6 feet away from other people (except people in their own household) at all times.
- ii. Seating arrangements **must** provide at least 6 feet of distance (in all directions—front-to-back and side-to-side) between different households. This can be done by spacing chairs apart, or for fixed seating like benches or pews, by marking off rows and indicating seating areas with tape.

11. *Rules for Singing, Chanting, Shouting, and Wind Instruments at Indoor Gatherings*

- a. Singing, chanting, shouting, and playing wind instruments are **strictly prohibited** at indoor gatherings, even while wearing face coverings.

12. *Rules for Face Coverings at Indoor Gatherings*

- i. **Everyone, including performers/presenters, must wear a face covering at all times at indoor gatherings** (except for very young children, people for whom face coverings are medically inadvisable, or for communication by or with people who are hearing impaired).
 1. Food and drink may not be served at indoor gatherings—including at movie theaters—even when indoor gatherings are allowed, except as necessary to carry out a religious ceremony.

2. Face coverings may be removed to meet urgent medical needs (for example, to use an asthma inhaler, consume items needed to manage diabetes, take medication, or if feeling light-headed).

13. Ventilation Recommendations and Requirements for Indoor Gatherings

- a. Hosts must open doors and windows to maximize circulation of outdoor air whenever environmental conditions and building requirements allow. Hosts should also consider modifications to the facility to increase outdoor air exchange, such as replacing non-opening windows with openable screened windows. Contact your local Building Department for more information on permit requirements.
- b. Indoor facilities with central air handling/HVAC systems must ensure that HVAC systems are serviced and functioning properly and, to the extent feasible and appropriate to the facility:
 - i. Evaluate possibilities for and implement upgrades to the system to ensure that air filters are functioning at the highest efficiency compatible with the currently installed filter rack and air handling system (ideally MERV-13 or greater).
 - ii. Increase the percentage of outdoor air through the HVAC system, readjusting or overriding recirculation (“economizer”) dampers.
 - iii. Disable demand-control ventilation controls that reduce air supply based on temperature or occupancy.
 - iv. Implement the additional measures set forth in the [County’s Guidance for Ventilation and Air Filtration Systems](#).
- c. Indoor facilities that do not have central air handling/HVAC systems or that do not operate or control the system must take the following measures, to the extent feasible and appropriate to the facility:
 - i. Set any ceiling fans to draw air upwards away from participants.
 - ii. If using portable fans, position them near open doors/windows and use them to draw or blow inside air to the outside of the facility. Position fans to minimize blowing air between occupants, which may spread aerosols.
 - iii. Consider installing portable air filters appropriate to the space.

- iv. Implement additional applicable measures set forth in the County's Guidance for Ventilation and Air Filtration Systems.
- d. Upon request by a County Enforcement Officer or County Public Health Department Staff, the facility may be required to perform a comprehensive evaluation of the facility's ventilation and air filtration system by an appropriately licensed professional, and produce documentation regarding this evaluation to the County.

Livestreaming, Broadcasting, and Recording

14. Rules for Livestreaming, Broadcasting, and Recording with No Audience Present

Businesses may livestream, broadcast, or record performances, services, and classes at indoor facilities without live audiences or members of the public present. All such livestreamed, broadcasted, or recorded events at indoor facilities **must** comply with the following rules:

- a. When livestreaming under this provision, only personnel may be present at the facility. Audiences or other members of the public are strictly prohibited. The number of personnel inside the facility must be limited to the minimum necessary to conduct the event and may never exceed 12 people (or the maximum number of people allowed under the facility's current capacity limitation as dictated by the [Mandatory Directive on Capacity Limitations](#), whichever is fewer).
- b. All personnel, including performers/presenters in the performance area, must maintain at least 6 feet of physical distance from everyone outside their household at all times.
- c. People performing or presenting during an indoor livestreamed event may remove their face coverings during the performance or presentation if everyone maintains at least 12 feet of physical distance from everyone outside their household at all times. Even so, the Health Officer strongly urges people performing or presenting to wear a face covering whenever possible. All others on-site must wear a face covering in compliance with State and County Health Officer requirements.
- d. When livestreaming under this provision with no audience present, singing, chanting, or playing wind instruments indoors is strongly discouraged but may occur so long as everyone maintains at least 12 feet of physical distance from everyone outside their household.

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15. Rules for Livestreaming, Broadcasting, and Recording with Audience Present

- a. The rules in Section 14 above **do not apply** if any member of the public is present for the event. Businesses may livestream, broadcast, or otherwise record an event at which members of the public are present (so long as current State and County Health Officer orders allow members of the public to be present for such an event), but there are no special rules that would apply to the livestream, broadcast, or recording. Instead, these events must comply with all rules currently governing the business's general operations, which may be stricter than the rules in Section 14.

Stay Informed

For answers to frequently asked questions about this industry and other topics, please see the [FAQs page](#). **Please note that this Directive may be updated.** For up-to-date information on the Health Officer Order, please visit the County Public Health Department's website at www.sccgov.org/coronavirus.