



CITY OF PHILADELPHIA
OFFICE OF THE MAYOR
DEPARTMENT OF PUBLIC HEALTH

AMENDMENT REGARDING GATHERING SIZES TO THE
SPRING EMERGENCY ORDER OF 2021
ESTABLISHING SAFETY MEASURES TO PREVENT
THE SPREAD OF THE 2019 NOVEL CORONAVIRUS (COVID-19) AND
CONTINUING TO ADVISE THAT PHILADELPHIANS ARE SAFER AT HOME

WHEREAS, on February 27, 2021, the Mayor and Health Commissioner issued the “Spring Emergency Order of 2021 Establishing Safety Measures to Prevent the Spread of the 2019 Novel Coronavirus (COVID-19) and Continuing to Advise that Philadelphians are Safer at Home,” which, allowed additional activities, subject to certain limitations (“Spring 2021 Safer at Home Order”); and

WHEREAS, the introductory clauses from the Spring 2021 Safer at Home Order are incorporated herein by reference; and

WHEREAS, although daily COVID-19 case counts remain high, because of social-distancing actions and compliance with the various City Orders protecting the public health, daily case counts have fallen significantly from counts in November and December; and

WHEREAS, on March 1, 2021, the Governor of Pennsylvania and Secretary of the Pennsylvania Department of Health issued amended orders which operated to increase the permissible gathering and events sizes in the Commonwealth; and

WHEREAS, the City has determined that it is appropriate to modify its gathering and event size limits in order to more closely align with the Commonwealth’s recent amendments; and

WHEREAS, pursuant to authority set forth in The Philadelphia Code and The Philadelphia Home Rule Charter, the Mayor has broad authority to set forth limitations on public activities during a state of national health emergency; and

WHEREAS, Sections 6-205 and 6-206 of The Philadelphia Code, the Disease Prevention and Control Law of 1955, 35 P.S. § 521.1 *et seq.*, and Board of Health regulations provide that the Department of Public Health may by order forbid the congregation of persons when necessary to

prevent the further spread of a communicable and quarantinable disease and may take such other measures as are necessary to prevent the spread of such disease;

NOW, THEREFORE, James F. Kenney, Mayor of the City of Philadelphia, and Dr. Thomas A. Farley, Health Commissioner of the City of Philadelphia, pursuant to all authority granted under the Philadelphia Home Rule Charter, The Philadelphia Code, the Regulations of the Board of Health of the City of Philadelphia and applicable state law, hereby **ORDER** as follows:

Section A. Section 3 of the Spring 2021 Safer at Home Order is hereby replaced with the following:

Section 3. Permissible Gatherings and Events

Gatherings and events may take place as follows provided that they are conducted in strict compliance with all orders, regulations, and guidance of the City and Commonwealth, including those regarding food and drink consumption, masking, social distancing, size and density requirements, as well as additional requirements regarding permissible group sizes within events and gatherings as provided in this Order or as set forth in City guidance informed by Orders of the Commonwealth. In addition, if the gathering or event includes singing or other live musical activity, such venues must also comply with guidance mandating specific spacing requirements for certain musical performers.

A. Indoor gatherings or events. Except as otherwise provided in this Order, indoor gatherings or events may take place only with the following size and density limitations:

1. Indoor gatherings and events in private homes or other spaces that do not meet the requirements of Section 3(A)(2) may consist of no more than two households.
2. Indoor gatherings and events in appropriately licensed non-residential spaces that are supervised for compliance with this order by staff at the location may take place as follows:
 - a. The number of individuals present is limited to 15% of the maximum occupancy of the space used, inclusive of attendees and staff; and
 - b. The number of attendees at a fixed-seat gathering or event is further limited to 15% of the fixed-seating capacity of the occupied space at issue.
 - c. No food or drink may be served or consumed, unless otherwise expressly authorized under this Order.

B. Outdoor Gatherings or Events. Outdoor gatherings or events may take place only with the following density limitations, provided that if food or drink is served the maximum number of individuals at an outdoor event shall be the lesser of 100 individuals, or the number calculated pursuant to subsections (B)(1) and (B)(2), unless otherwise expressly authorized under this Order:

1. The number of individuals present is limited to 20% of the maximum occupancy of the space used, inclusive of attendees and staff. If no maximum occupancy is posted or reasonably ascertainable, the permitted density for outdoor gatherings shall be 13 people per 1,000 square feet of occupiable space.

2. The number of attendees at a fixed seat gathering or event is further limited to 20% of the fixed seating capacity of the occupied space at issue.

C. Other Provisions. The size and density limitations set forth above are calculated proportionally based upon the portion of a venue occupied for the gathering or event at issue. For events or gatherings that take place in both indoor and outdoor portions of a facility, the outdoor limitations apply to the portions of the facility that are outdoors, and the indoor limitations apply to the portion that is indoors.

Section B: Section 6 of the Spring 2021 Safer at Home Order is hereby amended as follows (*bold italics* indicates new matter added; ~~strike-through~~ indicates matter deleted):

Section 6. Sporting and Exercise Activities.

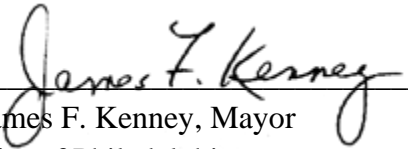
Formally organized sports competition is permitted, subject to all applicable health and safety requirements, including the face covering and social distancing requirements in Section 9, and all applicable guidance.

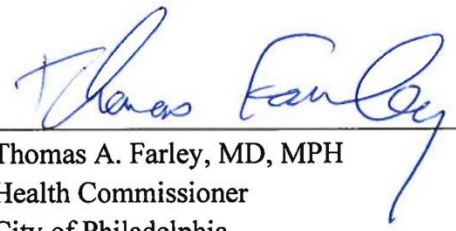
Spectators are permitted at ~~sporting~~ ***sports*** activities, in accordance with the applicable density limits for gatherings as provided in Section 3, provided no food or drink is served to spectators at such events.

Collegiate and professional sports ~~seeking to serve food to spectators~~ may operate ***in accordance with the applicable density limits for gatherings provided in Section 3(A)(2) for indoor spaces, or 3(B) for outdoor spaces, as applicable; provided that teams that do not maintain 100% mask compliance for practices or games, and venues that serve food or drink to spectators, may only operate*** ~~solely~~ pursuant to health and safety plans specifically approved by the Department of Public Health.

Section C. This Order shall be effective on **March 2, 2021**, and shall remain in effect through the expiration of the Spring 2021 Safer at Home Order.

Date: March 5, 2021


James F. Kenney, Mayor
City of Philadelphia


Thomas A. Farley, MD, MPH
Health Commissioner
City of Philadelphia