



**CITY OF PHILADELPHIA**  
**OFFICE OF THE MAYOR**  
**DEPARTMENT OF PUBLIC HEALTH**

**AMENDMENT TO THE EMERGENCY ORDER  
ESTABLISHING SAFETY MEASURES FOR FULL REOPENING  
TO PREVENT THE SPREAD OF THE 2019 NOVEL CORONAVIRUS (COVID-19)  
(ADDITIONAL MASKING REQUIREMENTS IN CERTAIN CIRCUMSTANCES)**

**WHEREAS**, on June 15, 2021, the Mayor and Health Commissioner issued the Emergency Order Establishing Safety Measures for Full Reopening to Prevent the Spread of the 2019 Novel Coronavirus (“Full Reopening Order”), which included certain masking, contract tracing, isolation and quarantine requirements but otherwise allowed for the full resumption of activities that had previously been restricted in the City; and

**WHEREAS**, the introductory clauses from the Full Reopening Order are incorporated herein by reference; and

**WHEREAS**, cases have started to rise quickly and there are currently an average of 57 cases/100,000 people per day, which places Philadelphia in the CDC substantial transmission category; and

**WHEREAS**, it is well established that widespread mask use can prevent the spread of COVID-19, even against the new variants of concern, and particularly indoors, and observational data has suggested that people who wear masks and become infected may be less likely to develop severe disease; and

**WHEREAS**, continued mitigation of higher risk activities is necessary to avoid preventable deaths and limit the spread of the coronavirus during this critical time in the pandemic to continue to allow indoor activities and certain large outdoor events to continue to operate; and

**WHEREAS**, the City has entered various orders imposing and rolling back restrictions as has been necessitated by the ebbs and flows of the pandemic, and has determined at this time that it is appropriate to implement additional masking requirements in certain circumstances; 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. Cheryl Bettigole, Acting 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 2 of the Full Reopening Order is hereby amended as follows (*bold italics* indicates new matter added; ~~strikethrough~~ indicates matter deleted):

**Section 2. Generally Applicable Requirements for Face Coverings.**

All businesses that are operating within the City of Philadelphia must comply with the following requirements, *as clarified by any guidance issued by the Department*, provided that nothing is intended to prohibit any establishment from implementing face covering requirements for such establishment if they choose to do so, nor does this Order relax any face covering requirements mandated by the Governor or Secretary of Health of the Commonwealth of Pennsylvania.

**A. Face Coverings Required.**

1. All individuals must wear face coverings on all forms of public transportation consistent with applicable Orders of the Centers for Disease Control and Prevention (“*CDC*”).

2. All individuals, including customers, and employees or other workers, must be permitted to wear face coverings if they choose to do so.

3. Except as provided in subsection B, “Exceptions,” all individuals must wear face masks or other face coverings recommended by the ~~Centers for Disease Control and Prevention (CDC)~~, *CDC* as follows, regardless of vaccination ~~status~~: *status, unless otherwise expressly provided*. Individuals are required to wear face coverings properly, which means in a manner that fully covers the mouth and nose, consistent with applicable guidance, at all times when they are at the following locations:

- a. Healthcare institutions, including temporary community

healthcare events such as vaccine clinics and blood drives.

b. Congregate facilities such as prisons, shelters, and adult day programs.

c. Indoors, while at schools, camps, early childhood education, and other childcare settings.

***d. Any indoor setting, unless a business operating at the setting requires everyone on site to be vaccinated and has instituted a reasonable procedure for confirming vaccination status of staff, customers, and any other individuals present. For the purpose of this Order, “indoor” means a location enclosed by three or more walls or other non-permeable barriers and an overhead covering, such as a roof or a tent top. Tents with one side open are considered indoor spaces. In contrast, a space that is fully open on two or more sides is considered an outdoor space.***

***e. Outdoor events with 1,000 or more attendees, unless (i) the event is exclusively seated; (ii) the business operating the event requires everyone on site to be vaccinated and has instituted a reasonable procedure for confirming vaccination status of staff, attendees, and any other individuals present, or (iii) the Department approves a safety plan for the event providing otherwise.***

**B. Exceptions.**

1. Section 2(A)(3) is not applicable to the following individuals:

a. Any child younger than 2 years of age.

b. Any individual who has a physical disability that prevents easily wearing or removing a face covering.

c. Any individual who is deaf and uses facial and mouth movements as part of communication.

d. Any individual who has been advised by a medical professional that wearing a face covering may pose a risk to that individual for health-related reasons.

e. Any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.

2. Other exceptions.

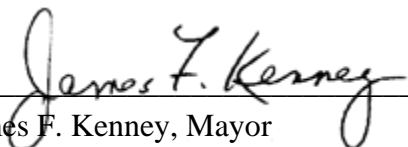
a. Face coverings are not required to be worn when eating or drinking, ~~or swimming~~. *provided that eating and drinking may only take place when seated.*


b. Face coverings are not required when an individual is alone in an office or a similar location that is completely separated from other individuals by floor to ceiling physical barriers.

c. *Face coverings are not required to be worn when swimming.*

**SECTION B:** This amendment shall be effective August 12, 2021 at 12:01 a.m.

Date: August 11, 2021

  
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James F. Kenney, Mayor  
City of Philadelphia

  
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Cheryl Bettigole, MD, MPH  
Acting Health Commissioner  
City of Philadelphia