



San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer, indoor movie theaters must limit the number of people, including Personnel, who are present inside the facility to the lesser of (1) 25% of the facility's normal maximum occupancy and (2) 50 people. See Sections 11 & 12 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.

DIRECTIVE OF THE HEALTH OFFICER No. 2020-35

**DIRECTIVE OF THE HEALTH OFFICER OF
THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST
PRACTICES FOR INDOOR MOVIE THEATERS**

(PUBLIC HEALTH DIRECTIVE)

DATE OF DIRECTIVE: October 7, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the “Health Officer”) issues industry-specific direction that indoor movie theaters, as described below, must follow as part of the local response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. This Directive constitutes industry-specific guidance as provided under Sections 4.e and 11 of Health Officer Order No. C19-07j issued on September 30, 2020 (the “Stay-Safer-At-Home Order”) and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately upon issuance, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, children, their families, and the community.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS FOLLOWS:

- 1. This Directive applies to all owners, operators and managers of indoor movie theaters operating under subsection 21 of Appendix C-1 of the Stay-Safer-At-Home Order (“Indoor Movie Theaters”).**
- 2. Attached as Exhibit A to this Directive is guidance from the Department of Public Health for Indoor Movie Theaters (“Guidance”). All Indoor Movie Theaters must comply with all applicable requirements listed in the Guidance.**
- 3. Each Indoor Movie Theater must create, adopt, and implement a written health and safety plan (a “Health and Safety Plan”). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.**



Health Officer Directive No. 2020-35

- 4. Each Indoor Movie Theater must (a) make the Health and Safety Plan available upon request to all Personnel working on site and to the patrons, customers or members it serves, (b) provide a summary of the plan to all Personnel working on site or otherwise in the City in relation to its operations, and (c) post the plan online and at the entrance to any other physical location that the Indoor Movie Theater operates within the City. Also, each Indoor Movie Theater must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive or the Stay-Safer-At-Home Order upon demand.**
- 5. Each Indoor Movie Theater subject to this Directive must provide items such as Face Coverings (as provided in Health Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related supplies to any of that Indoor Movie Theater's Personnel. If any Indoor Movie Theater is unable to provide these required items to Personnel or otherwise fails to comply with required Guidance, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant operation, any such Indoor Movie Theater is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safer-At-Home Order.**
- 6. For purposes of this Directive, "Personnel" includes all of the following people who provide goods or services associated with the Indoor Movie Theater in the City: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Host. "Personnel" includes "gig workers" who perform work via the business's app or other online interface, if any.**
- 7. This Directive may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. All Indoor Movie Theaters must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website (www.sfdph.org/healthorders; www.sfdph.org/directives) regularly.**
- 8. Implementation of this Directive augments—but does not limit—the obligations of each Indoor Movie Theater under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. Each Indoor Movie Theater must follow this industry-specific guidance and update all guidance or other requirements as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive**

This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat



**City and County of
San Francisco**

**Department of Public Health
Health Officer Directive**

Health Officer Directive No. 2020-35

and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

A handwritten signature in blue ink that reads "Tomás Aragón".

Tomás J. Aragón, MD, DrPH,
Health Officer of the
City and County of San Francisco

Date: October 7, 2020