

03/22/21  
04/05/21

ORDINANCE NO. M-4333

AN ORDINANCE regarding the Business License Fee Surcharge (VMC 5.04.095) program; providing for refunds of the business license fee surcharge for new business license applications and annual license renewals for eligible businesses; providing for implementation of such refund program; defining eligibility criteria; providing for an immediate effective date; and providing for a sunset date on March 31, 2022.

WHEREAS the City adopted the employee business license fee surcharge codified at VMC Chapter 5.04.095 in 2006 by Ordinance M-4192, which has been subsequently amended by Ordinances M-4109 (2014), M-4140 (2015), M-4192 (2017), and M-4293 (2020); and

WHEREAS, on March 13, 2020, the City of Vancouver declared a civil emergency pursuant to Washington State Constitution Article VI, Section 11, Revised Code of Washington Chapter 38.52, and Vancouver Municipal Code Chapter 2.12, due to the public health threat posed by sudden outbreak of the novel coronavirus (COVID-19), and Declaration of Civil Emergency No. 2020-01 was ratified and affirmed by Resolution M-4061 (2020); and

WHEREAS, Ordinance M-4293 (2020) suspended the business license fee and business license surcharge fee for all business license renewals and new business license applications from April 1, 2020 through March 31, 2021; and

WHEREAS, the COVID-19 pandemic has caused a global economic slowdown, resulting in reductions in business activity and continues to adversely impact certain sectors of the local business community that supports the City’s economic vitality; and

WHEREAS, the City Council of the City of Vancouver desires to help mitigate the severe adverse financial impacts experienced by businesses most impacted by the current pandemic, and protect the health and safety of consumers, by offering a refund program in business license surcharge for eligible businesses. Specifically, businesses in industries most severely impacted by the pandemic, that have traditionally served large numbers of consumers indoors, simultaneously. Those businesses are likely to remain subject to some of the longest restrictions, and are particularly well-situated to utilize the business license fee surcharge savings to support increased consumer safety.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

**Section 1.** Creation of a Refund Program of the Business License Fee Surcharge for Eligible Businesses. The Vancouver City Council hereby adopts the recitals set forth above and those contained in SR 046-21 in support this Ordinance.

**Section 2.** Refund of the Business License Fee Surcharge for Eligible Businesses. The business license fee surcharge adopted by Ordinance M-3774, which was last amended by Ordinance M-4192 and is codified at Vancouver Municipal Code 5.04.095, shall be refunded to Eligible Businesses submitting new business license applications or renewing their city business licenses as specified herein.

**Section 3.** Eligibility Criteria. An “Eligible Business” qualified for the refund program set forth herein is one that (1) belongs to one of the eligible industries listed in Section 3(A), (2)

has paid the business license base fee and business license fee surcharge; and (3) follows the refund request process set forth in Section 3(B).

A. Eligible Industries. The following businesses are eligible to participate in the program:

- i. **Restaurants, Taverns, Breweries, Wineries and Distilleries** subject to the Washington State Guidance Document entitled “Eating and Drinking Establishment COVID-19 Requirements” as updated on March 5, 2021, a copy of which is attached as Exhibit A and incorporated by this reference as if set forth fully herein;
- ii. **Fitness and Training Facilities** subject to the Washington State Guidance Document entitled “Fitness and Training COVID-19 Requirements” as updated in January 2021, a copy of which is attached as Exhibit B and incorporated by this reference as if set forth fully herein;
- iii. **Movie Theaters** subject to the Washington State Guidance Document entitled “Movie Theaters COVID-19 Requirements” as updated February 1, 2021, a copy of which is attached as Exhibit C and incorporated by this reference as if set forth fully herein;
- iv. **Theaters & Performing Arts Facilities** subject to the Washington State Guidance Document entitled “Theater & Performing Arts COVID-19 Requirements” as updated in January 11, 2021, a copy of which is attached as Exhibit D and incorporated by this reference as if set forth fully herein; and
- v. **Bowling Facilities** subject to the Washington State Guidance Document entitled “Bowling COVID-19 Requirements” as updated in January 2021, a copy of which

is attached as Exhibit E and incorporated by this reference as if set forth fully herein.

B. Refund Request Process. The business license fee and business license fee surcharge applicable for April 1, 2021- March 31, 2022 shall be paid to the Washington State Department of Revenue Business Licensing Service. Eligible Businesses can then request a refund for the business license surcharge fees paid directly from the City of Vancouver Business License Division in the Finance department by filling out the Refund Request form. Requests for refunds must be received by the City of Vancouver Business License Division on or before March 31, 2022.

**Section 4.** Effective date. This Ordinance is necessary in furtherance of an emergency and shall become effective immediately upon passage.

**Section 5.** All provisions of this ordinance will sunset on March 31, 2022. Thereafter, the provisions of this Ordinance shall be given no further force of effect.

Read first time: March 22, 2021

Ayes: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: None

Read second time: April 5, 2021

PASSED by the following vote: 5-0

Ayes: Councilmembers Paulsen, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: Councilmembers Fox, Lebowsky

SIGNED this 5th day of April, 2021.

DocuSigned by:  
*Anne McEnerny-Ogle*  
58CB15C0632F403...  
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:  
*Natasha Ramras*  
BCF6734E40E94AE...  
Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:  
*Jonathan Young*  
9A7DC2E31F694A2...  
Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. M-4333

AN ORDINANCE regarding the Business License Fee Surcharge (VMC 5.04.095) program; providing for refunds of the business license fee surcharge for new business license applications and annual license renewals for eligible businesses; providing for implementation of such refund program; defining eligibility criteria; providing for an immediate effective date; and providing for a sunset date on March 31, 2022.

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The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via [www.cityofvancouver.us](http://www.cityofvancouver.us) (Go to City Government and Public Records).

Exhibit A

Eating and Drinking Establishment COVID-19 Requirements

# Eating and Drinking Establishment COVID-19 Requirements

## Summary of March 5, 2021 changes:

1. Renames this guidance document from Restaurant, Tavern, Brewery, Winery and Distillery to Eating and Drinking Establishment.
2. Includes night clubs in the list of business types included in this guidance.
3. Clarifies food is required to be offered at these businesses.
4. Clarifies while some live entertainment is permitted pursuant to the theater and performing arts guidance document, dancing is prohibited.

## Summary of January 11, 2021 changes:

1. Phase 1: Restaurants and Bars are closed for indoor dine-in service. Outdoor and open-air dining and to-go service are permitted, provided that all outdoor/open-air dining must comply with the requirements of the Outdoor and Open-air Seating Guidance [here](#).
2. Phase 2: Indoor seating is permitted at 25% capacity as long as long as physical distance between customers at adjacent tables can be achieved.
3. For all phases:
  - o Table size for is limited to a maximum of six (6) people with a maximum of two households per table.
  - o Alcohol service is prohibited after 11 pm (food service may continue past 11 pm).

Eating and drinking establishments must adopt a written procedure that is at least as strict as the requirements in this document and that complies with the appropriate safety and health requirements and guidelines established by the Washington State Department of Labor & Industries and the Washington State Department of Health.

For purposes of this document an eating and drinking establishment includes, but is not limited to, restaurants, cafes, food courts, breweries, brewpubs, taverns, wine bars, wineries, distilleries, tasting rooms, private clubs and night clubs, or other establishments where food is offered/sold.

Prior to recommencing on-site services, all business owners are required to develop at each establishment, a comprehensive COVID-19 exposure control, mitigation, and recovery plan which must be adhered to. A site-specific COVID-19 monitor shall be designated at each location to monitor the health of individuals and enforce the COVID-19 job site safety plan. A copy of the plan must be available at all locations and available for inspection by state and local authorities. Failure to meet this requirement may result in sanctions up to, and including, license suspension.

All eating and drinking establishments can refer to [Department of Health guidance](#) for additional recommendations.

### Phase 1

1. Indoor seating is prohibited. Outdoor and open-air seating and to-go service are permitted, provided that all outdoor/open-air dining must comply with the requirements of the Outdoor and Open-air Seating Guidance [here](#).
2. For liquor licensees who want to add outdoor seating to their premises, please go to the Washington State Liquor and Cannabis Board (WSLCB) website, [here](#), to access the Liquor Alterations Request Form. Please submit completed forms to [liquoralterations@lcb.wa.gov](mailto:liquoralterations@lcb.wa.gov).

### Phase 2

3. Indoor seating is permitted at 25% capacity if physical distance between individuals sitting at adjacent tables (as noted below) can be achieved. This includes food courts.

### All Phases

4. Liquor licensees must offer food service. Food may be sold or provided free-of-charge in at least one of the following ways:
  - a. Onsite food: At a minimum, food service should include a combination of small serving food items such as a mix of hors d'oeuvre type foods, cheeses, fruits, vegetables, deli-style meats, chips, pretzels, nuts, popcorn, crackers, or similar items. Food may be prepackaged for individual sale and consumption or prepared off-site for plating for the customer.
  - b. Offsite food: Customers may bring food from an outside business. The liquor licensee must post in a visible place, a list of multiple local restaurants or food trucks where customers can purchase food during hours of operation. The list shall include names, addresses, contact information, and hours of operation for each restaurant or food truck named.
5. Table size is limited to a maximum of six (6) people and a maximum of two (2) households.
6. Tables must be placed so that customers at adjacent tables are seated a minimum of 6 feet away from each other, or there must be a physical barrier or wall at least standing height tall separating booths or tables.
7. If the establishment does not offer table service (i.e. wait staff), they must have protocols in place to ensure adequate social distancing at food and/or drink pick-up stations, and within their seating area.
8. Alcohol service, delivery, and consumption, including beer, wine, and spirits, must end at 11:00 p.m. Food service may continue past 11 pm.
9. No bar area seating is permitted. This is the area with a bar table/counter where patrons sit or stand side-by-side. If an establishment has bar area seating it must be closed off to prohibit use. Counter-style seating is permitted in other areas of the establishment (indoors or outdoors). Six feet of distance is required between other tables.
10. Customers must wear a face covering anytime they are not actively eating or drinking. This includes when arriving or leaving, while going to the restroom, and while they are seated at tables and talking.
11. Single use menus or reusable menus that are sanitized after each use are required.
12. Minimize the number of staff serving any given table. It is strongly recommended that one staff person take a table's order, bring all of their beverages/food/utensils, take their payment, etc.
13. Hand sanitizer should be available at entry for all staff and patrons (assuming supply availability).

14. Any condiments typically left on the table (ketchup, soy sauce, etc.) must be single-use or sanitized after each use.
15. Buffets and salad bars are permitted and must follow [Department of Health guidance](#).
16. All establishments must have implemented a plan to ensure proper physical distancing in lobby/waiting areas/payment counters.
17. Standing is prohibited in any area of the establishment, except when engaging in allowable entertainment activities or while in the lobby/waiting area. In these instances, 6 feet of distance between patrons must be maintained.
18. Please see [Indoor Entertainment Guidance](#) for allowable activities such as darts, billiards, and arcade games, etc.
19. Please see [Theater and Performing Arts Guidance](#) for allowable live entertainment. Dancing is prohibited.

### **Safety and Health Requirements**

All eating and drinking establishment owners have a general obligation to maintain a safe and healthy workplace in accordance with state and federal law and safety and health rules for a variety of workplace hazards. Employers must specifically ensure operations follow the main Labor & Industries COVID-19 requirements to protect workers. COVID-19 workplace and safety requirements can be found [here](#).

Additional information is available at [Novel Coronavirus Outbreak \(COVID-19\) Resources](#) and [Paid Leave under the Washington Family Care Act and the Families First Coronavirus Response Act](#).

Exhibit B

Fitness and Training COVID-19 Requirements

# Fitness and Training COVID-19 Requirements

## Summary of changes in the January 2021 update:

- New phase 1 and 2 requirements detailed; some fitness and training activities reopened with new restrictions and new occupancy calculations.
- Outdoor fitness classes and non-staffed fitness facilities added to the guidelines.
- Several indoor sporting activities removed from this document and added to the [Professional Sports and Other Sporting Activities](#), document, including gymnastics, non-contact dance, non-contact cheer, climbing, tennis, volleyball, basketball, and soccer.
- Safety and health requirements updated to current language at the end of the document.

## Included here:

Staffed indoor fitness studios, individual sports and fitness training, group fitness, gyms, and multi-use indoor fitness facilities providing private instruction and access to personal fitness training and/or specialized equipment, including but not limited to weight and resistance training, cardio exercise equipment, martial arts without contact, yoga, squash and racquetball and similar personal training, group training, or independent fitness services.

Unstaffed indoor fitness facilities in locations such as hotels and apartment buildings.

Outdoor group fitness classes.

## Not included here:

Pools. Pool and water recreation facilities should follow the [Department of Health's COVID-19 guidance for staffed pools](#) and the [Governor's Phased Guidance for water recreation](#).

Indoor or outdoor sporting activities such as gymnastics, non-contact dance, non-contact cheer, martial arts with contact including competitions, climbing, tennis, volleyball, basketball and soccer. Except as otherwise specified in this guidance, indoor and outdoor competitive sporting activities, such as professional, amateur, or organized team sports and outdoor group fitness classes should follow the guidance for [Professional Sports and Other Sporting Activities](#).

All indoor fitness training facilities operating must adopt a written procedure for employee safety and customer interaction that is at least as strict as this procedure and complies with the safety and health requirements below.

**No business may operate until it can meet and maintain all the requirements in this document, including providing materials, schedules and equipment required to comply. Additional considerations may be adopted, as appropriate.**

## **Limited Use of Facility and Business Adaptations**

Access to indoor fitness and training facilities is limited by the size of the facility:

### **Phase 1:**

- All facilities must calculate allowable customer occupancy by dividing the room size or available floor space by 500 square feet per person.
- The minimum 500 square feet per person occupancy must be calculated and enforced by the

facility for every room in a facility where indoor fitness and training occurs. Each room where indoor fitness and training occurs must be monitored to ensure the 500 square feet per person maximum occupancy is not exceeded.

- Face coverings are required at all times.
- Individuals may use the facilities for less than an hour at a time. One-on-one instruction and group instruction classes limited less than an hour at a time. Capacity determined by square footage per person.
- Stationary fitness equipment must be arranged such that users are not facing each other, regardless of the distance between users.
- Squash and racquetball courts open only for individual use and facilities must allow 30 minutes of non-use between each session.
- Outdoor group fitness classes limited to a maximum of 20 participants per class at a time in stable cohorts of 5. Face coverings required at all times. Outdoor structures, in order to be considered outdoors, should have no more than two walls to provide appropriate ventilation unless they meet this ventilation requirement; structures can have three walls if another opening exists that is large enough to create cross ventilation. For detailed guidelines please consult [Open Air and Outdoor Seating requirements](#).
- Unstaffed indoor fitness facilities (examples include apartment and hotel fitness centers) allowed one user per room, scheduled in advance, face coverings required, use of the facilities for no longer than 45 minutes at a time.

**Phase 2:**

- The occupancy of the facility may not exceed 25 percent of the fire code occupancy rating, or 200 people max, whichever is less.
- Squash and racquetball courts open for games. Facilities must allow 30 minutes of non-use between each session.
- Outdoor group fitness classes limited to a maximum of 30 participants. Face coverings required at all times. Outdoor structures, in order to be considered outdoors, should have no more than two walls to provide appropriate ventilation unless they meet this ventilation requirement; Structures can have three walls if another opening exists that is large enough to create cross ventilation.
- Unstaffed indoor fitness facilities allowed one user per room or up to 4 users from the same household, scheduled in advance, face coverings required.

No in-facility child care services will be permitted, unless consistent with Department of Health guidance for [Child Care, Youth Development, and Summer Day Camps](#). Children in child care do not count toward the overall occupancy limit for the purpose of calculating fitness facility occupancy and the minimum required square footage per person.

**Safety and Health Requirements all phases**

*Stay home when sick or if a close contact of someone with COVID-19*

Staff and participants should be required to stay home if they feel unwell, show any signs of COVID-19, or are a close contact of a confirmed case. Screening should consider [symptoms listed by the CDC](#). Any person with symptoms of COVID-19 or who is a close contact of someone with confirmed COVID-19 should not be allowed to participate and should contact his or her primary care provider or other appropriate health-care professional.

### *Masks*

Masks required for staff and participants at all times.

### *Physical Distance*

A minimum of 6 feet of physical distance must be maintained between staff and clients at all times where possible. This distance should be increased when clients are engaged in high-intensity aerobic activities. A minimum of six feet of distance must be maintained among participants when not engaged in fitness and training activities.

### *Hygiene*

Staff and participants to practice good hygiene including washing their hands frequently and covering their sneezes and coughs. Wash hands often with soap and water for at least 20 seconds before and after practice, especially after touching shared objects or blowing your nose, coughing, or sneezing. Avoid touching your eyes, nose, and mouth. If soap and water are not readily available, use a hand sanitizer that contains 60-95% alcohol content. Cover all surfaces of your hands and rub them together until they are dry.

Provide handwashing or hand sanitizing stations at training and contest locations.

Limit the use of locker rooms to handwashing and restroom use only. Showers should not be used due to potential spread of aerosolized droplets. If use of locker rooms for changing is necessary, maximize ventilation and use tape, spots, or cones to signal 6 feet of distance for participants who need to change. If locker rooms are used cleaning protocols must be included in the facility safety plan. Limit occupancy of the locker rooms to avoid crowding.

### *Cleaning*

Clean high touch surfaces and disinfect shared equipment before and after each use. Ensure restrooms are cleaned and disinfected regularly. Current CDC guidance for cleaning and disinfection for COVID-19 states that disinfectants should be registered by the EPA for use against the COVID-19. Find the current list here: [List N: Disinfectants for Use Against SARS-CoV-2 \(COVID-19\)](#). Disinfectants based on hydrogen peroxide or alcohol are safer than harsher chemicals. The University of Washington has a [handout with options for safer cleaning and disinfecting products that work well against COVID-19](#).

### *Ventilation*

Ventilation is important to have good indoor air quality. Ensure that ventilation systems operate properly. Increase air circulation and ventilation as much as possible by opening windows and doors. Offer more outside time, open windows often and adjust mechanical ventilation systems to bring in as much outside air as possible. Increase filters to MERV 13 if the HVAC can accommodate. Use of fans for cooling is acceptable. In indoor spaces, fans should only be used when windows or doors are open to the outdoors in order to circulate indoor and outdoor air. They should blow away from people. Outdoors locations are preferred to indoors locations, and should be utilized to the greatest extent possible to allow for maximum fresh air circulation and social distancing. Outdoor temporary structures may be used. Outdoor structures, in order to be considered outdoors, should have no more than two walls to provide appropriate ventilation unless they meet this ventilation requirement; structures can have three walls if another opening exists that is large enough to create cross ventilation. For detailed guidelines please consult [Open Air and Outdoor Seating requirements](#).

*Records and Contact Tracing*

Keep contact information for staff and participants to assist with contact tracing in the event of a possible exposure. Contact information must be kept on file for 28 days after each class or use of the facilities.

*Employees*

Employers must specifically ensure operations follow the main Labor & Industries COVID-19 requirements to protect workers. COVID-19 workplace and safety requirements can be found [here](#).

Exhibit C

Movie Theaters COVID-19 Requirements

# Movie Theaters COVID-19 Requirements

## Summary of February 1, 2021 changes:

- **New Phase 1 and Phase 2 requirements detailed**
- **Safety and health requirements updated at end of the document**

Movie theaters are permitted to operate, provided all requirements in this document are met. For purposes of this guidance, movie theaters include both corporate and independently owned theaters or any venue that screens movies with an audience. Each movie theater must adopt a written procedure for operations at least as protective as the specific requirements outlined below and complies with all employee safety and health requirements.

Movie theaters must ensure strict adherence to all measures established by the Governor's guidance, the Department of Labor & Industries (L&I), Coronavirus (COVID-19) Prevention: General Requirements <https://lni.wa.gov/forms-publications/F414-164-000.pdf>, and the Washington State Department of Health Workplace and Employer Resources & Recommendations <https://www.doh.wa.gov/Coronavirus/Workplace> (DOH).

## Phase 1

Private rentals for individual households of no more than 6 people permitted. General admission prohibited.

## Phase 2:

Movie theaters in Phase 2 can operate at 25% capacity (per fire marshal code) or 200 people, whichever is less, as long as six feet of physical distancing between households can be maintained.

## General Requirements

1. Pursuant to the [Secretary of Health's Order 20-03](#), face coverings must always be worn. However, face coverings may be removed for the limited purpose and limited time period necessary to consume food and beverages, which can only be done while seated in the theater.
2. Ticket lines should be configured to ensure appropriate physical distancing is maintained at all times. Options include visible markers, barriers, tape, etc.
3. Tickets sales should be available online or via phone whenever feasible to reduce the need to stand in line for tickets.
4. Configure ticket sales systems to facilitate appropriate physical distancing.
5. Lines to enter a theatre should be minimized whenever possible. If lines are unavoidable, six feet physical distancing must be maintained.
6. Adequate numbers of employees should be available to direct patron traffic and enforce physical distancing in lines.
7. Limit and stagger screening times to reduce overcrowding between screenings, particularly in common areas, restrooms, and concession areas.
8. Close any on- site lounges, play areas, or other areas where people may congregate.
9. To the extent possible, reconfigure restrooms, for example by blocking stalls or urinals, to ensure appropriate physical distancing can be maintained at all times. As patrons may need to line up to enter restrooms, use visual indicators such as tape to identify appropriate physical distancing.

10. Use of employee breakrooms should be limited. As face coverings cannot be worn during eating/drinking, limit the number of employees in a breakroom at any one time to ensure distancing can be maintained. Clean countertops and tables between uses.
11. Any retail food service at theaters must follow the guidance for [restaurants](#).
12. Provide sufficient hand sanitizing stations for customers.
13. Ensure each theater is properly cleaned/sanitized between uses.
14. Adjust mechanical ventilation systems to bring in as much outside air as possible. Increase filters to MERV 13 if the HVAC can accommodate. Keep doors and windows open where possible and utilize fans to improve ventilation.

Exhibit D

Theater & Performing Arts COVID-19 Requirements

# THEATER & PERFORMING ARTS

## COVID-19 Requirements

Theaters and performing arts are permitted to operate, provided the general and discipline-specific requirements in this document are met and followed. The theatre and performing arts organization must adopt a written procedure for operation that is at least as strict as the procedures below and complies with all safety and health requirements.

### **A. General Indoor and Outdoor Theater and Performing Arts Organizations and Performing Arts Events:**

This section includes guidance that all indoor and outdoor theater and performing arts organizations must follow. Additional requirements may also be required depending on the discipline.

**Phase 1: Indoor:** Private rentals/tours/performances for individual households of no more than six people are permitted. All individuals must wear face coverings. Maximum capacity is 25% of the venue or space.

**Phase 1: Outdoor:** Ticketed events only. Groups of 10 people are permitted, but are limited to two households per group. Groups must be physically distanced six feet apart and maintain six feet of physical distance from others at all times. All individuals in attendance must wear a face covering. A minimum of 20 feet of physical distancing is required between artists/performers and the audience. A maximum of 75 individuals including artists, crew, and audience members may be in the designated area. There is a two-hour time limit on all performances/events.

**Phase 2: Indoor:** Maximum capacity is 25% of the venue/space or 200 people, whichever is less. Groups with a maximum of six people are permitted. Each group must be physically distanced six feet apart and maintain six feet of separation from others at all times. All individuals in attendance must wear a face covering. A minimum of 20 feet of physical distancing is required between artists/performers and the audience. There is a two-hour time limit on all performances/events.

**Phase 2: Outdoor:** Groups of up to 15 people are permitted, but are limited to two households per group. Groups must be physically distanced six feet apart and maintain six feet of separation from others at all times. All individuals in attendance must wear a face covering. A minimum of 20 feet of physical distancing is required between artists/performers and the audience. A maximum 200 individuals including artists, crew, and audience may be in the designated area. There is a three-hour time limit on all performances/events.

### **B. Discipline-specific Requirements:**

#### **1. Dance and Movement:**

**Phase 1 Rehearsals:** A minimum of 500 square feet per dancer is required. If there are two or more people per a barre, each dancer must maintain a radius of six feet of physical distancing and all dancers must face the same direction. A maximum length of 45 minutes per rehearsal session with 30-minute breaks between sessions is required.

**Phase 2 Rehearsals:** The maximum capacity is 25% of the room/venue/space. All other requirements in Phase 1 must be followed.

### **Phase 1 Performances/Recitals:**

- **Indoor:** Prohibited.
- **Outdoor:** Must follow “Dance and Movement: Phase 1 Rehearsals” requirements plus the general requirements in “Part A – Phase 1: Outdoor.”

### **Phase 2 Performances/Recitals:**

- **Indoor:** Must follow the “Dance and Movement: Phase 1 Rehearsals” requirements plus the general requirements in “Part A – Phase 2: Indoor.”
- **Outdoor:** Must follow the “Dance and Movement: Phase 1 Rehearsals” requirements plus the general requirements in “Part A – Phase 2: Outdoor.”

## **2. Choral/Vocal/Opera/Musical Theatre/ Comedy/Spoken Word/Poetry Readings or Slams**

### **Phase 1 and Phase 2 Rehearsals:**

1. **Indoor and Outdoor:** Solo singers and performers in a rehearsal setting may rehearse without a face covering, so long as they are at least 15 feet physically distanced from the pianist/accompanist and others. If a speaker decides not to wear a face covering, it is recommended that a Plexiglas 3-sided barrier is used during the rehearsal. The barrier must be disinfected after every use.

All group performance activities that involve singing require everyone to wear a three-layer surgical mask and maintain at least 9 feet (12 feet is recommended) of physical distance from others. Group singing/choirs are limited to no more than 15 individuals. Rehearsals may be held indoors for up to 45 minutes at a time with 30-minute breaks in between to allow for air exchange.

### **Phase 1 Performances/Recitals:**

- **Indoor:** Prohibited.
- **Outdoor:** Must follow “Phase 1 and Phase 2 Rehearsals: Choral/Vocal/Opera/Musical Theatre/Comedy/Spoken Word/Poetry Readings or Slams” requirements plus the general requirements in “Part A – Phase 1: Outdoor.”

### **Phase 2 Performances/Recitals:**

- **Indoor:** Must follow “Phase 1 and Phase 2 Rehearsals: Choral/Vocal/Opera/Musical Theatre/Comedy/Spoken Word/Poetry Readings or Slams” requirements plus the general requirements in “Part A – Phase 2: Indoor.”
- **Outdoor:** Must follow “Phase 1 and Phase 2 Rehearsals: Choral/Vocal/Opera/Musical Theatre/Comedy/Spoken Word/Poetry Readings or Slams” requirements plus the general requirements in “Part A – Phase 2: Outdoor.”

## **3. Orchestra/Instrumental**

### **Phase 1 and 2 Rehearsals:**

1. **Indoor and Outdoor:** All physical distancing requirements are section/instrument specific:
  - **String and percussion instruments** must maintain a minimum of six feet of physical distancing.
  - **Brass & woodwind instruments** must maintain a minimum of 9 feet of physical distancing and use a bell cover.

- **Vocalists** refer to guidelines for “Phase 1 and Phase 2 Rehearsals: Choral/Vocal/Opera/Musical Theatre/Comedy/Spoken Word/Poetry Readings or Slams.”

Rehearsals are a maximum of 45 minutes at a time with 30-minute breaks in between to allow for air exchange. All are required to wear masks. For instruments that require mouth-to-instrument connection, musicians are not required to wear a mask while playing, but during long periods of rest and breaks, masks are required.

**Phase 1 Performances/Recitals:**

2. **Indoor:** Prohibited.
3. **Outdoor:** Must follow “Phase 1 and Phase 2 Rehearsals: Orchestra/Instrumental” requirements plus the general requirements in “Part A – Phase 1: Outdoor.”

**Phase 2 Performances/Recitals:**

- **Indoor:** Must follow “Phase 1 and Phase 2 Rehearsals: Orchestra/Instrumental” requirements plus the general requirements in “Part A – Phase 2: Indoor.”
- **Outdoor:** Must follow “Phase 1 and Phase 2 Rehearsals: Orchestra/Instrumental” requirements plus the general requirements in “Part A – Phase 2: Outdoor.”

**C. Venue Requirements and Guidelines:**

The venue must provide clear communications to renters, artistic partners, event producers, and other visiting groups prior to arrival regarding the venue sanitation and safety expectations. In addition, the venue must post signage outside and inside of the venue that clearly outlines which spaces may be used by renters.

**Sanitation & Safety Expectations:** The venue shall:

- Designate a point of contact to ensure the “Healthy Washington – Roadmap to Recovery” Proclamation 20-25.12 (et seq.) and requirements per Department of Labor and Industries (L&I) and Health Department, are met with a written safety plan specific to each venue that meets the minimum requirements as set forth by the Healthy Washington plan.
- Provide clear communications to patrons prior to arrival regarding safety expectations.
- Post signage outdoors and inside that declares expectations for the visitors to enter the venue, including caution to physical distance, wash hands, use hand sanitizer, wear a face covering, and other safety precautions.
- Clean daily and adhere to the Centers for Disease Control and Prevention (CDC) recommendations for cleaning and sanitation of public facilities are followed. Clean and sanitize all occupied areas between performances.
- Frequently sanitize high touch surfaces including counter tops, doors, elevator buttons, and workstations, particularly during events.
- Install sanitation stations throughout the venue, including backstage and office spaces, that include hand sanitizer and wipes.
- Require all individuals to wear face coverings in accordance with state, county, and venue regulations.
- Consider shield-guards/physical protection guards between public and staff (concessions, box office, reception, retail).

- Promote the ventilation of interior spaces. HVAC systems will be maintained and operated following [ASHRAE recommendations](#) to the best of each facility's capability. Circulation of outdoor air will be increased to the safest extent possible.
- Evaluate and adjust when possible, audience flow and general lobby spaces to maximize physical distancing and minimize engagement of high touch surfaces.
- Train and strategically place staff or volunteers to encourage flow and physical distancing of visitors.

**Patron Safety Expectations:** The venue shall:

- Strive to secure patron contact information to facilitate contact tracing (if selling reserved seating).
- Require all to wear face coverings in accordance with state, county, and venue regulations.
- Send protocols in advance to patrons when feasible.
- Encourage patrons to download digital tickets or use print-at-home ticketing when possible.
- Consider the use of digital programs and reduce exchange of printed materials.
- Identify, control, and limit congregation points in venues where staff and visitors may come into proximity.

**Employee Safety Expectations (all staff including front-of-house, backstage, artists, volunteers):** The venue shall:

- Sanitize and prepare the venue before allowing employees to return to work.
- Reorganize workspaces to maximize physical distancing and/or encourage continued remote work.
- Provide disinfecting wipes and hand sanitizer throughout work areas for personal use and to sanitize workstations, equipment, and limit sharing when possible.
- Provide and train use of personal protective equipment required for personnel per L&I as well as OSHA and CDC recommendations, based upon duties.
- Consider job hazard assessment for artists and personnel for each venue and event.
- Regularly review safety procedures with staff, updating as indicated by public health officials and industry standards.
- Provide training and security protocols for employees to address patrons who do not cooperate with safety protocols.
- Prohibit Backstage visitors and prohibit the greeting of audience members at the stage door following performances.
- Require everyone to wear face coverings in accordance with state, county, and venue regulations.

**Food Service and Retail:** Food service, restaurants, gift shop, and other retail operations in performing arts venues and at events will operate according to phase-specific guidelines outlined in the "[Retail](#)" and "[Eating and Drinking](#)" in sections of the Healthy Washington guidelines.

Exhibit E

Bowling COVID-19 Requirements

# Bowling

## COVID-19 Requirements

### Summary of January 2021 changes:

- **New Phase 1 and Phase 2 requirements detailed**
- **Safety and health requirements updated to current language at the end of the document**

All bowling facilities operating must adopt a written procedure for employee safety and customer interaction that is at least as strict as these requirements and complies with the safety and health requirements below.

#### Phase 1:

- Private rentals/tours for individual households of no more than 6 people permitted maximum for the entire facility. General admission prohibited.
- Arcades and amusement and/or redemption activities closed.

#### Phase 2:

- The facility may not exceed 25 percent of the fire code occupancy rating.

#### For all phases:

- Two bowlers per lane.
- No spectators allowed.
- Bowlers must maintain 6 feet of distance between bowlers in other lanes and in other areas of the facility.
- Sharing of equipment is not allowed.
- Shoes and balls, including finger holes, must be disinfected after every use.
- Restaurants and pro-shops adhere to required guidelines for food service and retail for the phase that their respective region is in.
- Mask use required at all times.

## Safety and Health Requirements

### Safety and Health Requirements all phases

*Stay home when sick or if a close contact of someone with COVID-19*

Staff and participants should be required to stay home if they feel unwell, show any signs of COVID-19, or are a close contact of a confirmed case. All coaches and students should be screened for signs/symptoms of COVID-19 prior to a workout. Screening should consider [symptoms listed by the CDC](#). Any person with symptoms of COVID-19 or who is a close contact of someone with confirmed COVID-19 should not be allowed to participate and should contact his or her primary care provider or other appropriate health-care professional.

Those who are excluded from training or contests due to [COVID-19 symptoms](#) or because they are [close contacts](#) must follow DOH and local public health isolation and quarantine guidance before returning to

training or contests. People with underlying health conditions should consult with their medical provider regarding participation in athletic activities.

### *Masks*

Masks required for staff and participants at all times.

### *Physical Distance*

Physical distance of 6 feet must be maintained between staff and participants and participants and each other at all times where possible, with exceptions for training and medical personnel and volunteers performing their medical duties. Six feet of distance must be maintained among participants when not engaged in fitness and training activities.

### *Hygiene*

Staff and participants to practice good hygiene including washing their hands frequently and covering their sneezes and coughs. Wash hands often with soap and water for at least 20 seconds before and after practice, especially after touching shared objects or blowing your nose, coughing, or sneezing. Avoid touching your eyes, nose, and mouth. If soap and water are not readily available, use a hand sanitizer that contains 60-95% alcohol content. Cover all surfaces of your hands and rub them together until they are dry. Participants should not share water bottles, uniforms, towels, or snacks.

Provide handwashing or hand sanitizing stations for participants.

Limit the use of locker rooms to handwashing and restroom use only. Showers should not be used due to potential spread of aerosolized droplets. If use of locker rooms for changing is necessary, maximize ventilation and use tape, spots, or cones to signal 6 feet of distance for participants who need to change. If locker rooms are used cleaning protocols must be included in the sporting activity safety plan. Stagger entry to the changing area and use of these facilities as appropriate with members of the same team or training cohort only. Limit occupancy of the locker rooms to avoid crowding.

### *Cleaning*

Clean high touch surfaces and disinfect shared equipment before and after each use. Ensure restrooms are cleaned and disinfected regularly. Current CDC guidance for cleaning and disinfection for COVID-19 states that disinfectants should be registered by the EPA for use against the COVID-19. Find the current list here: [List N: Disinfectants for Use Against SARS-CoV-2 \(COVID-19\)](#). Disinfectants based on hydrogen peroxide or alcohol are safer than harsher chemicals. The University of Washington has a [handout with options for safer cleaning and disinfecting products that work well against COVID-19](#).

### *Ventilation*

Ventilation is important to have good indoor air quality. Ensure that ventilation systems operate properly. Increase air circulation and ventilation as much as possible by opening windows and doors. Offer more outside time, open windows often and adjust mechanical ventilation systems to bring in as much outside air as possible. Increase filters to MERV 13 if the HVAC can accommodate. Use of fans for cooling is acceptable. In indoor spaces, fans should only be used when windows or doors are open to the outdoors in order to circulate indoor and outdoor air. They should blow away from people.

*Records and Contact Tracing*

Keep contact information for staff and participants to assist with contact tracing in the event of a possible exposure. Contact information must be kept on file for 28 days after each use of the facilities.

*Employees*

Employers must specifically ensure operations follow the main Labor & Industries COVID-19 requirements to protect workers. COVID-19 workplace and safety requirements can be found [here](#).