

**Alert | Health Emergency Preparedness Task Force:
Business Continuity Amid COVID-19**



December 2021

Philadelphia to Require Proof of COVID-19 Vaccinations to Dine Indoors, Attend Sporting Events

On Dec. 13, 2021, Philadelphia Mayor Jim Kenney and Health Commissioner Dr. Cheryl Bettigole announced that beginning Jan. 3, 2022, patrons of all restaurants, bars, and sports venues will be required to show proof of a COVID-19 vaccination to enter. These requirements are similar to those recently adopted in other cities, including New York City and New Orleans.

With the return of winter, the continued number of the Delta-variant cases, and the emergence of the new Omicron variant, Mayor Kenney stated a need to “do more to protect our residents.”

Philadelphia’s indoor mask mandate is still active for all businesses. Under that order, reinstated in August 2021, mask use is mandatory for patrons and employees inside any business unless the business requires everyone who enters to be vaccinated.

The Health Department has not issued a formal order yet detailing the requirements slated to start Jan. 3, 2022, but Dr. Bettigole stated that starting on that date, patrons and employees must show proof of vaccination to enter the following settings:

- Indoor restaurants and bars;
- Eating areas within larger spaces, such as food courts and museum cafes – and these areas should be cordoned off and subject to a check at the dividing mark;

- The entirety of venues where food or drink is available for consumption, including sports arenas, theaters, and bowling alleys;
- Halls where food is being served, including catering halls and convention spaces;
- Casinos where food or drink is allowed on the floor.

To be admitted, children aged five years and three months through 11 years old must have one dose of the COVID-19 vaccine by Jan. 3, 2022, and their second dose by Feb. 3, 2022.

As a transitional measure, between Jan. 3 and Jan. 17, 2022, a negative test – taken within 24 hours of entry – will satisfy the requirement. During that transitional period, masks will be required indoors for any establishment that does not require 100% of those inside to be vaccinated. After Jan. 17, those establishments must be 100% vaccinated.

A carve-out applies for individuals with medical and religious exemptions and children under five years of age. Even after Jan. 17, 2022, however, individuals with exceptions will be required to show proof of a recent negative test when entering a venue that holds over 1,000 people. Because the order will also cover employees, they will be subject to an accommodation analysis under federal and Pennsylvania law.

Philadelphia's regulations are different than those of surrounding counties because Gov. Tom Wolf's State of Emergency expired in June 2021 after voters amended the Pennsylvania Constitution to require legislative consent for an extended state of emergency; the limited relevant legislative extensions have all expired.

Dr. Bettigole stated that there is currently no end-date for this policy, noting that the Kenney administration will continuously monitor and reevaluate based on the situation in Philadelphia. The administration recommends Philadelphia residents get vaccinated, including booster shots for those who are eligible.

For more information and updates on the developing situation, visit [GT's Health Emergency Preparedness Task Force: Coronavirus Disease 2019](#) and [Business Continuity Amid COVID-19](#) page.

Authors

This GT Alert was prepared by:

- [Kevin Greenberg](#) | +1 215.988.7818 | greenbergk@gtlaw.com
- [James N. Boudreau](#) | +1 215.988.7833 | boudreauj@gtlaw.com
- [George J. Farrell](#) | +1 215.988.7867 | farrellg@gtlaw.com

Albany. Amsterdam. Atlanta. Austin. Boston. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Germany. ~ Houston. Las Vegas. London.* Los Angeles. Mexico City.+ Miami. Milan.* Minneapolis. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Sacramento. Salt Lake City. San Francisco. Seoul.* Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv.^ Tokyo.* Warsaw.* Washington, D.C.. West Palm Beach. Westchester County.

This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. ~Greenberg Traurig's Berlin office is operated by Greenberg Traurig Germany, an affiliate of Greenberg

*Traurig, P.A. and Greenberg Traurig, LLP. *Operates as a separate UK registered legal entity. +Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. »Greenberg Traurig's Milan office is operated by Greenberg Traurig Santa Maria, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ∞Operates as Greenberg Traurig LLP Foreign Legal Consultant Office. ^Greenberg Traurig's Tel Aviv office is a branch of Greenberg Traurig, P.A., Florida, USA. †Greenberg Traurig's Tokyo Office is operated by GT Tokyo Horitsu Jimusho and Greenberg Traurig Gaikokuhojimbengoshi Jimusho, affiliates of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ~Greenberg Traurig's Warsaw office is operated by GREENBERG TRAUIG Nowakowska-Zimoch Wysokiński sp.k., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. Certain partners in GREENBERG TRAUIG Nowakowska-Zimoch Wysokiński sp.k. are also shareholders in Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2021 Greenberg Traurig, LLP. All rights reserved.*