

## Article 2: Administrative Code

### Division 60: Live Event Worker Safety

(“Live Event Worker Safety” added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)

#### §22.6001 Definitions

For purposes of this Division, defined terms appear in italics. The following definitions apply in this Division:

*City facility* has the same meaning as in San Diego Municipal Code section 22.4205.

*Complex live event* means live music, theater, dance, or cultural productions, or other live productions that involve the temporary setup, *operation*, or teardown of *non-permanent rigging*, *large portable power distribution systems*, or both. The setup, *operation*, or teardown of *non-permanent rigging* does not include freight handling or the transportation of heavy equipment.

*Contract for production* means an agreement between a *contracting entity* and a *live event vendor* to produce a *complex live event* within any *City facility* or *park*.

*Contracting entity* means a person that contracts with a *live event vendor* to produce a *complex live event* within any *City facility* or *park*.

*Entertainment Technician Certification Program* means the industry and labor nongovernmental program of the Entertainment Services and Technology Association that grants certification to a worker who has demonstrated mastery as an entertainment technician.

*Large portable power distribution system* means a movable system that can distribute power at 100 amps or greater.

*Live event vendor* means an employer that contracts to produce a *complex live event*.

*Non-permanent rigging* means a movable system of equipment, which is automated or fixed, used for overhead suspension of portable audiovisual equipment, including audio, video, lighting, backdrops, scenery, trusses, and other effects, equipment, or props.

*Operation* means to control the functioning of effects on an event set, including lighting, sound, pyrotechnics, machinery, electrical apparatus, scenery, audiovisual, or rigging.

*OSHA-10 course* means the United States Department of Labor’s Occupational Safety and Health Administration’s 10-hour course on workplace health and safety, and includes the United States Department of Labor’s Occupational Safety and Health Administration’s OSHA-10/General Entertainment Safety 10-hour course on workplace health and safety specific to the entertainment and exhibition industries, and the Cal/OSHA-10 10-hour course offered by an OSHA Training Institute Education Center-authorized training provider.

*OSHA-30 course* means the United States Department of Labor's Occupational Safety and Health Administration's 30-hour course on workplace health and safety, and includes the United States Department of Labor's Occupational Safety and Health Administration's OSHA-30/General Entertainment Safety 30-hour course on workplace health and safety specific to the entertainment and exhibition industries, and the Cal/OSHA-30 30-hour course offered by an OSHA Training Institute Education Center-authorized training provider.

*Park* has the same meaning as in San Diego Municipal Code section 63.0102(b).

*Retaliate* means any threatening, intimidating, or harassing conduct or adverse employment action against an employee, subcontractor, or subcontractors’ employee for engaging in conduct specified in San Diego Municipal Code section 22.6003.

*Supervisors* means any employee, employed in an occupation that may be certified by the *Entertainment Technician Certification Program*, who leads, supervises, or directs one or more employees in that same occupation.

*(“Definitions” added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)*

## **§22.6002 Contracting Entity and Live Event Vendor Requirements**

- (a) *A contracting entity shall use a written contract for production.*
- (b) *A live event vendor shall confirm both of the following before any work on a complex live event within a City facility or park begins:*
  - (1) *any employees of a live event vendor, including any subcontractors’ employees, involved in the setup, operation, or teardown of non-permanent rigging, large portable power distribution systems, or both, completed the OSHA-10 course; and*
  - (2) *any Supervisors of employees described in section 22.6002(b)(1), including any subcontractors’ supervisors, completed the OSHA-30 course, and are certified through the Entertainment Technician Certification Program for the work performed within the applicable trade.*

- (c) A *contracting entity* shall require that a *live event vendor* provide to the *contracting entity* both of the following before any work on a *complex live event* within a *City facility* or *park* begins:
  - (1) the names of all employees described in section 22.6002(b); and
  - (2) the course or certification the employee described in section 22.6002(b) completed and the date of completion or certification.
- (d) A *live event vendor* shall maintain a written record of the information provided under section 22.6002(c) for a minimum of two years. The *live event vendor's* failure to retain a written record, or the *live event vendor's* failure to allow the Enforcement Official described in San Diego Municipal Code section 22.6005 reasonable access to the written record, creates a rebuttable presumption that the *live event vendor* has violated section 22.6002(d).
- (e) The requirements of section 22.6002 shall not apply to any City employee while in the performance of their duties.

(“*Contracting Entity and Live Event Vendor Requirements*” added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)

#### **§22.6003 Retaliation Prohibited**

A *contracting entity* or *live event vendor* shall not *retaliate* against an employee, subcontractor, or subcontractors’ employee, for informing any person of the requirements in this Division, or reporting, cooperating with an investigation regarding, communicating with any person about, or participating in any administrative or judicial action regarding a violation or alleged violation of this Division.

(“*Retaliation Prohibited*” added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)

#### **§22.6004 Live Event Vendor Posting Requirements**

- (a) A *live event vendor* shall post a notice informing employees involved in the setup, *operation*, or teardown of a *complex live event* of the requirements and retaliation prohibitions in San Diego Municipal Code sections 22.6002 and 22.6003 in either:
  - (1) a conspicuous place where any employee, or subcontractors’ employee, is involved in the setup, *operation*, or teardown of a *complex live event*; or
  - (2) a place established by the *contracting entity* for posting notices for employees at the *City facility* or *park*.

- (b) A *live event vendor* shall post the notice required in section 22.6004(a) in English, and any other language spoken by five percent or more of the employees, or subcontractors' employees, involved in the setup, *operation*, or teardown of a *complex live event*.

*("Live Event Vendor Posting Requirements" added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)*

**§22.6005 Enforcement Authority**

- (a) The City Manager or designee is authorized to administer and enforce this Division.
- (b) The City Manager is authorized to develop policies and procedures regarding the enforcement of this Division.

*("Enforcement Authority" added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)*

**§22.6006 Stricter Safety Standards**

This Division does not prevent or limit an employer, *contracting entity*, or *live event vendor* from adopting stricter safety standards.

*("Stricter Safety Standards" added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)*

**§22.6007 Other Training**

Nothing in this Division relieves an employer from conducting any other training required by law, including Title 8 of the California Code of Regulations, and any other applicable occupational safety and health laws or regulations.

*("Other Training" added 3-21-2025 by O-21931 N.S.; effective 7-1-2025.)*