



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 120082

Introduced February 9, 2012

Councilmember Kenney

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Chapter 9-3300 of The Philadelphia Code, entitled "Erection, Use and Inspection of Tower Cranes," by re-naming the Chapter to include mobile cranes, by adding provisions regulating the use and inspection of mobile cranes, and by authorizing enforcement of the provisions contained in the Chapter with respect to tower cranes and mobile cranes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-3300 of The Philadelphia Code is hereby amended as follows:

CHAPTER 9-3300. ERECTION, USE AND INSPECTION OF TOWER AND MOBILE CRANES

§ 9-3301. Definitions.

- (1) ANSI. American National Standards Institute or a successor agency thereto.
- (2) ASME. American Society of Mechanical Engineers.
- (3) Building owner. Any person, agent, firm or corporation having a legal or equitable interest in a property.
- (4) Competent person. An individual who is capable of identifying existing and predictable hazards at the job site or is knowledgeable of policies and practices that affect working conditions which are unsanitary, hazardous or dangerous to employees, and who has authority to take prompt corrective measures to eliminate them.

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(5) Construction manager. A person identified by a building owner to manage a construction project.

(6) Dedicated safety representative. A person who has expertise in the area of construction site safety and who will be responsible for worker and public safety in connection with tower crane erection and operation *and/or mobile crane erection and operation*.

(7) Department. Department of Licenses and Inspections.

(8) NCCCO. National Commission for the Certification of Crane Operators or a successor agency thereto.

(9) NCCA. National Commission for Certifying Agencies or a successor agency thereto.

(10) Qualified person. An individual who has obtained a college degree or such other equivalent professional credential in an applicable field, or who by extensive knowledge, training and experience, has successfully demonstrated the ability to solve or resolve problems relating to the erection and operation of tower cranes *and/or the erection and operation of mobile cranes*.

(11) Tower crane. A structure used for lifting which utilizes a vertical mast or tower to support a load hook suspended from a work boom or jib which can rotate about the tower center to swing loads. The tower base may be fixed in one location or ballasted and moveable between locations.

(12) *Mobile crane. An apparatus or structure used for lifting, lowering and swinging loads that:*

(a) *Is mounted on any of the following: a frame attached to a truck chassis; a crane carrier equipped with axles and rubber-tired wheels for travel; a base with crawler treads; or a base or car equipped for travel on a railroad track;*

(b) *May be self-propelled or propelled by an outside source;*

(c) *Includes a rotating superstructure, boom, operating machinery, and one or more operator's stations; and/or*

(d) *Falls within the definition of mobile crane subject to ASME Standard B30.5-2007 ("Mobile and Locomotive Cranes") or any successor standard*

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thereto. The term includes commercial truck-mounted cranes, wheel-mounted cranes, crawler cranes, locomotive cranes, and variations thereof.

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§ 9-3305. Requirements Prior to Use of Mobile Cranes.

(1) Once a mobile crane has arrived at a site where it will be used to move a load, no person shall operate such crane unless:

(a) The mobile crane owner has disclosed the following information to the construction manager and building owner (or, if there is no building, the site owner):

(i) The age of the mobile crane that will be used on the project;

(ii) Whether the mobile crane manufacturer is currently in business; and

(iii) Whether the original equipment manufacturer's parts are available to repair major components of the mobile crane should such repair become necessary;

(b) The key components of the crane have been inspected by a competent person upon arrival at the installation site and inspected by a qualified person prior to the commencement of the operation. Key components include, but are not limited to the following: boom hoist, load hoist, and telescoping boom mechanisms; the swing mechanism; the travel mechanism used for moving the mobile crane from one location to another, including travel brakes and locks; controls; cables; ropes and reeving accessories; and cab;

(c) A qualified person who is trained and who is experienced with the specific crane being used is designated by the mobile crane owner, renter or lessee to supervise the operation;

(d) The mobile crane owner has designated a single competent person to be the dedicated safety representative that is present at the time of the operation; and

(e) The mobile crane owner or renter has submitted to the Department a valid Certificate of Insurance with a minimum of \$5,000,000 of General Comprehensive Liability Insurance naming the City of Philadelphia as an additional

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insured and a certificate holder. Such certificate must be maintained in effect at all times the mobile crane is located on the job site.

§ 9-3306. Use of Mobile Cranes.

(1) No contractor, construction manager or a qualified person designated as a supervisor of an operation under Section 9-3305(1)(c) shall:

(a) Permit any individual to provide hand signals or verbal communications to a mobile crane operator directing the operation of the mobile crane unless such individual is certified by NCCCO, or another organization whose program is NCCA or ANSI accredited. Such programs, at a minimum, shall meet the requirements of the current edition of ASME B30.

(b) Permit an individual to perform rigging duties associated with the operation of the mobile crane, unless such individual is certified by NCCCO, or another organization whose program is NCCA or ANSI-accredited. Such programs, at a minimum, shall meet the requirements of the current edition of the American National Standard Institute (ANSI) A10.42 standard related to the qualification of "Riggers".

(2) No person shall be considered certified pursuant to the requirements of this Section unless such person maintains his or her certification when performing the duties related to the certification in accordance with the requirements of the organization issuing the certification.

(3) The dedicated safety representative designated pursuant to Section 9-305(1)(e) shall periodically inspect all rigging and crane equipment while the mobile crane remains on site. All unresolved defects and practices that affect the safe operation of the crane shall be reported to the construction manager, who in turn shall take immediate and appropriate action to suspend the use of the crane until all safety defects have been corrected.

§ 9-3307. Mobile Crane Reporting Requirements.

(1) By January 31 of each year, any person who owned, rented or leased a mobile crane that was used on a project in the City of Philadelphia during the immediately preceding calendar year shall submit a written report to the Department providing the following information for each such crane for the entire calendar year.

(a) The type of crane (for example, commercial truck-mounted, wheel-mounted, crawler cranes, or locomotive);

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(b) *The projects at which the crane was used, including the location, a brief description of the project, and the dates the crane was in service;*

(c) *The mobile crane's age as of December 31 (the last day of the period covered by the report);*

(d) *All maintenance performed on the crane during the reporting period. Copies of maintenance records will fulfill this requirement;*

(e) *Whether, as of December 31, the crane was still in active service and under the control of the owner, renter, or lessee submitting the report; and*

(f) *Such other information as the Department may require by regulation.*

(2) *Any person required to submit the report required by Section 9-3307 shall also submit by January 31 of each year, proof of insurance sufficient to provide coverage in the amount of \$_____ for any crane that the person owned, rented, or leased as of the immediately preceding December 31.*

§ 9-3308. Enforcement of Tower Crane and Mobile Crane Provisions.

(1) *The Department, or a different department designated by the Managing Director, is authorized to enforce the provisions of this Chapter and to adopt such regulations as it deems necessary.*

SECTION 2. Effective Date. This Ordinance shall take effect six (6) months after it becomes law, except that Section 9-3308, as it applies to tower cranes, shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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