



City of Philadelphia

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

BILL NO. 150897

Introduced November 19, 2015

**Councilmember Quiñones Sánchez
(By Request)***

**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 adding requirements regulating the use and inspection of 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.

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(4.1) *Construction activity.* Work that requires a building or demolition permit.

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(9.1) *OSHA law.* A provision of law enforced by the Occupational Safety and Health Administration.

(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

*Information on file in Room 402 City Hall.

City of Philadelphia

BILL NO. 150897 continued

resolve problems relating to, *respectively*, the erection and operation of tower cranes or the erection and operation of mobile cranes.

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

(c) *Has a load-bearing capacity of 15 tons or more; and*

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

* * *

§ 9-3305. *Use of Mobile Cranes.*

The following apply to the use of mobile cranes in connection with construction activity:

(1) *Insurance requirement. No person shall use a mobile crane unless the owner or lessor of the mobile crane has a minimum level of general liability insurance, in an amount determined by the Risk Manager, covering use of the crane.*

(3) *Signaling. No person shall provide hand signals or verbal communications to a mobile crane operator, and no contractor, construction manager or other person designated as a supervisor in connection with the construction activity shall permit any individual to provide such signaling, 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.*

(3) *Rigging. No person shall perform rigging duties associated with the operation of a mobile crane, and no contractor, construction manager or other person*

City of Philadelphia

BILL NO. 150897 continued

designated as a supervisor in connection with the construction activity shall permit an individual to perform such rigging duties, 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".

(4) 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.

(5) No person shall use a mobile crane, and no contractor, construction manager or other person designated as a supervisor in connection with the construction activity shall permit use of a mobile crane, unless:

- (a) A copy of the operator's state operating license shall be maintained on-site and made available to the Department upon request.*
- (b) The certification of any person providing signals or performing rigging duties shall be maintained on-site and made available to the Department upon request.*

§ 9-3306. Inspection of Mobile Cranes.

Crane inspections shall be performed in accordance with OSHA law and the crane manufacturer's requirements. The following apply to the inspection of mobile cranes used or intended to be used in connection with construction activity:

(1) Site Inspections. Site inspections performed for installation or assembly at a job site or at the start of a shift, as required by OSHA law, shall be performed by a qualified person. Records related to such inspections shall be maintained on-site and made available to the Department upon request.

(2) Annual Inspections. No crane shall be used unless it was inspected at its most recent annual inspection, or at the time it was first used if no annual inspection has not yet been performed, by an NCCCO-certified crane inspector, or an inspector certified by another equivalent agency accredited by the NCCA or approved by the Department, or the Department determines that its annual inspection was performed by an inspector with sufficient experience to meet the standards of this subsection. Records related to

City of Philadelphia

BILL NO. 150897 continued

such inspection shall be maintained on-site and submitted to the Department a minimum of 2 business days prior to operation.

SECTION 2. Effective Date. This Ordinance shall take effect ninety (90) days after it becomes law.