Legislation Details (With Text)

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Title: Amending Chapter 9-3300 of The Philadelphia Code, entitled "Erection, Use and Inspection of Tower Cranes," by revising requirements related to tower cranes and adding requirements regarding the use and inspection of mobile cranes, all under certain terms and conditions.

Sponsors: Councilmember Henon

Indexes: TOWER CRANES

Code sections:

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Date	Ver.	Action By	Action	Result	Tally
2/14/2018	2	MAYOR	SIGNED		
2/1/2018	2	CITY COUNCIL	READ AND PASSED	Pass	17:0
1/25/2018	2	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
1/25/2018	2	CITY COUNCIL	AMENDED		
1/25/2018	1	CITY COUNCIL	READ		
11/30/2017	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
11/30/2017	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
11/30/2017	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
11/28/2017	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
11/28/2017	0	Committee on Licenses and Inspections	HEARING HELD		
11/28/2017	0	Committee on Licenses and Inspections	AMENDED		
11/28/2017	1	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
11/2/2017	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Chapter 9-3300 of The Philadelphia Code, entitled “Erection, Use and Inspection of Tower Cranes,” by revising requirements related to tower cranes and adding requirements regarding 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:

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CHAPTER 9-3300. [ERECTION,] USE AND INSPECTION OF TOWER *AND MOBILE* CRANES *IN CONSTRUCTION*

§ 9-3301. Definitions.

(1) ANSI. American National Standards Institute [or a successor agency thereto].

* * *

(4.1) Commercial Truck-Mounted Crane. A crane consisting of a rotating superstructure (center post or turntable), boom, operating machinery, and one or more operator's stations mounted on a frame attached to a commercial truck chassis.

* * *

(5.1) Crane. A power-operated hoisting machine that has a winch, load line and boom that moves laterally by the rotation of the machine on a carrier or base which has a manufacturer's rated maximum lifting capacity of 1,000 pounds or more. The function of a crane is to lift, lower, and swing loads at various radii.

(5.2) Crawler Crane. A crane consisting of a rotating superstructure with a power plant, operating machinery, and boom, mounted on a base and equipped with crawler treads for travel.

* * *

(7.1) Locomotive Crane. A crane consisting of a rotating superstructure with a power plant, operating machinery, and boom, mounted on a base or car equipped for travel on a railroad track, which may be self-propelled or propelled by an outside source.

(7.2) Mobile Crane. A crane of any of the following types: Commercial Truck-Mounted Crane; Crawler Crane; Locomotive Crane; or Wheel-Mounted Crane.

(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].

(9.1) NCCA or ANSI Accredited. A certification program recognized by NCCA or ANSI as meeting the ISO 17024 Standard for "General Requirements for Bodies Operating Certification Systems for Personnel."

(9.2) OSHA law. A provision of law enforced by the federal Occupational Safety and Health Administration, including OSHA 1926.1412 as it relates to Crane Inspections.

(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 *or mobile cranes, as may be applicable*.

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(12) Wheel-Mounted Crane. A crane consisting of a rotating superstructure, operating machinery, and boom, mounted on a crane carrier equipped with axles and rubber-tired wheels for travel and a power source, with either a single control station or separate stations for driving and operating.

§ 9-3301.1. General Provisions.

(1) Applicability. The provisions of this Chapter shall be applicable to the erection, use and inspection of tower cranes and the assembly, use and inspection of mobile cranes when used in the construction or demolition of a structure for which a building or demolition permit is required pursuant to Title 4, The Philadelphia Building Construction and Occupancy Code.

(2) Penalties. Any person who violates any of the provisions of this Chapter shall have committed a Class III offense and shall be subject to the fines set forth in subsection 1-109(3) of The Philadelphia Code. Each day that a violation continues shall be deemed a separate offense.

§ 9-3302. Erection, Jumping, Lowering and Dismantling of Tower Cranes.

(1) No person shall erect a tower crane unless:

* * *

(c) the tower crane owner, renter or lessee has submitted documentation including plans or drawings to the Department detailing how the tower crane will be supported and attached to the building. Such documentation shall be reviewed and sealed by a professional engineer registered in the Commonwealth of Pennsylvania with expertise in structural design; [and]

(d) the tower crane owner or renter has submitted to the Department a valid Certificate of Insurance with a minimum of $15,000,000.00 of General Comprehensive Liability Insurance naming the City of Philadelphia as an additional insured and a certificate holder. Such certificate must be maintained in effect at all times the tower crane is located on the job site[.]*; and*

(e) the tower crane owner or renter has obtained a permit from the Department for the erection of the tower crane, based on submission of the documentation required by subparagraphs (c) and (d).

* * *

§ 9-3303. Use of Tower Cranes.

(1) No contractor, construction manager or a qualified person designated as a supervisor of an operation under Section 9-3302(2)(a) shall:

* * *

(b) permit any individual to provide hand signals or verbal communications to a tower crane

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operator directing the operation of the tower crane unless such individual is certified by NCCCO, or another organization whose program is NCCA or ANSI accredited [. Such] *and which* program[s], at a minimum, [shall meet] *is based upon* the requirements of the current edition of ASME B30.*3 ("Tower Cranes").*

[Exception: An individual that has completed in-service training by an organization that has applied to the NCCCO, NCCA, or ANSI for certification may continue to perform signaling duties until December 31, 2010, provided the individual can document that the training received was in accordance with the appropriate ASME B30 crane standard.]

(c) permit an individual to perform rigging duties associated with the operation of the tower crane, unless such individual is certified by NCCCO, or another organization whose program is NCCA or ANSI accredited [. Such] *and which* program[s], at a minimum, [shall meet] *is based upon* the requirements of the current edition of the American National Standard Institute (ANSI) A10.42 standard related to the qualification of "Riggers".

[Exception: An individual that has completed in-service training by an organization that has applied to the NCCCO, NCCA, or ANSI for certification may continue to perform rigging duties until December 31, 2010, provided the individual can document that the training received was in accordance with the current edition of ANSI A10.42.]

* * *

§ 9-3304. Inspection of Tower Cranes.

* * *

(2) [Until July 1, 2010, an individual who has been certified to inspect maritime cranes in accordance with OSHA Standard 29 C.F.R. 1919, or who has a minimum of five (5) years of documented experience inspecting maritime cranes, may perform the inspections required in subsection (a).] *Reserved.*

* * *

§ 9-3305. Use of Mobile Cranes.

(1) No person shall operate a mobile crane, and no contractor, construction manager, building owner or other person designated as a supervisor in connection with the construction activity shall permit the operation of a mobile crane, unless the crane operator is qualified for such operation under the standards of Section 9-3306.

(2) No person shall perform rigging or signaling duties associated with the operation of a mobile crane, and no contractor, construction manager or other person designated as a supervisor in connection with the construction activity shall permit the performance of such rigging or signaling duties, unless the rigger or signaler is a qualified person as established by OSHA law.

(3) No person shall perform rigging or signaling duties associated with the installation, assembly or disassembly of a mobile crane, and no crane owner or lessee shall permit the performance of such rigging or signaling duties, unless such rigger or signaler is a qualified person as established by OSHA law.

(4) A copy of licenses and certifications or other documentation evidencing qualification shall be

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maintained on-site and made available to the Department upon request.

(5) Insurance requirement. The person or entity responsible for operation of the mobile crane shall maintain a minimum of $2,000,000 of General Comprehensive Liability Insurance in effect at all times the crane is located on the job site. The Certificate of Insurance shall be made available to the Department upon request.

§ 9-3306. Qualifications of Personnel.

(1) Mobile Crane Operators.

(a) An individual licensed by the Commonwealth of Pennsylvania pursuant to the Crane Operator Licensure Act is qualified to operate a mobile crane with a manufacturer's rated maximum lifting capacity of 15 tons or more of the type of mobile crane to which the license applies.

(b) The following individuals are qualified to operate a mobile crane with a manufacturer's rated maximum lifting capacity of more than 1,000 pounds but less than 15 tons:

(i) an individual licensed pursuant to the Crane Operator Licensure Act, in connection with the type of mobile crane to which the license applies; or

(ii) the holder of a current certification in connection with the type of mobile crane being operated that is issued by the NCCCO, or another organization whose program, in the judgement of the Department: is NCCA or ANSI accredited; has equivalent written and practical examination requirements as those required by NCCCO; and is based upon the requirements of ASME B30.5.

Exception: An individual who has completed in-service training with, and received certification from, an organization that has a pending application for NCCA or ANSI accreditation and which organization can demonstrate to the Department that the training received was based upon ASME B30.5 may operate a mobile crane of the type for which certification has been provided. This exception shall expire on April 1, 2020.

(c) A trainee who has passed a written examination of the NCCCO, or another organization that is NCCA or ANSI accredited which has equivalent testing and certification requirements as NCCCO and whose program is based upon ASME B30.5, may operate a mobile crane of the type for which the examination was taken when under the immediate supervision of a crane operator certified for the type of mobile crane being operated, provided the trainee shall have demonstrated to the satisfaction of the person employing the crane operator that the trainee is physically capable of operating the crane.

§ 9-3307. Inspection of Mobile Cranes.

(1) No crane inspection required by law shall be performed other than in accordance with OSHA law and the crane manufacturer’s requirements.

(2) Site Inspections. No person other than a qualified person shall perform site inspections as required by OSHA law in connection with installation or assembly at a job site or at the start of a shift.

(3) Annual Inspections. No mobile crane shall be used unless it has been inspected within the previous year as required by OSHA law by a crane inspector certified by NCCCO or another organization whose

program is NCCA or ANSI accredited and which program is based upon the requirements of ASME B30.5.

(4) Inspection Records. Records related to inspection of a mobile crane shall be maintained on the job site for the duration of time the subject crane remains on site and shall be made available to the Department upon request.

SECTION 2. Effective Date. This Ordinance shall take effect January 1, 2018, or upon adoption into law, whichever is later.

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