



# City of Chicago



O2021-4123

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 9/14/2021

**Sponsor(s):** Hopkins (2)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Chapter 4-288 by modifying various sections and adding new Section 4-288-035 to further regulate license and insurance requirements for crane operators

**Committee(s) Assignment:** Committee on License and Consumer Protection

## ORDINANCE

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

**SECTION 1.** Chapter 4-288 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by intersecting the language underscored, as follows:

#### **4-288-010 License – Required.**

It shall be unlawful for any person to operate any crane, as defined in this chapter, on any construction, rehabilitation, repair or demolition project undertaken within the City of Chicago ~~where a permit for such work is required by this Code~~, without first having obtained a crane operator's license. It shall be unlawful to employ any person or to permit or direct any person on such a project to operate a crane as defined in this chapter unless such person holds a valid crane operator's license.

**SECTION 2.** Chapter 4-288 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by intersecting the language underscored, as follows:

#### **4-288-020 Definitions.**

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

*(Omitted text is unaffected by this ordinance)*

"Crane" means any power-operated mechanical hoisting equipment that lifts, lowers, rotates or moves a load horizontally or vertically with a manufacturer's rated capacity of one-half (1/2) ton (1,000 pounds) or more ~~one ton (2,000 pounds) or more~~ one-half (1/2) ton (1,000 pounds) or more that lifts, lowers, rotates or moves a load horizontally or vertically. Such equipment includes, but is not limited to: (1) articulating cranes, including knuckle-boom cranes used to deliver material onto a structure with or without a properly functioning automatic overload prevention device; (2) crawler cranes; (3) floating cranes; (4) cranes on barges; (5) locomotive cranes; (6) mobile cranes, such as wheel-mounted, rough-terrain, all-terrain, commercial truck-mounted, and boom truck cranes; (7) multipurpose machines when configured to hoist and lower (by means of a winch or hook) and horizontally move a suspended load; (8) industrial cranes (such as carry deck cranes); (9) service/mechanic trucks with a hoisting device; (10) cranes on monorails; (11) tower cranes (such as a fixed jib, i.e. "hammerhead boom"), luffing boom and self-erecting; (12) pedestal cranes; (13) portal cranes; (14) overhead and gantry cranes; (15) derricks; (16) powered window washing units if used to erect portions of a building; (17) track backhoes if used to erect portions of a structure; (18) rack and pinion/skids; (19) Chicago booms; (20) hydraulic crawler/hydraulic truck cranes (lattice booms); (21) drumhoists; (22) variations of the equipment listed in items (1) through (21) of this definition; and (23) any other equipment that the commissioner, in consultation with the board, reasonably determines is appropriately characterized as a crane as set forth in rules and regulations duly promulgated by the commissioner. The term "crane" does not include (i) dedicated pile drivers; (ii) straddle cranes; (iii) sideboom cranes; (iv) elevators; (v) powered window washing units unless the unit is used to erect portions of a building; (vi) skid steers; (vii) all-terrain forklifts unless the forklift is

configured to hoist and lower (by means of a winch or hook) and horizontally move a suspended load; (viii) mast-climbing work platforms, but it shall include booms attached to mast-climbing work platforms if the boom has a manufacturer's rated capacity of one ton (2,000 pounds) or more; (ix) any equipment listed in subsection (c) of 29 C.F.R. 1926.1400 unless such equipment is listed in items (1) through (23), inclusive, of this definition; (x) variations of the equipment set forth in items (i) through (ix) of this definition; and (xi) any other equipment that the commissioner, in consultation with the board, reasonably determines is not appropriately characterized as a crane as set forth in rules and regulations duly promulgated by the commissioner.

*(Omitted text is unaffected by this ordinance)*

**SECTION 3.** Chapter 4-288 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by intersecting the language underscored, as follows:

**4-288-030 Application – Qualification for examination.**

(a) An applicant for a crane operator's license shall file an application with the commissioner on a form provided by the commissioner and in accordance with reasonable requirements determined by the commissioner.

(b) To qualify to take the crane operator's license examination, the applicant must provide evidence in a form acceptable to the commissioner that:

A. The applicant is at least 21 years old;

B. The applicant has worked as a crane operator for at least 2,000 hours during the preceding 48-month period or that the applicant has completed an apprenticeship program that is recognized by the board of crane operators examiners;

C. The applicant has not had a crane operator's or comparable license suspended or revoked by the City of Chicago or any other jurisdiction; provided, however, that upon good cause shown and after a full investigation, the building commissioner may waive this prohibition;

D. The applicant has no history of substance abuse during the preceding three years or that the applicant has successfully completed a certified substance abuse rehabilitation program;

E. The applicant has the present physical ability to safely operate a crane; and

F. The applicant has the ability to read, write and speak English at a level that allows effective communication on the job site.

(c) In addition to the requirements in subsection (b) of this section, to qualify to take the crane operator's license examination after March 1, 2016 or the date applicable to paragraphs (a)(2) and (f) of 29 C.F.R. 1926.1427 as set forth in 29 C.F.R. 1926.1427(k)(1), whichever comes later, the applicant shall have a current and valid certification issued by an approved accredited certifying entity identifying the type(s) of crane that the applicant is certified to operate.

(d) All applicants meeting the qualifications in this section shall be allowed to take the crane operator's license examination upon payment of the required fee.

**SECTION 4.** Chapter 4-288 of the Municipal Code of Chicago is hereby amended by adding new section 4-288-035, as follows:

**4-288-035 Insurance Requirements**

Prior to operating a crane as defined by this Section, the crane operator must obtain commercial general liability insurance against any liability, loss, or claim caused by, or arising from the operation of such crane. Such insurance must meet all of the following criteria:

- (a) Be issued by an insurer authorized to insure in Illinois.
- (b) Be in an amount no less than \$1 million per occurrence for bodily injury, personal injury, and property damage.
- (c) Name the City, its officers, employees, and agents as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the crane operator's operations.
- (d) Be maintained in full force and effect at all times that the crane is present.

The crane operator must keep copies of all required proof of insurance at the crane site and offices of the crane operator and must produce those documents for inspection upon the request of an authorized City official.

**SECTION 5.** Chapter 4-288 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by intersecting the language underscored, as follows:

**4-288-120 Carrying license, certificate or permit while operating crane – Required.**

At all times while operating a crane, the licensee or apprentice shall carry his or her license, certificate of registration or apprentice permit, and proof of general liability insurance, as applicable, on his or her person. Failure to produce a crane operator's license, certificate of registration, ~~or apprentice permit, or proof of general liability insurance~~ upon request of the commissioner while operating a crane shall be punishable by a fine of \$200.00.

**SECTION 6.** This ordinance shall take effect upon passage and publication.

*Brian Hopkins*

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# Legislative Introductions

Submitted by Alderman Brian Hopkins ( 102 Ward)

	Meeting Date	Subject <small>(Agreed Calendar - Use Name of Honoree here)</small>	Type of Document	Committee Referral	Additional Sponsor(s)	No. of Attachments
1				13		
2						
3						
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**Reference Key**

**Type of Document:** Ordinance, Order, Resolution , Agreed Calendar

**Committee Referral:**

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|-----------------------------|----------------------------------|
| 1. Aviation                 | 11. Housing                      |
| 2. Budget                   | 12. Immigrant and Refugee Rights |
| 3. Rules                    | 13. License                      |
| 4. Contracting Oversight    | 14. Public Safety                |
| 5. Economic Development     | 15. Special Events               |
| 6. Education                | 16. Traffic                      |
| 7. Environmental Protection | 17. Transportation               |
| 8. Ethics                   | 18. Workforce Development        |
| 9. Finance                  | 19. Zoning                       |
| Health                      |                                  |

For Joint Committees list both committees as follows: Joint Finance/Housing