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Legislation Details (With Text)

File #: O2021-1569
Type: Ordinance
Status: Failed to Pass
File created: 4/21/2021
In control: City Council
Final action: 5/24/2023
Title: Amendment of Municipal Code Chapter 4-288 to further regulate requirements for crane operators
Sponsors: Villegas, Gilbert
Indexes: Ch. 288 Crane Operators
Attachments: 1. O2021-1569.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
4/21/2021	1	City Council	Referred	

Chicago City Council April 21,
2021

Referred to Committee on License and Consumer Protection

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

SECTION 1. Chapter 4-288-010 of the, Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting 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 4-288-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

4-288-020 Definitions.

[Omitted text is unaffected by this Ordinance]

"Crane" means, except as provided for in Section 4-288-035. any power-operated mechanical hoisting equipment with a manufacturer's rated capacity of one ton (2,000 pounds) or more that lifts, lowers, rotates or moves a load horizontally or vertically with either a manufacturer's rated capacity of one-half (1/2) ton (1,000 pounds) or more or where such hoisting exceeds 15 feet or occurs more than 15 feet above ground level. 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/skips; (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

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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. 1926.14,00 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 4-288-030 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

4-288-030 Application - Qualification for examination.

[Omitted text is unaffected by this Ordinance]

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 training program approved by and registered with the United States Department of Labor's Office of Apprenticeship or its successor

organization, has graduated at least five (5) apprentices in each of the past five (5) years, is recognized by the board of crane operators examiners, and the applicant must certify as part of the apprenticeship that he or she has trained on at least one (1) piece of equipment in the class being tested for:

[Omitted text is unaffected by this Ordinance]

(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, provided no applicant may take the written examination and practical examination more than 12 months apart.

SECTION 4. Title 4 of the Municipal Code of Chicago is hereby amended by inserting new Section 4-288-035, as follows:

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4-288-035 Insurance Requirements.

For purposes of this Section, "crane" means any power-operated mechanical hoisting equipment of any capacity of tonnage that lifts, lowers, rotates or moves a load horizontally or vertically where such hoisting exceeds 15 feet or occurs more than 15 feet above ground level. For purposes of this Section, "crane" does not mean hoisting equipment where such equipment is located wholly within the confines of the structure being built and does not lift, lower, rotate or move a load horizontally or vertically outside or above the structure at any time. 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; and
- e) 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.

[Omitted text is unaffected by this Ordinance]

SECTION 5. Chapter 4-288-050 of the Municipal Code of Chicago is hereby amended by deleting

the language struck through and inserting the language underscored, as follows:

4-288-050 Examination - Exemptions and waivers.

The commissioner, in consultation with the board, may promulgate rules and regulations waiving or otherwise exempting applicants for a license under this chapter from such portions of any examination required under this chapter based on criteria, set forth in such rules and regulations, that the commissioner determines are consistent with public safety, provided that in no event shall an applicant be waived or exempted from taking the written and practical examination more than 12 months apart.

[Omitted text is unaffected by this Ordinance]

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SECTION 6. Chapter 4-288-090 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

4-288-090 License - Term - Renewals - Reinstatement fee.

The crane operator's license shall be valid for not less than one and not more than five years from the date of issuance. The license may be renewed (1) upon payment of the renewal fee prior to or within three months of expiration of a valid operator's license; and (2) after the date set forth in Section 4-288-030(c), upon proof that the applicant has 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; provided, however, that this item (2) shall not apply if no national certification exists for specific machines the operation of which requires a license under this chapter. Expired licenses may be reinstated within no later than three years from the date of expiration upon payment of a \$100.00 reinstatement fee in addition to the renewal fee for each year in which the license expired. If reinstatement under this Section is sought after three years from the date of expiration, the crane operator is required to reapply pursuant to Section 4-288-030 of this Chapter.

[Omitted text is unaffected by this Ordinance]

SECTION 7. Chapter 4-288-120 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting 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.

[Omitted text is unaffected by this Ordinance]

Gilbert Villegas Alderman, 36th Ward

SECTION 8. This ordinance shall take effect after passage and publication.

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