

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2008**

No. 46

Introduced by Council Members Lappin, Comrie, Gentile, Jackson, James, Koppell, Monserrate, Nelson, Palma, Recchia Jr., Seabrook, Stewart, Weprin, Dickens, White Jr., Mealy and Sears (in conjunction with the Mayor) (Passed Under Mayor's Message of Necessity)

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to tower and climber cranes and to licensed riggers.

Be it enacted by the Council as follows:

Section 1. Section 3302.1 of the building code of the city of New York is amended by adding the following definitions in alphabetical order:

CLIMBING/JUMPING. *The raising or lowering of a tower or climber crane to different floors or levels of a building or structure.*

DISMANTLING. *The final process of taking apart, piece by piece, in a specific sequence, the components of a crane. Dismantling shall include climbing and jumping.*

ERECTION. *The assembly and placement of crane sections and components into place, including all operations incidental thereto. Erection shall include climbing and jumping.*

§2. The building code of the city of New York is amended to add a new section 3319.8 to read as follows:

3319.8 Special provisions for tower and climber cranes. *Tower and climber cranes shall comply with the following requirements:*

3319.8.1 Plan for the erection, jumping, climbing, and dismantling of tower or climber cranes. *An erection, jumping, climbing and dismantling plan for tower or climber cranes, other than truck and*

crawler mounted tower cranes, shall be submitted to the department by a licensed engineer. The plan must be prepared by a licensed engineer in conjunction with a licensed rigger and must be in compliance with the manufacturer's recommendation for erection, jumping, climbing, or dismantling of the specific crane where such manufacturer's recommendations exist. The plan must be filed with the certificate of on-site inspection application as required by section 3319.3. No erection, jumping, climbing, or dismantling of a tower or climber crane shall take place without the prior issuance of a certificate of on-site inspection by the cranes and derricks unit. The plan shall include the following:=

- 1. Identification of the equipment proposed to be used; including all machines proposed to be used in the erection or dismantling;*
- 2. A detailed identification of the assemblies and components required for the erection and dismantling of the equipment;*
- 3. Location of the equipment, sidewalk sheds (or Department of Transportation street closing permits, if applicable), surrounding buildings, protection for their roofs and the pick-up points, loads, and radius of swing of all loads. In addition, the safe load from the approved load radius chart shall be submitted for lift radius;*
- 4. A weight list of all assemblies and components proposed to be lifted. Components are to be clearly marked with their weight painted on the assembly or stamped on metal tags attached to the assembly. The manufacturer of the climber or tower crane shall certify the weight of assemblies and components. Alternately, in lieu of painted weight markings or metal tags, or when the manufacturer's certification is not available, the licensed engineer applicant shall certify an erection, jumping, climbing or dismantling weight list indicating how such weights were determined;*
- 5. The center of gravity of all asymmetrical components shall be located and shown;*
- 6. A sequence of operation detailing the erection, jumping, climbing, and dismantling, along with the rigging materials to be used in such operations;*
- 7. The certification of the calibration as required in item 6 of section 3319.8.8;*
- 8. Cranes or derricks located either within the lot line or on the street and used to erect, jump, climb, or dismantle a tower or climber crane shall be indicated;*

9. *The names and contact information of the licensed master, climber or tower crane rigger, rigger foreman, and the crane safety coordinator or designee, along with the name and contact information of the company performing the erection, dismantling, climbing and/or jumping work.*

3319.8.2 Safety coordination meeting. *The general contractor must hold a safety coordination meeting prior to the initial erection, as well as the dismantling or initial jump down, of a climber or tower crane. No work related to the erection, climbing, jumping or dismantling of the tower or climber crane may be performed without the safety coordination meeting having taken place. The following parties must be present at the safety coordination meeting:*

1. *General contractor or designee;*
2. *Professional engineer of record for the crane or designee;*
3. *Licensed master, tower or climber crane rigger and rigger foreman;*
4. *Crane safety coordinator;*
5. *Site safety manager or coordinator, if required for the job by Chapter 33 of the code;*
6. *Licensed crane operator and oiler; and*
7. *Any other parties the department deems necessary.*

3319.8.3 Pre-jump safety meeting. *The general contractor must coordinate a pre-jump safety meeting no more than 24 hours prior to each instance of a tower or climber crane jump or climb. No work related to the jumping or climbing of the tower or climber crane may be performed without the pre-jump safety meeting having taken place. The following parties must be present at the pre-jump safety meeting:*

1. *General contractor or designee;*
2. *Licensed master, tower or climber crane rigger and rigger foreman;*
3. *Crane safety coordinator;*
4. *Site safety manager or coordinator, if required for the job by Chapter 33 of the building code;*
5. *Licensed crane operator and oiler;*
6. *“Jumping” crew and back-up personnel;*
7. *Flagman/woman where required;*

8. *Signalman/woman and communications personnel; and*
9. *Any other parties the department deems necessary.*

3319.8.4 Department notification.

3319.8.4.1 Meeting notifications. *The general contractor must notify the department at least 48 hours in advance of any safety coordination meeting or pre-jump safety meeting. No work related to the erecting, jumping, climbing, or dismantling of the tower or climber crane is to be performed without prior notice of the meeting having been given to the department.*

3319.8.4.2 Time schedule. *A time schedule including date and time of day that the erection, jumping, climbing, or dismantling is proposed to take place shall be provided as soon as it is known by the general contractor.*

3319.8.5 Safety coordination and pre-jump safety meeting topics. *The following topics are to be covered during safety coordination and pre-jump safety meetings:*

1. *Scope of work;*
2. *Roles and responsibilities;*
3. *Rigging to be used and the specific sequence of operations;*
4. *Inspection of all rigging equipment, materials, and tools prior to work;*
5. *Review of all equipment, including but not limited to, collars, ties, and bolts;*
6. *Permit validity;*
7. *Qualifications and training of personnel;*
8. *Relevant weather warnings;*
9. *Compliance with the manufacturer's manual; and*
10. *Softening mechanisms, if using nylon slings.*

3319.8.6 Meeting log. *The general contractor, or his or her designee, and/or the company erecting, jumping, climbing, or dismantling the tower or climber crane shall keep a log on site and available to the department at all times that shall include:*

1. *the dates and times of all safety coordination meetings and pre-jump safety meetings held;*
2. *the names, titles, and company affiliations of all those present at the meetings;*

3. *a summary of what was discussed during each meeting, including specific tasks and the name of the person to whom they were assigned;*
4. *a list of the decisions made at the meeting; and*
5. *certification of worker training pursuant to Section 3319.10.*

3319.8.7 Inspection and certification by the engineer of record. *Prior to jumping or climbing a tower or climber crane, the engineer of record for the crane must provide the department with a certified, signed, and sealed report stating that:*

1. *he or she (or his or her designee) has inspected the crane installation prior to the pre-jump safety meeting, and providing the date of inspection;*
2. *he or she has found no hazardous conditions during the crane inspection or any other condition within his or her purview that adversely affects the safety of erection, dismantling, climbing, or jumping operations;*
3. *the crane is installed according to the plans approved by the department as well as in accordance with the manufacturer's specifications to the extent applicable; and*
4. *the appropriate technical testing records for the crane, including torque, plumb, and magnetic particle or other appropriate reports comply with safety requirements and with the manufacturer's specifications.*

3319.8.8 Erection, jumping, climbing, and dismantling operations. *The erection, jumping, climbing, and dismantling operations for tower and climber cranes shall be subject to the following requirements:*

1. *The licensed master, tower or climber crane rigger, the rigger foreman, and the crane safety coordinator or designee, shall be present at the job site during erection, jumping, climbing, and dismantling of the tower or climber crane;*
2. *Cranes or derricks located either within the lot line or on the street, and used to erect, jump, climb, or dismantle tower or climber cranes, shall be subject to certificate of on-site inspection requirements;*
3. *A load radius chart approved by department shall be posted in the cabin of the crane;*

4. *The approved erection, jumping, climbing, or dismantling procedure and sequence, with weights of assemblies and components clearly marked, shall be given by the crane safety coordinator to the licensed operator of the crane or derrick and to the rigger prior to commencement of the work;*
5. *No tower or climber crane shall be placed, erected or disassembled in any roadway, sidewalk, or street unless a permit is first obtained from the New York City Department of Transportation;*
6. *All accepted or approved installed safety devices on a crane involved in the erection, jumping, climbing, or dismantling procedure shall have been calibrated within the time period provided by department rules or manufacturer's specifications; and*
7. *The safety devices of the tower or climber crane shall be inspected by the licensed crane operator as part of the inspection procedure.*

§3. Item 12 of section 28-201.2.1 of the administrative code of the city of New York is amended to read as follows:

12. A violation by a licensed rigger or person performing the functions and duties of a licensed rigger of the provisions of sections 28-404.1 or 28-401.9 of this code or such person's failure to ensure that workers have certificates of fitness required pursuant to this code or applicable rule or any person's violation of the provisions of section [3314.10] *3314.4.3.1* of the New York city building code.

§4. Section 28-401.19.4.1 of the administrative code of the city of New York is amended to read as follows:

§28-401.19.4.1 Rigger license. Any licensed rigger who has been found guilty after proceedings before the environmental control board or other adjudicative proceedings of violating section 28-404.1 or [28-404.9] 28-401.9 of the administrative code or [section 3314.10] *sections 3314.1.1 and 3314.4.3.1* of the New York city building code, or of failing to insure that workers have certificates of fitness required pursuant to this code or applicable rule three times within any six-month period, shall be subject to immediate suspension of his or her license pending a hearing and determination in accordance with the provisions of this code.

§5. This local law shall take effect ninety days from its enactment.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 4, 2008 and approved by the Mayor on September 22, 2008.

Michael McSweeney, First Deputy City Clerk
Acting City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 046 of 2008, Council Int. No. 796-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on September 4, 2008:

49 For, 0 Against, 0 Not Voting

Was signed by the Mayor on September 22, 2008

Was returned to the City Clerk on September 23, 2008.

Jeffrey D. Friedlander, Acting Corporation Counsel.