

1                   ORDINANCE RELATING TO THE SAFETY OF  
2                   CRANES AND OTHER HOISTING EQUIPMENT;  
3                   PROVIDING DEFINITIONS; PROVIDING  
4                   STANDARDS FOR CRANE SITTING;  
5                   ESTABLISHING STANDARDS FOR HURRICANE  
6                   AND HIGH WIND PREPAREDNESS; CREATING  
7                   CHAPTER 13, ARTICLE III. CRANES AND  
8                   HOISTING EQUIPMENT OF THE CODE;  
9                   PROVIDING SEVERABILITY, INCLUSION IN THE  
10                  CODE, AND AN EFFECTIVE DATE  
11  
12

13                  **WHEREAS**, The City of Orlando is in the midst of an unprecedented construction boom  
14 with major projects under construction utilizing heavy hoisting equipment such as tower cranes;  
15 and

16                  **WHEREAS**, the City of Orlando’s geographical location exposes it to the onslaught of  
17 hurricanes of increasing frequency in recent seasons; and

18                  **WHEREAS**, the presence of a substantial number of cranes and other heavy hoisting  
19 equipment during construction and high wind events poses serious concerns of public safety;  
20 and

21                  **WHEREAS**, large metropolitan areas such as Los Angeles, New York City, and Miami  
22 have local laws that govern crane operations and safety; and

23                  **WHEREAS**, a number of responsible members of the construction industry have served  
24 on the Permitting Advisory Committee (the “Committee”), an advisory board to the City of  
25 Orlando; and

26                  **WHEREAS**, the Committee has recommended the enhanced safety regulation of cranes  
27 and heavy hoisting equipment in substantially the form of the following ordinance as necessary  
28 and desirable for the protection of public health and safety;

29                  **NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ORLANDO, FLORIDA**, that:  
30 SECTION ONE: Chapter 13, Article III of the Code of the City of Orlando is hereby created to  
31 read in its entirety as follows:  
32

1                                   **CHAPTER 13, ARTICLE III CRANES AND HOISTING EQUIPMENT**

2                                   **Section 13.22. Definitions.**

3                   As used in this chapter, the following words and terms shall have the following meaning:

4  
5                   (a)     Crane - means a machine for lifting or hovering a load and  
6                   moving it horizontally, in which the consisting mechanism is an  
7                   integral part of the machine. It may be driven manually or by  
8                   power and may be a fixed or mobile machine and includes tower  
9                   crane and mobile tower crane. The term does not include  
10                  stackers, lift trucks, power shovels, backhoes, excavators,  
11                  concrete pouring equipment, or straddle type mobile boat hoists.

12  
13                  (b)     Hoisting Equipment – includes mast climbing work  
14                  platforms, tower cranes, mobile cranes and personnel and  
15                  material hoists.

16  
17                  (c)     Mast – A vertical structure that supports and guides the  
18                  elevating assembly.

19  
20                  (d)     Mast Climbing Work Platform – A powered device  
21                  consisting of an elevating assembly, base or chassis and mast,  
22                  that when erected, is capable of supporting personnel, material,  
23                  equipment, tools, and is capable of traveling vertically in infinitely  
24                  adjustable increments to reach the desire work level.

25  
26                  (e)     Tower Crane – a hammerhead, luffing, or other type of  
27                  tower crane that is regularly assembled and disassembled for use  
28                  at various sites. It is usually characterized by provisions to  
29                  facilitate erection and dismantling and may include features to  
30                  permit climbing or telescoping.

31  
32                  (f)     Mobile Cranes – means a mobile or locomotive crane  
33                  covered within the scope defined in current, American Society of  
34                  Mechanical Engineers (ASME) B30.5 standards and includes  
35                  crawler cranes, locomotive cranes, wheel mounted cranes, and  
36                  any variation hereof that retain the same fundamental  
37                  characteristics.

38  
39                  (g)     Personnel and Material Hoist - A mechanism and its  
40                  hoistway for use in connection with the construction, alteration,  
41                  on-going maintenance or demolition of a building, structure or  
42                  other work. It is used for hoisting and lowering workers or material  
43                  or both, and is equipped with a car that moves vertically on guide  
44                  members.

45  
46                                   **Section 13.23.            Purpose, Scope, Exceptions.**

47                   This chapter shall provide a uniform standard for the erection of Tower Cranes and  
48                   Mobile Cranes within the City of Orlando on applicable threshold buildings that are buildings

1 greater than three (3) stories in height, as defined by the Florida Building Code, current edition.  
2 This chapter shall be of uniform applicability throughout the City of Orlando. The following  
3 Hoisting Equipment is specifically exempted from the application of this chapter:

- 4 (a) Mobile cranes having a boom length of less than 25 feet or a  
5 maximum rated load capacity of less than 15,000 pounds.  
6
- 7 (b) Electric line trucks.  
8
- 9 (c) Maritime terminal operations.  
10
- 11 (d) Aerial work platforms or boom supported platforms covered by the  
12 ANSI/SIA A92 series of standards.  
13
- 14 (e) Taxi/Mobile Rough Terrain Cranes, Boom Trucks, and Lattice  
15 Boom Crawler Cranes with a limited use of fifteen (15)  
16 consecutive calendar days or less.  
17
- 18 (f) Cranes of any description used for any other purpose other than  
19 the construction of new buildings greater than three (3) stories in  
20 height.  
21
- 22 (g) Any crane on a building construction site greater than three stories  
23 currently under construction as of the date of adoption of this  
24 ordinance is specifically exempted from this ordinance.  
25

26 **Section 13.24. Crane Siting.**

27 Together with the permit documents, the permit applicant shall submit to the Building  
28 Official all required applications and/or approvals related to the operation of the crane on site,  
29 including but not limited to any required by the Federal Aviation Administration (“FAA”) pursuant  
30 to 14 CFR Part 77 and FAA Advisory Circular AC70/7460-2K. Prior to the erection of the Crane,  
31 the permit applicant shall submit to the Building Official a Crane Operational Plan which  
32 includes:

- 33 (a) A site plan identifying the location of the Crane; clearances from power  
34 lines, including overhead power lines; the location of adjacent buildings;  
35 and the structural foundation of the Crane.  
36
- 37 (b) Documentation as to the qualifications of the crane operator.  
38
- 39 (c) Documentation of the crane inspections performed periodically by a  
40 qualified and competent crane inspector to ensure that safety measures  
41 are in place during operation.  
42

1 (d) Documentation that the Crane lighting meets all FAA requirements.

2  
3 (e) Documentation of communication and signaling requirements for use with  
4 the operation of a Crane.

5  
6 Failure to provide the Building Official with a Crane Operational Plan may result in one or  
7 all of the following: issuance of a stop-work order; the imposition of fines as set forth in  
8 Section 13.28.

9 **Section 13.25. Communications.**

10 When more than one crane is used within the same swing radius an independent and  
11 clear channel of radio communication and operable equipment to transmit same between the  
12 cranes shall be provided.

13 **Section 13.26. Hurricane and High Wind Preparedness.**

14 Hoisting Equipment shall abide by the following hurricane and high wind event  
15 precautions:

16 (1) Hoisting Equipment shall abide by all  
17 manufacturers recommendations relating to hurricane and  
18 high wind event preparedness including any relating to the  
19 placement and removal of advertisement banners, the use  
20 and removal of rigging.

21  
22 (2) Tower crane turntable must be lubricated prior to  
23 the event.

24  
25 (3) Mobile cranes with fixed booms must be laid down  
26 whenever feasible.

27  
28 (4) Hydraulic cranes must have booms retracted and  
29 stored.

30  
31 (5) Any counterweighted hoist must have the  
32 counterweight locked below the top tie-in.

33  
34 (6) Tower crane must be set in the weathervane  
35 position.

36  
37 (7) All rigging must be removed from the hoist block.

38  
39 (8) All power at base of tower shall be disconnected by  
40 a general contractor.

41

1 (9) A hurricane and high wind event preparedness plan  
2 which conforms with the requirements of this section and  
3 the National Oceanic and Atmospheric Administration  
4 (NOAA) standards shall be available at the site for  
5 inspection.  
6

7 **Section 13.27. Additional Enforcement.**

8 In addition to other methods for enforcement provided in this Chapter, the City of  
9 Orlando Building Official shall be authorized to enforce the provisions of this Section through the  
10 issuance of civil violations fines in the manner more specifically provided in Section 13.28 of this  
11 Chapter. Violations of this Chapter involving any damages to the public health and safety may  
12 also be addressed by the City through an action in court for injunctive or other available relief.

13 **Section 13.28. Civil Penalties.**

14 The following table shows the sections of this Code, as they may be amended from time  
15 to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount  
16 of civil penalty for the violation of these sections as they may be amended. The "descriptions of  
17 violations" below are for informational purposes only and are not meant to limit or define the  
18 nature of the violations or the subject matter of the listed Code sections, except to the extent  
19 that different types of violations of the same Code section may carry different civil penalties.

20 TABLE INSET:

<b><u>Code Section</u></b>	<b><u>Description of Violation</u></b>	<b><u>Civil Penalty</u></b>
13.24 & 13.26	Failure to provide a Crane Operational Plan; Failure to provide a hurricane and high wind event preparedness plan	per day per jobsite
	First fifteen (15) days after crane erection or installation per job site.	\$1,000 per day
	Continued violation beyond fifteen (15) days per job site.	\$2,500 per day
	Continued violation beyond thirty (30) days per job site.	\$5,000 per day

21  
22

1 SECTION TWO: It is the intention of the City of Orlando, and it is hereby ordained that the  
2 provisions of this ordinance, including any Sunset provision, shall become and be made a part  
3 of the Code of the City of Orlando, Florida. The sections of this ordinance may be renumbered  
4 or re-lettered to accomplish such intention, and the word "ordinance" may be changed to  
5 "section," "article," or other appropriate work.

6  
7 SECTION THREE: If any section, subsection, sentence, clause, phrase, or portion of this  
8 ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,  
9 such portion shall be deemed a separate, distinct, and independent provision and such holding  
10 shall not affect the validity of the remaining portion hereof.

11  
12 SECTION FOUR: This ordinance shall take effect immediately upon its passage and adoption.

13  
14 ADVERTISED: \_\_\_\_\_, 2008.  
15 READ FIRST TIME: \_\_\_\_\_, 2008.  
16 READ SECOND TIME AND ADOPTED: \_\_\_\_\_, 2008.

17  
18  
19  
20 \_\_\_\_\_  
21 Mayor/Pro Tem \_\_\_\_\_

22  
23 ATTEST:

24  
25 \_\_\_\_\_  
26 Alana C. Brenner, City Clerk

27  
28  
29 APPROVED AS TO FORM AND LEGALITY  
30 for the use and reliance of the  
31 City of Orlando, Florida, only.  
32 \_\_\_\_\_, 2008.

33  
34  
35 \_\_\_\_\_  
36 Assistant City Attorney  
37 Orlando, Florida  
38