



**BOARD OF COMMISSIONERS OF COOK COUNTY**  
**Cook County Building, Board Room, 118 North Clark Street, Chicago, Illinois**

**Fourth New Items Agenda**

**for the**

**Meeting of the Board of Commissioners**

**Wednesday, February 10, 2016, 11:00 AM**

**16-1664**

**Sponsored by:** BRIDGET GAINER, JOAN PATRICIA MURPHY, LUIS ARROYO JR, LARRY SUFFREDIN, JERRY BUTLER, SEAN M. MORRISON, JEFFREY R. TOBOLSKI, PETER N. SILVESTRI, STANLEY MOORE, DEBORAH SIMS, ROBERT STEELE and JOHN P. DALEY

**PROPOSED ORDINANCE AMENDMENT**

**CREATION OF CRANE OPERATORS LICENSE and BOARD OF CRANE OPERATOR EXAMINERS**

**WHEREAS**, Cook County is a home rule unit of local government as defined in Article VII, §6 under the 1970 Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the licensing of crane operators is a matter of public safety pertaining to the government and affairs of the County; and

**WHEREAS**, a Cook County Board of Crane Operator Examiners will protect the public health, general welfare and safety of Cook County citizens; and,

**NOW, THEREFORE, BE IT RESOLVED**, in order to effectively protect the public health, general welfare and safety of its citizens the Cook County Board of Commissioners hereby establishes a Crane Operators License for work performed on construction projects in Cook County; and,

**BE IT FURTHER RESOLVED**, the Cook County Board of Commissioners establishes a Board of Crane Operator Examiners to establish license and permit requirements for individuals operating cranes in the County of Cook; and,

**BE IT FURTHER RESOLVED** by the Cook County Board of Commissioners that Article 3, Chapter 102 of the Building and Buildings Regulation of the Code of Ordinances of Cook County, Illinois is hereby amended as follows:

**Sec. 151-1 Crane Operation in Cook County.**

It shall be unlawful for any person to operate any crane, as defined in this section, on any construction, rehabilitation, repair or demolition project undertaken 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.

**Sec. 151-2 Definitions.**

The following words, terms, and phrases, when used in this article, shall have the following means ascribed to them in this article, except were the context clearly indicates a different meaning.

*Apprentice crane operator* means an individual registered in an [apprenticeship and training program approved by the U.S. Department of Labor’s Office of Apprenticeship] and training to operate a crane

under the direct supervision and responsible control of a crane operator properly licensed under this article.

*Approved accredited certifying entity* means any organization whose certification program for crane operators is accredited by the National Commission for Certifying Agencies (NCCA) or its equivalent, and that meets other criteria as may be established by the Building Commissioner. Equivalency to the NCCA certification program shall be determined by the Building Commissioner.

*Board of Crane Operators Examiners or Board* means the Board of Crane Operators examiners established pursuant to Section 152 of the Building Code.

*Building Commissioner* means the head of the Building Department, as set forth in Section 102-105 of the Building Code, or the Building Commissioner's designee. Such designee may include, but is not limited to, the Chief Construction Equipment Inspector.

*Chief Construction Equipment Inspector* means the person appointed by the Building Commissioner under Section 102-105 (1.5) of the Building Code.

*Construction equipment inspector* means a person designated by the Building Commissioner to enforce the provisions of this article. A construction equipment inspector shall have the authority to enter any jobsite to inspect or review jobsite conditions and to stop work when appropriate to ensure that cranes are operate, maintained, assembled, disassembled, or jumped in a manner necessary or appropriate to protect public safety and consistent with the permit application required under Section 151 of the Building Code.

*Cook County or County* means the County of Cook, Illinois.

*Crane* means any power-operated mechanical hoisting equipment with a manufacturer's rated capacity of one ton (2000 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 on to 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) multi-purpose 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 Building 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 Building 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 hoise and lower (by means of a winch or hood) and horizontally move a

suspended load; (viii) mast-climbing work platforms, but is shall include booms attached to mast-climbing work platforms if the boom has a manufacturer's rated capacity of one ton (2000 pounds) or more; (ix) any equipment listed in subsection (c) of 29 CFR 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 Building 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 Building Commissioner.

*Department* means the Building Department of the County of Cook.

*Licensee* means any person licensed or required to be licensed under this article.

*Practical examination* means an examination testing the skills of an applicant for a license under this article in connection with the physical operation of the specific equipment for which a license is required under this chapter.

*Safety issue(s)* means unsafe equipment and/or unsafe working conditions.

*Unsafe working conditions* means (1) physical or other conflicts between more than one crane on a jobsite; (2) hoisting or swinging a load over an occupied building or over any walkway, traffic lane or parking lane that is open for use by pedestrians or vehicular traffic; (3) any safety or operational aid used or required to be used in connection with the operation of a crane that is not working properly; or (4) any other working condition that the Building Commissioner determines jeopardizes or threatens to jeopardize the health, safety or welfare of any crane operator or the general public, as set forth in rules and regulations duly promulgated by the Building Commissioner.

*Written examination* means an examination administered in a paper or computer-based format, testing the knowledge of an applicant for a license under this chapter in connection with the substantive requirements or applicable codes, operating procedures, and other similar knowledge related to the operation of a crane(s).

**Sec. 151-3 Application - Qualification for examination.**

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

(b) To qualify to take the operator's license examination, the applicant must provide evidence on a form acceptable to the Building Commissioner that:

- (1) The applicant is at least 21 years old;
- (2) 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;
- (3) The applicant has not had a crane operator's or comparable license suspended or

revoked by the County or any other jurisdiction; provided, however, that upon good cause shown and after a full investigation, the Building Commissioner may waive this prohibition;

- (4) 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;
- (5) The applicant has the present physical ability to safely operate a crane; and
- (6) The applicant has the ability to read, write, and speak English at a level that allows effective communication on the job site.

All applicants meeting these qualifications shall be allowed to take the crane operator's license examination upon payment of the required fee.

- (c) In addition to the requirements in subsection (b) of this section, to qualify to take the crane operator's license examination after November 9, 2017 or the date applicable to paragraphs (a) (2) and (f) of 29 CFR 1926.147 as set forth in 29 CFR 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.

**Sec. 151- 4 Examinations - Administration, regulation, and enforcement.**

The Building Commissioner is authorized to adopt reasonable rules and regulations necessary or appropriate to implement the requirements of this chapter, including but not limited to, the time, manner and content of the crane operator's examination. Such rules and regulations shall:

- (i) enable the Department to fully assess the competency and fitness of each applicant to operate

the type of crane for which a license under this chapter is being sought

- (ii) require the applicant to show or demonstrate an acceptable degree of knowledge of crane operation and related safety practices. Except as otherwise provided in Section 151-5 the Building Commissioner shall establish specific examinations for the various types of cranes covered by this chapter. The board shall assist the Building Commissioner in the administration, regulation, and enforcement of the examination and licensing provisions of this chapter.

**Sec. 151-5 Examination - Exemptions and Waivers.**

The Building Commissioner, in consultation with the Board, may promulgate rules and regulations waiving or otherwise exemption the 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 Building Commissioner determines are consistent with public safety.

**Sec. 151-6 License - Issuance.**

An applicant who successfully passes the crane operator's examination or is granted a waiver of the examination pursuant to Section 151-5 and who otherwise meets the requirement of this chapter, shall be issued a license by the Building Commissioner upon payment of the required fees.

**Sec. 151-7 License - Classification.**

The Building Commissioner may promulgate rules and regulations creating various classes of the license required by this chapter, reflecting the different levels of competency of a crane operator.

**Sec. 151-8 License - Term - Renewals - Reinstatement Fee.**

The crane operator's license shall be valid for not less than one and not more than five years for 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 151-3 of the Building Code 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 three years of expiration upon payment of a \$100.00 reinstatement fee in addition to the renewal fee for each year in which the license was expired.

**Sec. 151-9 Examination and license fees.**

(a) Examination fees - General. The fee for any crane operator's examination administered by the Department or through an entity authorized by the Department shall be \$150.00 for any required written examination and \$250.00 for any required practical examination. Applicants seeking to be examined for more than one license classification shall pay such fee for each additional required written or practical examination.

(b) License fee. The fee for a crane operator's license shall be \$100.00 for a one-year license and \$300.00 for a license in effect for five years.

(c) Upgrading license classifications. In addition to any examination fee required under subsection (a) of this section, an administrative processing fee of \$50.00 shall be assessed if the licensee seeks to obtain an amended license identifying additional type(s) of cranes the licensee is competent to operate.

**Sec. 151-10 Apprentice crane operators - Permit required.**

An apprentice crane operator's permit may be issued to an individual by the Building Commissioner authorizing the apprentice crane operator under the direct supervision and responsible control of a crane operator properly licensed under this chapter. Applicants for such apprentice permit shall submit to the Department a notarized statement from an employer of licensed crane operators under whom the apprentice will be working, or from an officer of a training program approved by the Building Commissioner. Such statements shall contain a certification that the applicant will receive training under

the direct supervision and responsible control of a licensed crane operator. The fee for an apprentice permit shall be \$50.00. The apprentice permit shall be valid for one year and may be renewed at a cost of \$50.00.

**Sec. 151- 11 Carrying license or permit while operating crane - Required.**

At all times while operating a crane, the licensee or apprentice shall carry his or her license or apprentice permit, as applicable, on his or her person. Failure to produce a crane operator's license or apprentice permit upon request of the Building Commissioner or his representative while operating a crane shall be punishable by a fine of \$200.00.

**Sec. 151-12 Permit to assemble or jump cranes - When required - Unlawful acts.**

(a) Prior to assembling or jumping a tower crane or derrick-type equipment, a permit authorizing such activity shall be obtained from the Building Department by the owner or lessee of the building or premises on which such activity will occur or by such owner's or lessee's authorized agent. Such owner, lessee and agent shall be jointly and severally liable for any violation of this section. The application for such permit shall be in a form, and accompanied by information or materials, reasonably required by the Building Commissioner.

(b) It shall be unlawful for any person to assemble or jump any crane for which a permit is required under subsection (a) of this section unless a valid permit authorizing such activity has been obtained and is available for immediate inspection on the site of such activity.

(c) No modification to any crane, derrick, foundation, tie-in, or configuration shall be made without the prior written approval of the Building Department.

**Sec. 151-13 Notification of accident or safety issue - Required.**

It shall be the duty of each crane operator or person employing such crane operator to immediately report to the Building Department any and all accidents or safety issue(s) regarding the operation, assembly, disassembly, or jumping of a crane.

**Sec. 151-14 Safe equipment - Required.**

(a) All crane equipment shall be kept in safe working condition at all times by the owner and licensee.

(b) If any safety device or operational aid used or required to be used in connection with the operation of a crane is not working properly, the person operating such crane shall immediately shut down the crane until the required safety device or operational aid is repaired or replaced and the crane is restored to proper working order.

(c) The Building Commissioner may promulgate rules and regulations to protect the public safety in connection with the operation, maintenance, assembly, disassembly, or jumping of cranes. Such regulations may include any structural, communication, reporting or other requirements deemed by the Building Commissioner to be necessary or appropriate to securing the safety of the crane operator or the general public.

**Sec. 151-15 Failure to comply with rules and regulations - Unlawful act.**

It shall be unlawful for any person to violate any applicable rule or regulation duly promulgated by the Building Commissioner under this chapter.

**Sec. 151-16 License - Revocation, suspension, and nonrenewal.**

The Building Commissioner may revoke, suspend, or refuse to renew the license of any crane operator or the permit of any apprentice who is found to be grossly negligent or incompetent in the operation of a crane or whose actions show continuous carelessness or willful disregard for the health and safety of the public or others while operating or assisting the operation of a crane or who misrepresents a material fact in apply for a license or apprentice permit under this chapter. No such license or apprentice permit shall be revoked or suspended or not renewed except after a public hearing by the board of crane operators examiners upon written notice to the licensee or apprentice, as applicable, an after affording the licensee or apprentice an opportunity to appear and defend. Provided, however, that if the Building Commissioner has good cause to believe that the continued operation of a crane by a particular licensee or apprentice shall immediately threaten public safety, the Building Commissioner may, upon issuance of a written order stating the reason for such conclusion and without notice or hearing, prohibit the licensee or apprentice from operating or assisting in the operation of a crane for a period of time not to exceed ten calendar days; provide, however that the licensee or apprentice shall be afforded an opportunity to be heard during such period.

**Sec. 151-17 Violation - Penalty.**

(a) Any person who operates a crane without meeting the requirements of this chapter or any rule or regulation promulgated thereunder shall be subject to a fine of not less than \$1,000.00 nor more than \$10,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

(b) Any person who employs an unlicensed person as a crane operator or who permits or directs an unlicensed person to operate a crane shall be subject to a fine of not less than \$2,000.00 nor more than \$30,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

**Sec. 152-1. Establishing a Board of Crane Operator Examiners**

For the purpose of the examination and licensing of crane operators performing work in the County, the Board of Commissioners of the County establishes the Board of Crane Operator Examiners consisting of three members. The Building Commissioner, or his designee, shall be ex officio chairman of the board. The other two members shall consist of experienced crane operators, appointed by the Building Commissioner for a term ending February 28 of each year, or until their successors are appointed and qualified. Three members of the board shall constitute a quorum for the transaction of any business and the concurrence of at least two members shall be required to pass any matter.

**Sec. 152-2 Mission and Policy**

It is the mission and policy of the Board of Crane Operator Examiners to optimize the safety for



all people and communities of Cook County by preparing examinations, issuing licenses and permits, and establishing rules governing the issuance, suspension, revocation and reinstatement of licenses and permits, for crane operators in the County.

**Sec. 152-3. Jurisdiction**

The Board of Crane Examiners shall have jurisdiction throughout the County of Cook except within any municipality which has an ordinance governing crane operators. In such case, the municipal ordinance shall prevail within the municipality's jurisdiction.

**Sec. 152-4. Powers and Duties**

The Board of Crane Operators Examiners shall have the following powers and duties in the licensing and regulation of crane operators and apprentice crane operators under the provisions of this Code:

(a) Preparing forms for license certificates and issuing the same in conformity with the provisions of Section 151 of the Building Code.

(b) Preparing or causing to be prepared subject matter for examinations, as provided in this Code;

(c) Grading or causing to be graded all tests and examinations for licenses;

(d) Prescribing standards for what shall constitute a recognized college, university or trade school, apprentice training program or other knowledge, experience or training requirements and determining the conformance to such standards;

(e) Holding regular meetings at any time fixed by rule or resolution of the board; and holding special meetings for any stated purposes on at least 24-hour notice to each member. The chairman or two members of such board may call such special meetings;

(f) Establishing rules to conduct hearings for suspension, revocation and reinstatement of licenses consistent with requirements of due process of law;

(g) Holding hearings for the suspension, revocation or reinstatement of licenses; Section 151 of the Building Code.

(h) Keeping a record of the official proceedings of the board; preserving all documents, books and papers relating to examinations for licenses and hearings of complaints or charges; keeping a record of the names, ages, place of business and residences of all applicants for licenses and the disposition made of the applications, the number issued and rejected; keeping an up-to-date record specifying names and addresses of crane operators licensed by the County, including the dates of issuance of all such licenses, keeping a record specifying names, addresses, and dates of licenses suspended, revoked or forfeited, the cause therefor, and licenses renewed and reinstated.

**Sec. 152-5. Display of licenses**

The Building Department shall require all appropriate licenses to be exhibited for examination by inspectors or employees of the Department. The Building Department shall report to the Board of Crane

Operators Examiners the names and addresses, if known, and the locations of employment of all persons and the names and address of the contractor who employed any person engaged in the operation of a crane who are not properly licensed for the current year or who are not performing their duties in accordance with the provisions of this Code. The Building Department, upon request of the Board of Crane Operators Examiners, shall also investigate complaints of violation of this Code received by the Board and submit a report of the investigation with recommendations for disposition of the complaint to the Board.

The Board of Crane Operators Examiners shall have the following powers and duties in the licensing and regulation of crane operators and apprentice crane operators under the provisions of this Code:

(a) Preparing forms for license certificates and issuing the same in conformity with the provisions of Section 151 of the Building Code.

(b) Preparing or causing to be prepared subject matter for examinations, as provided in this Code;

(c) Grading or causing to be graded all tests and examinations for licenses;

(d) Prescribing standards for what shall constitute a recognized college, university or trade school, apprentice training program or other knowledge, experience or training requirements and determining the conformance to such standards;

(e) Holding regular meetings at any time fixed by rule or resolution of the board; and holding special meetings for any stated purposes on at least 24-hour notice to each member. The chairman or two members of such board may call such special meetings;

(f) Establishing rules to conduct hearings for suspension, revocation and reinstatement of licenses consistent with requirements of due process of law;

(g) Holding hearings for the suspension, revocation or reinstatement of licenses; Section 151 of the Building Code.

(h) Keeping a record of the official proceedings of the board; preserving all documents, books and papers relating to examinations for licenses and hearings of complaints or charges; keeping a record of the names, ages, place of business and residences of all applicants for licenses and the disposition made of the applications, the number issued and rejected; keeping an up-to-date record specifying names and addresses of crane operators licensed by the County, including the dates of issuance of all such licenses, keeping a record specifying names, addresses, and dates of licenses suspended, revoked or forfeited, the cause therefor, and licenses renewed and reinstated.

**Effective date:** This ordinance shall be in effect 90 days after passages.

**16-1665**

**Sponsored by:** BRIDGET GAINER, RICHARD R. BOYKIN, ROBERT STEELE and DEBORAH SIMS, County Commissioners

**PROPOSED RESOLUTION**

**CALLING FOR A HEARING TO DISCUSS THE FINDINGS OF THE ALTERNATIVE SCHOOLS NETWORK AND UNIVERSITY OF ILLINOIS' REPORT ON YOUTH JOBLESSNESS**

**WHEREAS**, a new report, *Lost: The Crisis Of Jobless and Out Of School Teens and Young Adults In Chicago, Los Angeles, New York Illinois and the U.S.*, was commissioned by the Alternative Schools Network and developed by the University of Illinois Chicago's Great Cities Institute; and,

**WHEREAS**, despite a growing national economic recovery, youth employment (16-24) is still at 27% nationwide; and,

**WHEREAS**, Chicago leads the national average in out of work, out of school youth; and,

**WHEREAS**, 47% of Black men (20-24) and 20% of Hispanic men are jobless and out of school in Chicago; and,

**WHEREAS**, the situation is even worse for Chicago's Black and Hispanic teens (16-19) with 88% of Blacks and 85% of Hispanic youth, compared to 71% nationwide; and,

**WHEREAS**, jobless rates for youth (20-24) are highest on the South and West Sides of the City of Chicago; and,

**WHEREAS**, until 2000, there was a national summer youth employment program that provided over 650,000 low-income youth with jobs; and,

**WHEREAS**, since then, there have been only sporadic programs that provide youth jobs in the summer and hardly any programs to provide youth jobs throughout the year; and,

**WHEREAS**, joblessness leads to poverty, drug abuse, homelessness and violence in our communities; and,

**WHEREAS**, the persistence and severity of these conditions have ramifications for our young people and generations to come; and,

**WHEREAS**, a national focus and program must be developed, along with state and local based programs, to give the youth of our country the opportunity and skills they will need to become successful adults in an economy growing more competitive each year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cook County Workforce, Housing and Community Development Committee shall hold a hearing to discuss the findings of this report on the

crisis of youth unemployment.

**BE IT FURTHER RESOVLED**, that the Cook County Board of Commissioners requests that the CEO of the Chicago Cook Workforce Partnership attend the hearing to provide an update on available programming and services for Cook County youth.