

**ORDINANCE OF THE TOWNSHIP OF DEPTFORD CREATING A PERMIT  
REQUIREMENT TO OPERATE A CRANE**

**WHEREAS**, the Municipality recognizes that a consistent policy is necessary concerning the operation of cranes within the municipality which helps to preserve safety and prevent damage to personal property and real estate of residential properties located in the municipality; and

**WHEREAS**, there exists the need to create a standard by which crane operators are governed in the municipality; and

**WHEREAS**, the licensing of crane operators is a matter of public safety; and

**WHEREAS**, active cranes in the municipality operate in a dense urban environment, often in close proximity to residential units, office spaces, and pedestrians, thus underscoring the need for professional crane operators who adhere to the highest standards of safety; and

**WHEREAS**, the municipality wishes to enact legislation which will govern registration of cranes and use of cranes in the municipality.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Township of Deptford, in the County of Gloucester, and State of New Jersey, as follows:

The Code of the Township of Deptford is hereby amended and supplemented with a new Chapter 25 entitled "Crane Regulations", which Chapter shall read as follows:

**1. DEFINITIONS**

As used in this chapter, the following terms shall have the meanings indicated:

**BOARD** means the Crane Operators License Advisory Board established pursuant to N.J.S.A. 45:26-3.

**CERTIFICATION** means certification from the National Commission for the Certification of Crane Operators or any other organization found by the Board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.

**COMMISSIONER** means the Commissioner of Labor.

**CRANE** means a power-operated hoisting machine used in construction, demolition or excavation work that has a power-operated winch, load line and boom moving laterally by the rotation of the machine on a carrier and has a manufacturer-rated lifting capacity of 10 tons or more. It shall not include a forklift, digger derrick truck, aircraft, bucket truck, knuckle boom, trolley boom or any vehicle or machine not having a power-operated winch and load line.

**CRANE OPERATOR** means an individual engaged in the operation of a crane.

**CRANE-RELATED EXPERIENCE** means operating, inspecting, training and maintenance experience acceptable to the Board.

**PRACTICAL EXAMINATION** means an examination demonstrating the applicant's ability to safely operate a particular category or type of crane. Practical examinations shall be conducted for the following crane categories: Lattice Boom Crawler Cranes (LBC), Lattice Boom Truck Cranes (LBT), Telescopic Boom Cranes (TLL, Swing Cab) and (TSS, Fixed Cab), Tower Cranes and Overhead Cranes.

## **2. GENERAL REQUIREMENTS**

- A.** Five (5) days before any crane operator, contractor or other person or company initiates the use of a crane within the municipality, a permit shall be obtained. In emergent situations the building inspector may waive this requirement in his or her own discretion if the operator meets the balance of the requirements of this Ordinance.
- B.** The permit will be maintained with the municipality as well as with the crane operator at all times; a copy of the permit shall be produced on the work site when requested.
- C.** The following documents must be provided to the municipality in order to be granted a permit
1. Copy of crane operator certificate from one of the following organizations
    - a) National Commission for the Certification of Crane Operators (NCCCO)
    - b) Operating Engineers Certification Program (OECF)
    - c) Crane Institute of America Certification
  2. New Jersey Crane License
  3. Current Medical Examiner's Card
  4. A copy of the most recent and current proof of inspection (crane owner)
  5. Certificate of Insurance evidencing
    - a) Commercial General Liability with a limit of liability not less than \$1,000,000 per occurrence, combined single limit/\$3,000,000 annual aggregate; and
    - b) Workers' Compensation including Employer's Liability in accordance with the statutes of the State of New Jersey
  6. Proof that crane operator submits to a random drug testing program
  7. Proof of completion of Signal Person Qualification or Certification Course
  8. Upon receipt of a properly completed application and compliance with the requirements of this section, the building department shall issue or deny the requested permit within five (5) business days. If the application is denied, the reasons for the denial are furnished to the applicant in writing.

## **3. REGISTRATION OF CRANES; CRANE INSPECTION**

- A.** Licensure of crane operators, pursuant to N.J.S.A. 45:26-7. No person shall engage in the operation of a crane, offer himself for employment as a crane operator or otherwise act, attempt to act, present or represent himself as a crane operator unless licensed as such under the provisions of this act.
- B.** A crane operator's license shall be valid only in conjunction with a current certification and only in the specialty or specialties for which the crane operator is certified. The specialties are lattice boom crawler crane (LBC), lattice boom truck crane (LBT), telescopic boom cranes (TLL, Swing Cab) and (TSS, Fixed Cab), tower cranes and overhead cranes.

C. To be eligible for a license as a crane operator in the municipality, an applicant shall fulfill the following requirements

1. Be at least 18 years of age
2. Receive certification from the National Commission for the Certification of Crane Operators or any other organization found by the Board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies
3. Have at least 1,000 hours of crane-related experience
4. Maintain a current medical examiner's certification card

D. The crane operator should reside in the municipality. If not, they should reside in the same county as the municipality is located. The crane operator must reside in New Jersey.

#### **4. FEE SCHEDULE**

The permit fee for each crane shall be \$100. Each permit is valid for sixty (60) days and may be extended and/or renewed provided that compliance with the requirements of this Ordinance continue to be met. Fee for an extended or renewal permit is \$50.

#### **5. 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 operating, assembly, and disassembly or jumping of a crane.

#### **6. SAFETY 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 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 such time that the required safety or operational aid is repaired or replaced and the crane is restored to properly working order.

C. Any and all safety requirements promulgated by the Board, Commissioner, or municipality must be adhered to at all times.

#### **7. ADMINISTRATION; ENFORCEMENT**

A. The Township Council may issue rules and regulations for the administration of the provisions of this article.

B. The provisions of this chapter shall be enforced by the Building Department.

#### **8. VIOLATIONS; PENALTIES**

A. Any person who operates a crane without meeting the requirements of this ordinance or any rule or regulation promulgated thereunder shall be subject to a fine of not less

than \$1,000.00 and no more than \$10,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

**B.** Any person or company 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 and no more than \$20,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**EFFECTIVE DATE**

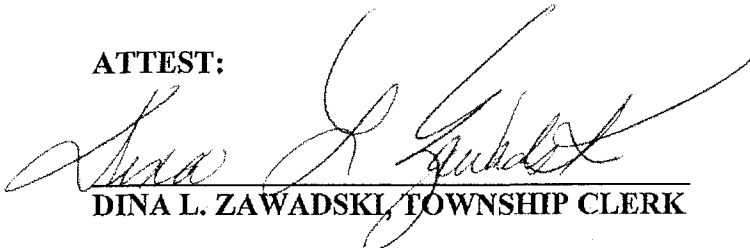
This Ordinance shall take effect upon passage and publication as provided by law.



**TOWNSHIP OF DEPTFORD**

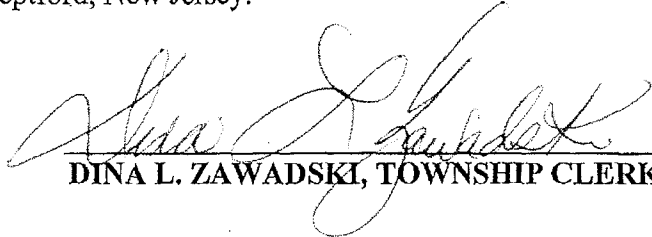
  
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**PAUL MEDANY, MAYOR**

**ATTEST:**

  
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**DINA L. ZAWADSKI, TOWNSHIP CLERK**

**CERTIFICATION**

The foregoing Ordinance was introduced at a Regular Meeting of Township Council of the Township of Deptford held on the 12<sup>th</sup> day of September, 2016 and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 3<sup>rd</sup> day of October, 2016 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.

  
**DINA L. ZAWADSKI, TOWNSHIP CLERK**

**Introduction**

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		<b>O.15.16</b>				
Medany			✓			
Hufnell			✓			
Barnshaw						✓
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			

**Adoption**

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		<b>O.15.16</b>				
Medany			✓			
Hufnell			✓			
Barnshaw			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			