

1 AN ACT concerning structural work.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 ARTICLE 5

5 Section 5-0.01. Short title. This Article may be cited
6 as the Structural Work Act of 2001. References in this
7 Article to "this Act" means this Article.

8 Section 5-1. All scaffolds, hoists, cranes, stays,
9 ladders, supports, or other mechanical contrivances, erected
10 or constructed by any person, firm or corporation in this
11 State for the use in the erection, repairing, alteration,
12 removal or painting of any house, building, bridge, viaduct,
13 or other structure, shall be erected and constructed, in a
14 safe, suitable and proper manner, and shall be so erected and
15 constructed, placed and operated as to give proper and
16 adequate protection to the life and limb of any person or
17 persons employed or engaged thereon, or passing under or by
18 the same, and in such manner as to prevent the falling of any
19 material that may be used or deposited thereon.

20 Scaffold, or staging, swung or suspended from an overhead
21 support more than twenty (20) feet from the ground or floor
22 shall have, where practicable, a safety rail properly bolted,
23 secured and braced, rising at least thirty-four (34) inches
24 above the floor or main portion of such scaffolding or
25 staging, and extending along the entire length of the outside
26 and ends thereof, and properly attached thereto, and such
27 scaffolding or staging shall be so fastened as to prevent the
28 same from swaying from the building or structure.

29 Section 5-2. If in any house, building or structure in
30 process of erection or construction in this State (except a

1 private house, used exclusively as a private residence), the
2 distance between the enclosing walls, is more than
3 twenty-four (24) feet, in the clear, there shall be built,
4 kept and maintained, proper intermediate supports for the
5 joists, which supports shall be either brick walls, or iron
6 or steel columns, beams, trusses or girders, and the floors
7 in all such houses, buildings or structures, in process of
8 erection and construction, shall be designed and constructed
9 in such manner as to be capable of bearing in all their
10 parts, in addition to the weight of the floor construction,
11 partitions and permanent fixtures and mechanisms that may be
12 set upon the same, a live load of fifty (50) pounds for every
13 square foot of surface in such floors, and it is hereby made
14 the duty of the owner, lessee, builder or contractor or
15 sub-contractor, of such house, building or structure, or the
16 superintendent or agent of either, to see that all the
17 provisions of this Section are complied with.

18 Section 5-3. It shall be the duty of the owner of every
19 house, building or structure (except a private house used
20 exclusively as a private residence) now under construction or
21 hereafter to be constructed, to affix and display
22 conspicuously, on each floor of such building during
23 construction, a placard stating the load per square foot of
24 floor surface, which may with safety be applied to that
25 particular floor during such construction; or if the strength
26 of different parts of any floor varies, then there shall be
27 such placards for each varying part of such floor. It shall
28 be unlawful to load any such floors or any part thereof to a
29 greater extent than the load indicated on such placards, and
30 all such placards shall be verified and approved by the
31 Director of Labor or by the local commissioner or inspector
32 of buildings or other proper authority in the city, town or
33 village charged with the enforcement of building laws.

1 Section 5-4. Whenever it shall come to the notice of the
2 Director of Labor or the local authority in any city, town or
3 village in this State charged with the duty of enforcing the
4 building laws, that the scaffolding or the slings, hangers,
5 blocks, pulleys, stays, braces, ladders, irons or ropes of
6 any swinging or stationary scaffolding, platform or other
7 similar device used in the construction, alteration,
8 repairing, removing, cleaning or painting of buildings,
9 bridges or viaducts within this State are unsafe or liable to
10 prove dangerous to the life or limb of any person, the
11 Director of Labor or such local authority or authorities
12 shall immediately cause an inspection to be made of such
13 scaffolding, platform or device, or the slings, hangers,
14 blocks, pulleys, stays, braces, ladders, irons or other parts
15 connected therewith. If, after examination, such scaffolding,
16 platform or device or any of such parts is found to be
17 dangerous to the life or limb of any person, the Director of
18 Labor or such local authority shall at once notify the person
19 responsible for its erection or maintenance of such fact, and
20 warn him against the use, maintenance or operation thereof,
21 and prohibit the use thereof, and require the same to be
22 altered and reconstructed so as to avoid such danger. Such
23 notice may be served personally upon the person responsible
24 for its erection or maintenance, or by conspicuously affixing
25 it to the scaffolding, platform or other such device, or the
26 part thereof declared to be unsafe. After such notice has
27 been so served or affixed, the person responsible therefor
28 shall cease using and immediately remove such scaffolding,
29 platform or other device, or part thereof, and alter or
30 strengthen it in such manner as to render it safe.

31 The Director of Labor or such local authority, whose duty
32 it is under the terms of this Act to examine or test any
33 scaffolding, platform or other similar device, or part
34 thereof, required to be erected and maintained by this

1 Section, shall have free access at all reasonable hours to
2 any building, structure or premises containing such
3 scaffolding, platform or other similar device, or parts
4 thereof, or where they may be in use. All swinging and
5 stationary scaffolding, platforms and other devices shall be
6 so constructed as to bear four times the maximum weight
7 required to be dependent therein, or placed thereon, when in
8 use, and such swinging scaffolding, platform or other device
9 shall not be so overloaded or overcrowded as to render the
10 same unsafe or dangerous.

11 Section 5-5. Any person, firm or corporation in this
12 State, hiring, employing or directing another to perform
13 labor of any kind, in the erecting, repairing, altering or
14 painting of any water pipe, stand pipe, tank, smoke stack,
15 chimney, tower, steeple, pole, staff, dome or cupola, when
16 the use of any scaffold, staging, swing, hammock, support,
17 temporary platform or other similar contrivance are required
18 or used, in the performance of such labor, shall keep and
19 maintain at all times, while such labor is being performed,
20 and such mechanical device is in use or operation, a safe and
21 proper scaffold, stay, support or other suitable device, not
22 less than sixteen (16) feet or more below such working
23 scaffold, staging, swing, hammock, support or temporary
24 platform, when such work is being performed, at a height of
25 thirty-two (32) feet, for the purpose of preventing the
26 person or persons performing such labor, from falling in case
27 of any accident to such working scaffold, staging, swing,
28 hammock, support or temporary platform.

29 Section 5-6. All contractors and owners, when
30 constructing buildings in cities, where the plans and
31 specifications require the floors to be arched between the
32 beams thereof, or where the floors or filling in between the

1 floors are fire-proof material or brick work, shall complete
2 the flooring or filling in as the building progresses, to not
3 less than within three tiers or beams below that on which the
4 iron work is being erected. If the plans and specifications
5 of such buildings do not require filling in between the beams
6 or floors with brick or fire-proof material, all contractors
7 for carpenter work in the course of construction shall lay
8 the under flooring thereof or a safe temporary floor on each
9 story as the building progresses to not less than within two
10 stories or floors below the one to which such building has
11 been erected. Where double floors are not to be used, such
12 owner or contractor shall keep planked over the floor two
13 stories or floors below the story where the work is being
14 performed. If the floor beams are of iron or steel the
15 contractors for the iron or steel work of buildings in the
16 course of construction or the owners of such buildings, shall
17 thoroughly plank over the entire tier of iron or steel beams
18 on which the structural iron or steel work is being erected,
19 except such spaces as may be reasonably required for the
20 proper construction of such iron or steel work and for the
21 raising and lowering of materials, to be used in the
22 construction of such buildings, or such spaces as may be
23 designated by the plans and specifications for stairways and
24 elevator shafts.

25 Section 5-7. If elevating machines or hoisting apparatus
26 are used within a building in the course of construction for
27 the purpose of lifting materials to be used in such
28 construction, the contractors or owners shall cause the
29 shafts or openings in each floor to be enclosed or fenced in
30 on all sides by a substantial barrier or railing at least
31 eight feet in height. Any hoisting machine or engine used in
32 such building construction shall, where practicable, be set
33 up or placed on the ground, and where it is necessary in the

1 construction of such building to place such hoisting machine
2 or engine on some floor above the ground floor, such machine
3 or engine must be properly and securely supported with a
4 foundation capable of safely sustaining twice the weight of
5 such machine or engine. If a building in course of
6 construction is five stories or more in height, no material
7 needed for such construction shall be hoisted or lifted over
8 public streets or alleys unless such street or alley shall be
9 barricaded from use by the public. The chief officer in any
10 city, town or village charged with the enforcement of local
11 building laws, and the Director of Labor are hereby charged
12 with enforcing the provisions of this Act. Provided, that in
13 all cities in this State where a local building commissioner
14 is provided for by law, such officer shall be charged with
15 the duty of enforcing the provisions of this Act, and in case
16 of his failure, neglect or refusal so to do, the Director of
17 Labor shall, pursuant to the terms of this Act, enforce the
18 provisions thereof.

19 Section 5-7a. If elevating machines or hoisting
20 apparatus, operated or controlled by other than hand power,
21 are used in the construction, alteration or removal of any
22 building or other structure, a complete and adequate system
23 of communication by means of signals shall be provided and
24 maintained by the owner, contractor or sub-contractor, during
25 the use and operation of such elevating machines or hoisting
26 apparatus, in order that prompt and effective communication
27 may be had at all times between the operator of engine or
28 motive power of such elevating machine and hoisting
29 apparatus, and the employes or persons engaged thereon, or in
30 using or operating the same.

31 Section 5-8. It shall be the duty of all architects or
32 draftsmen engaged in preparing plans, specifications or

1 drawings to be used in the erection, repairing, altering or
2 removing of any building or structure within the terms and
3 provisions of this Act to provide in such plans,
4 specifications and drawings for all the permanent structural
5 features or requirements specified in this Act; and any
6 failure on the part of any such architect or draftsman to
7 perform such duty, shall be a petty offense.

8 Section 5-9. Any owner, contractor, sub-contractor,
9 foreman or other person having charge of the erection,
10 construction, repairing, alteration, removal or painting of
11 any building, bridge, viaduct or other structure within the
12 provisions of this Act, shall comply with all the terms
13 thereof, and any such owner, contractor, sub-contractor,
14 foreman or other person violating any of the provisions of
15 this Act shall be guilty of a Class A misdemeanor.

16 And in case of any such failure to comply with any of the
17 provisions of this Act, the Director of Labor may, through
18 the State's Attorney, or any other attorney in case of his or
19 her failure to act promptly, take the necessary legal steps
20 to enforce compliance therewith.

21 If it becomes necessary, through the refusal or failure
22 of the State's Attorney to act, for any other attorney to
23 appear for the State in any suit involving the enforcement of
24 any provision of this Act, reasonable fees for the services
25 of such attorney shall be allowed by the county board in and
26 for the county in which such proceedings are instituted.

27 For any injury to person or property, occasioned by any
28 wilful violations of this Act, or wilful failure to comply
29 with any of its provisions, a right of action shall accrue to
30 the party injured, for any direct damages sustained thereby;
31 and in case of loss of life by reason of such wilful
32 violation or wilful failure as aforesaid, a right of action
33 shall accrue to the surviving spouse of the person so killed,

1 the lineal heirs or adopted children of such person, or to
2 any other person or persons who were, before such loss of
3 life, dependent for support on the person or persons so
4 killed, for a like recovery of damages for the injuries
5 sustained by reason of such loss of life or lives.

6 ARTICLE 99

7 Section 99-1. Effective date. This Act takes effect
8 upon becoming law.