

REGULATION OF ELEVATORS - REPEALED
Act of May 28, 1907, P.L. 297, No. 225
AN ACT

Cl. 11

Authorizing the creation of a bureau of elevator inspection and the powers thereof, in the cities of this Commonwealth, and providing remedies and penalties for violating the provisions of ordinances passed or orders made by said bureau in relation thereto.

Compiler's Note: This act was repealed by implication by the act of May 2, 1929 (P.L.1518, No.452), as reenacted and amended Apr. 8, 1937 (P.L.277, No.69). Sec. 336 Pa. 433 (1940).

Section 1. Be it enacted, &c., That the several cities of this Commonwealth may provide for a bureau of elevator inspection, to be in charge of a chief inspector, and containing such and so many other inspectors and employes as may, from time to time, be needed for the proper management of said bureau. The salary of the chief inspector and other inspectors and employes shall be such as may, from time to time, be fixed by ordinance. In cities containing a Department of Public Safety, the said bureau shall form a bureau of said department. In all other cities it shall be an independent bureau, subject to such control as may be determined by ordinance.

Section 2. Such cities may, from time to time, provide that every elevator or hoist which may be used in said city, the kind and character of materials that may be used therein, or in any way of the appliances attached thereto or connected therewith, and the kind and character of safety devices required, shall be subject to the approval of the chief of said bureau; and may provide when and at what times inspection shall be made of said elevators or hoists, or of said appliances; what permits shall be required for their erection and use; when and what character of reports shall be made thereof and of said appliances, and of all accidents caused thereby or connected therewith; what charge shall be made for said inspection and permits, and where the inspection certificate shall be placed--in, upon, or near said elevator or hoists--what persons shall be permitted to operate them, and, generally, whatever in their judgment is necessary or convenient to the public, in the use of said elevators or hoists, in order to insure the safety of the passengers or property being carried upon the same: Provided, That before any particular manufacture of elevator or hoist, or appliances connected therewith, shall be finally rejected as dangerous or unsafe, the manufacturer thereof shall, if he requests it, be given a public hearing before the chief inspector and an opportunity to prove the safety and non-dangerous character of his make of elevator or hoist or appliance.

Section 3. Such cities may provide the penalties which shall be charged against and recoverable from those using elevators or hoists in violation of the provisions of the ordinances regarding the same, or the regulations the bureau adopted in

accordance with the provisions of such ordinances; and may wholly forbid the use of any elevator or hoist not complying with the requirements thereof, and may also apply to the proper court of common pleas for an injunction whensoever, in the opinion of the said bureau, the exigency of the particular cause may require it.

Section 4. Any owner, lessee, agent, or other person, running or authorizing the running of an elevator or hoist in disregard of a notice from said bureau to cease so doing, shall be guilty of a misdemeanor, and, upon conviction thereof, shall, for that fact alone, be subject to a fine not exceeding five hundred dollars, or of imprisonment not exceeding three months, either or both, at the discretion of the court; and the fact of such notice, duly proved, shall be conclusive evidence of negligence against such person, in any action to recover for injuries to person or property caused by the use of such elevator or hoist during the period within which its use was forbidden by said bureau; but nothing in this section contained shall be so construed as to limit the criminal liability of such persons, in case of injury or death caused by the use of any such elevator or hoist, either with or without notice from said bureau of its dangerous or unsafe character or condition.