



Legislation Details (With Text)

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Title: Ordinance supplementing the Pittsburgh Code, Title 8-Fire Prevention Code-Chapter 4-Emergency Management and Preparedness to add a new Section 410, "Safe and Security Building Act," to prohibit security officers and other building service workers from working in certain covered properties within the City of Pittsburgh without adequate safety and security training.

Sponsors: Reverend Ricky V. Burgess

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/14/2015	3	Mayor	Signed by the Mayor	
5/12/2015	3	City Council	AMENDED	Pass
5/12/2015	3	City Council	Passed Finally, As Amended	Pass
5/12/2015	2	City Council	Passed Finally	
5/6/2015	2	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
5/6/2015	2	Standing Committee	AMENDED BY SUBSTITUTE	Pass
5/6/2015	2	Standing Committee	Affirmatively Recommended as Amended	
4/22/2015	1	Standing Committee	Held in Committee	Pass
4/15/2015	1	Standing Committee	Held in Committee	Pass
4/1/2015	1	Standing Committee	Held in Committee	Pass
3/24/2015	1	City Council	Read and referred	

SPONSORED BY REV. RICKY V. BURGESS

Ordinance supplementing the Pittsburgh Code, Title 8-Fire Prevention Code-Chapter 4-Emergency Management and Preparedness to add a new Section 410, "Safe and Security Building Act," to prohibit security officers and other building service workers from working in certain covered properties within the City of Pittsburgh without adequate safety and security training.

THE COUNCIL OF THE CITY OF PITTSBURGH HEREBY ORDAINS:

SECTION 1. Title 8, Chapter 4 of the Pittsburgh Code is hereby supplemented by adding the following Section 410:

Section 410.1 TITLE

This Section shall be known as the “Safe and Secure Building Act.”

Section 410.2 PURPOSE

The purpose of this Section is to enhance the safety requirements and standards currently in the Emergency Management and Preparedness chapter of the Fire Prevention Code for the benefit of the public by ensuring that buildings are staffed with workers who receive the training necessary to protect its occupants and property. In enacting this Section, the City is not intending to supplant or replace the All Hazards Plan requirement.

A prohibition on an untrained workforce, and a rigorous training program implemented in conjunction with an All Hazard Plan, will ensure that security officers and other building service workers are trained in a range of essential skills including counterterrorism, crime prevention, fire and other building safety, disaster recovery, first aid, and coordination with police, fire, and emergency personnel during an emergency.

The City has the authority to enact this ordinance pursuant to its police powers, the Pennsylvania Constitution, Art. I, Sec. 2, the Home Rule Charter & Optional Plan Law, 53 Pa.C.S.A. §§ 2961 & 2962(c)(4), the City of Pittsburgh Home Rule Charter, the Emergency Management Services Code, 35 Pa.C.S. § 7501 et. seq., and the Second Class City Code, 53 P.S. § 25092.

SECTION 410.3 DEFINITIONS

(A) “Building Service Employee” shall mean a person performing work in connection with the care and maintenance of property, such as a concierge, doorperson, cleaner, janitor, custodian, superintendent, porter, maintenance person, handyperson, and who regularly works at such property a minimum of sixteen (16) hours per week Except it should not include students at a college or university that are also employed directly by that college or university.

(B) “City” for purposes of Section 410.3(D)(6) shall mean the City of Pittsburgh, and any City agency, authority, department, or bureau.

(C) “Covered Owner” shall mean any person or entity who owns in whole or part a Covered Property.

(D) “Covered Property” shall mean the following types of properties in the City of Pittsburgh, to the extent the City is not preempted from regulating pursuant to applicable state or federal law:

- (1) Commercial office buildings of at least one-hundred thousand (100,000) square feet, or complexes totaling 100,000 square feet;
- (2) Retail buildings of at least one-hundred thousand (100,000) square feet, or complexes totaling at least one-hundred thousand (100,000) square feet;
- (3) Museums and similar cultural institutions of at least 100,000 square feet;
- (4) Colleges and universities;
- (5) Healthcare facilities of at least one-hundred thousand (100,000) square feet; or

(6) Properties owned, managed, or occupied at least in part, by the City.

(D) “Fire Bureau” shall mean the City of Pittsburgh Bureau of Fire.

(E) “Security Officer” shall mean a person employed principally to perform one or more of the following functions: protection of individuals or property from harm or unlawful or unauthorized activity; and deterrence, observation, detection and/or reporting of incidents in order to prevent or abate any harmful, unlawful or unauthorized activity, but shall exclude city, county, state and federal law enforcement officers, or any law enforcement officer pursuant to 22 PA. C.S.A. section 501.

Section 410.4 TRAINING REQUIREMENTS FOR SECURITY OFFICERS AND OTHER BUILDING SERVICE EMPLOYEES EMPLOYED IN A COVERED PROPERTY

(A) Training Requirements for Security Officers

(1) Security officers may not be employed as a security officer in a Covered Property without obtaining the following training from a training school certified by the Fire Bureau as set forth in Section 410.6, which shall include a minimum of forty (40) hours of initial instruction, and an annual eight (8)-hour refresher course, on the following topics:

- a. The Covered Property’s All Hazard Plan.
- b. Role of the security officer: how to identify specific response methods to emergency situations which are consistent with the security officer role and function.
- c. Legal powers and limitations of the security officer, such as:
 - i. Laws and liability;
 - ii. Identifying the types of crimes that may be encountered on specific work sites;
 - iii. Evidence preservation.
 - iv. Explaining the justification of use of force, including deadly physical force, by a security officer/private citizen; and
 - v. Identifying the security officer’s arrest authority and limitations in the workplace.
- d. Emergency situations and response procedures: appropriate prevention and response methods to emergencies including fire, chemical spills, terrorist threats, workplace violence, medical emergencies, biohazards, and natural disasters, including evacuation and disaster recovery;
- e. CPR protocol and how to use medical equipment, including defibrillators;
- f. Terrorism related topics: developing observation, detection and reporting skills, and improving skills in working with advanced security technology including surveillance and

access control procedures;

- g. Coordinating and communicating with local police, fire and emergency services;
- h. Crime, including theft prevention;
- i. Safeguarding information;
- j. Ethics;
- k. Access control: identifying proper forms of identification that are acceptable for gaining access at the location, identifying types of physical threats that may be encountered at the location, crowd control, electronic security systems, and access control procedures; and
- l. Other miscellaneous topics as determined by the Fire Bureau to be relevant such as professional image, effective communication, including communicating with clients, and report writing.

(2) The initial training must be completed within sixty (60) days of hire for new employees and within ~~ninety (90)~~ **One-Hundred-Eighty (180)** days of enactment of this ordinance for existing employees.

(B) Training Requirements for Building Service Employees

- (1) Building service employees shall not be employed in a Covered Property without receiving a minimum of fifteen (15) hours of training by a training school certified by the Fire Bureau on the topics listed above in (A)(1)(a), (d), (e), (f), and (g).
- (2) .
- (3) Such training must be completed within sixty (60) days of hire for new hires and within ninety (90) days of enactment of this ordinance for existing employees, and thereafter the employee must attend a refresher course once every three (3) years.
- (4) The training required under this Section may supplement but is not intended to supersede training, drills or exercises required in Section 409 of this Chapter..

(C) Joint Training for Security Officers and Building Service Employees

- (1) Security officers and building service employees shall not be employed in a Covered Property without receiving joint training on the Covered Owner's All Hazard Plan at least once per year.
- (2) In conjunction with the annual report submitted to the City's Emergency Management Director regarding safety drills required pursuant to Section 409 of this Chapter, a Covered Owner must also provide a notarized affidavit certifying that all Security Officers have received the training required in this Section.

Section 410.5 CERTIFICATION OF TRAINING SCHOOLS AND INSTRUCTORS

(A) Only those training schools, instructors and curricula certified by the Fire Bureau pursuant to this Section and any implementing regulations may be utilized in order to meet the requirements of Sections 410.4 (A), (B) and (C) of this Section.

(B) Minimum Requirements for Certification of Training Schools

- (1) Each training school applying for approval shall appoint a school director, whose name, address, instructor certification (if any), and telephone number shall be filed with the Fire Bureau upon his or her appointment.
- (2) No less than forty-five (45) days prior to commencement of initial training, the school director shall file a copy of the school qualifications with the Fire Bureau. The qualifications shall be in a form prescribed by the Fire Bureau and shall include, but not be limited to:
 - a. the name of the security officer training school;
 - b. the location(s) of the security officer training school;
 - c. the names of the certified security officer instructor(s) and the type of instructor certification(s) held by such instructor;
 - d. the name(s) and address(es) of the owner(s) of the training school;
 - e. educational experience and qualifications of the owners and director relevant to operating a training school;
 - f. that the owners and director are not delinquent with respect to any City tax, fine, or fee;
 - g. proof of liability, workers compensation, and other insurance of the type and in the amount determined by the City;
- (3) Each security guard training school applying for certification shall submit a school application fee as determined by the Fire Bureau.
- (4) The Fire Bureau may require any additional information deemed necessary for the purposes of approving a security guard training school.
- (5) No less than forty-five (45) days prior to commencing any training, the school director shall submit a copy of the proposed curriculum to the Fire Bureau which shall include at a minimum:
 - a. the name and location of the approved security guard training school;
 - b. a chronological listing of topics, including the date, time and number of hours allotted to each topic; and
 - c. the names of the school director and certified security officer instructor(s) and the type of instructor certification(s) held by each certified security officer instructor and school director if such school

director holds instructor certification(s).

- d. The commissioner may require any additional information deemed necessary for the purposes of approving a security guard training course, such as appropriate testing requirements to demonstrate that the employees understand the subject matter.

(C) The Fire Bureau may waive the requirements set forth in Subsection (B) for pre-existing training schools that have a demonstrated history of providing the type and level of training required by this Section, and whose training instructors meet the requirements set forth below in Subsection (D).

(D) Minimum Requirements for Certification of Training Instructors

- (1) Each applicant requesting security officer instructor certification shall:

- a. possess a high school diploma or its equivalent;
- b. satisfy minimum qualification criteria relating to education, teaching experience, formal training, and security experience as determined by the Fire Bureau;
- c. submit an application fee as determined by the Fire Bureau; and
- d. forward any other additional information as determined by the Fire Bureau to be necessary to establish the competence of a security officer instructor or for any other pertinent purpose.

- (2) Individuals who are or were training instructors at the Pittsburgh Police Academy or the Pittsburgh Fire Academy shall be certified upon demonstration to the Fire Bureau thereof.

Section 410.6 PROHIBITED PRACTICES OF COVERED OWNERS

- (A) A Covered Property may not be occupied unless and until the Covered Owner has submitted an All Hazard Plan to the Fire Bureau and conducted safety drills in accordance with the City of Pittsburgh Building Code, Section 409.

Section 410.7 IMPLEMENTATION, ENFORCEMENT AND PENALTIES

- (A) The Fire Bureau shall be responsible for the implementation and enforcement of this Section.

(B) Any Covered Owner who violates any provision of this Section or the rules and regulations promulgated pursuant to this Section shall pay a fine in the amount of five-hundred dollars (\$500) and shall be subject to penalties specified in any other applicable law or regulation, including Section 101.09 of the City of Pittsburgh Code of Ordinances. In addition to the foregoing, the Fire Bureau shall have authority to undertake all appropriate actions to abate violations of this Section, including preventing the occupancy of a Covered Property where warranted.

- (C) Any person, or representative of such person, including a collective bargaining representative, may file a

complaint with the Fire Bureau to enforce the provisions of this Section.

Section 410.8 REGULATION.

The Fire Bureau may issue regulations to implement the provisions of this Section.

Section 410.9 SEVERABILITY.

In the event any provision of this Section shall be held invalid or unenforceable in any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions thereof. It is the legislative intent that the remaining provisions of this Section would have been adopted if any illegal provision had not been included or any illegal application had not been made.

SECTION 2. Effective date.

This Section shall take effect thirty (30) days after enactment.