



DISTRICT OF HIGHLANDS

BYLAW NO. 67

A Bylaw to Regulate Blasting Within the District of Highlands

WHEREAS Section 933(1) (b) of the Municipal Act provides that Council may by Bylaw regulate blasting throughout the municipality.

AND WHEREAS the Council of the District of Highlands deems it desirable to enact a blasting bylaw,

NOW THEREFORE the Council of the District of Highlands, in open meeting assembled enacts as follows:

1. DEFINITIONS:

“Blasting Log” - A written record of information about a specific blast as may be required by law or regulation including, but not limited to: the drill pattern, delay sequence, collar depth, hole spacing and depth, and maximum weight of explosives detonated per blast.

“Blasting Mat” - A mat constructed from rubber vehicle tires and steel cable, weighing a minimum of 35 pounds per square foot, and measuring a minimum of 118 square feet in size, and used for containment during blasting operations.

“Major Blast” - An explosion which moves ten cubic meters or more of rock.

“Minor Blast” – An explosion which moves less than ten cubic meters of rock.

“Seismograph” – An instrument used to measure and record vibrations with the earth and of the ground.

2. PROHIBITIONS:

No person:

- a. shall blast without first having obtained a blasting permit from the District of Highlands;
- b. as owner or occupier of premises, shall permit blasting on their property without first having a blasting permit from the District of Highlands;
- c. shall engage in blasting without taking all precautions necessary for the protection of persons or property to minimize the hazard of flying material resulting from a blast by the use of blasting mats, or clean fill or sand, free of rock;
- d. shall use metal to smother a blast;

- e. shall blast except during the period beginning at 8:00 am and ending at 4:00 pm on Monday through Saturday only, excluding any statutory holiday;
- f. shall carry on any blasting that is at variance with any description, plans, specifications or other information supplied to the Administrator or the Planning Technician as part of their blasting permit application;
- g. shall interfere with or obstruct the Administrator or Planning Technician in the conduct or administration and enforcement of this Bylaw.
- h. shall remove a "Stop Work Order" placed pursuant to Section 3. A.iii. or Section 3.b.ii. of this Bylaw without the permission of the Administrator or Planning Technician.

3. ADMINISTRATOR OR PLANNING TECHNICIAN:

- a. The Administrator or Planning Technician may:
 - i. enter on to any property at any reasonable time for the purpose of administering or enforcing this Bylaw or for the purpose of ascertaining whether the regulations or requirements of this Bylaw are being met;
 - ii. require that written notification be given to residents within 100 meters of the subject property, prior to an impending minor or major blast(s);
 - iii. order a person to immediately stop all blasting operations by placing a "Stop Work Order" at the site in any case where complaints are received by him/her concerning damage or injury to persons or property or for a violation of the blasting permit and in such case no blasting shall be carried out until the Administrator or Planning Technician has completed his/her investigation and the "Stop Work Order" has been removed by them;
 - iv. require that the applicant, or property owner, engage at the expense of the property owner, the services of a geological engineer or a blasting consultant to supervise all works carried out under this Bylaw.
- b. The Administrator or Planning Technician shall:
 - i. revoke or refuse to issue a permit where the work being carried on or proposed to be carried on is in contravention of this Bylaw;
 - ii. order the cessation of work that is proceeding in contravention of this Bylaw by placing a "Stop Work Order" at the site or by sending a double registered letter to the person carrying out the work or causing it to be carried on.

4. PERMITS:

Each application for a permit:

- a. shall be in the form specified by Schedule "A: attached to and forming part of this Bylaw;
- b. shall be accompanied by;
 - i. a completed Schedule "B: attached to and forming part of this Bylaw, showing proof of insurance coverage;
 - ii. a permit fee of \$25.00 for a permit for a minor blast or \$50.00 for a permit for a major blast.

5. CONDITIONS:

The following conditions apply to all blasting permits:

- a. the use of blasting mats or clean fill or sand free of rock will be required for all blasts.
- b. at least one recording seismograph shall be used on every major blast and the seismograph records shall be retained by the applicant. The Administrator or Planning Technician may require the use of a recording seismograph for a minor or major blast.
- c. A minor blasting permit shall be valid for thirty (30) calendar days from the date of issue and a major blasting permit shall be valid for ninety (90) calendar days from the date of issue.
- d. Compliance with all Federal and Provincial regulations relating to blasting.
- e. A blasting log shall be kept for all major blasts.
- f. A copy of any required seismic records, blasting logs, and all records pertaining to the safety aspects of the blasting, shall be forwarded to the Administrator or Planning Technician within five (5) days of the completion of blasting or expiry of a permit to blast.

6. INSURANCE:

- a) Proof of third party public liability and property damage insurance coverage must be provided to the Administrator or Planning Technician prior to issuance of a blasting permit as follows:
- b) Third party public liability and property damage insurance in an amount of not less than \$2,000,000.00 to protect himself from any and all claims which may arise from the proposed work and that the insurance may not be cancelled, lapsed or materially changed without the insurer giving 15 days

written notice of cancellation to the Administrator or Planning Technician; and that such insurance requires a pre-blast survey to be carried out of buildings in the vicinity of the blast.

7. NOTIFICATION:

The applicant shall indicate on the "Application to Blast", attached hereto as Schedule "A" to this Bylaw, their plan for notifying the area residents of the impending blast(s). The applicant must specify whether the notification will be given to the adjacent properties or properties within 100 metres of the subject property; and the number and location of notices to be posted on the perimeter of the property.

8. PENALTIES:

- a. Any person who commits an offense against this Bylaw shall, upon summary conviction thereof, be liable to a fine and penalty of not more than \$5,000.00 for each offense, or imprisonment or both.
- b. The penalties imposed under Section 8.a. hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw.

9. SEVERABILITY:

If any section, subsection or paragraph of this Bylaw is found invalid by a decision of a Court of competent jurisdiction the invalid section, subsection, or paragraph shall be served without effect on the remainder of the Bylaw.

10. CITATION:

This Bylaw may be cited for all purposes as the "District of Highlands Blasting Bylaw No. 67, 1996".

READ A FIRST TIME THIS 18TH DAY OF MARCH, 1996.

READ A SECOND TIME THIS 18TH DAY OF MARCH, 1996.

READ A THIRD TIME THIS 18TH DAY OF MARCH, 1996.

ADOPTED THIS 1ST DAY OF APRIL, 1996.

Original Signed

MAYOR

CLERK