DISTRICT OF SOOKE

BYLAW NO. 72

A bylaw to regulate the use of explosive agents for blasting and persons engaged in blasting.

Under section 728 of the *Local Government Act* Council, by bylaw, may regulate or prohibit the use of any explosive agent for blasting, regulate persons engaged in blasting and require persons engaged in blasting to give security for damage to persons who, or whose property, may be injured by it.

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This Bylaw is cited as the *Blasting Regulation Bylaw, 2001*.

Blasting Permits

- 2. No person may blast, carry on blasting operations, or use any explosive agent within the District of Sooke without first obtaining a blasting permit as set out in Schedule B to this bylaw.
- 3. To apply for a blasting permit, a person must submit a blasting permit application as set out in Schedule A to this bylaw.
- 4. An applicant for a blasting permit must hold a valid Provincial Blasting Certificate.
- 5. An applicant for a blasting permit must provide proof of liability insurance for the term of the permit with a minimum coverage of \$2,000,000 per occurrence and naming the District of Sooke as an additional insured.
- 6. Where blasting is required for excavation for the construction of a building, a holder of a blasting permit must first obtain a building permit for the proposed building.
- 7. A permit expires and the right of the permit holder under the permit is terminated one year after the date the permit is issued.
- 8. A permit is deemed invalid if the insurance provided under section 5 has expired and the permit holder has not submitted a new Certificate of Insurance for the remainder of the term of the permit.

Blasting Regulations and Safety

- 9. No person may blast, carry on blasting operations, use an explosive agent, or operate drills, compressors or other equipment used to prepare land for blasting, other than between the hours of 8:00 am and 4:30 pm, Monday to Saturday, exclusive of statutory holidays.
- 10. No person may blast, carry on blasting, or use an explosive agent without giving notice at least 24 hours before the blasting commences to
 - (a) owners and occupants of any building within a radius of 100 m of the blasting site;
 - (b) the School District, Principal or person in charge of a school within a radius of 300 m of the blasting site; and
 - (c) the District of Sooke in writing, including the site location and site contact information.
- 12. No person may blast, carry on blasting operations, use an explosive agent, or operate drills, compressors or other equipment used to prepare land for blasting, unless steps have been taken to suppress dust which may occur as a result of the activity.
- 13. No person may blast, carry on blasting or operate or use an explosive agent in dangerous proximity to any person, building or property, or the works of any underground utility liable to suffer injury from blasting unless and until precautions have been taken to prevent injury to any person, building, property or utility.

Introduced and read a first time the 10th day of December 2001.

Read a second time the 10th day of December 2001.

Read a third time the 10th day of December 2001.

Third reading rescinded the 28th day of January 2002.

Read a third time as amended the 28th day of January 2002.

Adopted on the 11th day of February 2002.

Ed	Macgregor	
Mayor		

Tom Day Chief Administrative Officer District of Sooke Bylaw No. 72 Blasting Regulation Bylaw, 2001 Page 3 of 4 Schedule A



2205 Otter Point Road, Sooke, British Columbia, Canada V0S 1N0Phone: (250) 642-1634Fax: (250) 642-0541email: development@district.sooke.bc.cawebsite: www.district.sooke.bc.ca

BLASTING PERMIT APPLICATION

This application must be submitted with a Certificate of Insurance for liability with a minimum coverage of \$2,000,000 per occurrence with the District of Sooke named as an additional insured.

Note: If the Certificate of Insurance submitted with this application expires during the term of the permit, the permit holder must submit a new Certificate of Insurance, otherwise the blasting permit will be deemed invalid.

Applicant Name:	
Mailing Address:	
Business phone:	Cellular phone:
Fax:	

I, the applicant, hold a valid Provincial Blasting Certificate and make application for a blasting permit to use explosive agents for blasting.

I, the applicant, agree to conform to all requirements of the *Blasting Regulation Bylaw, 2001* and other applicable bylaws. The issuance of this Permit does not relieve me from the responsibility of ensuring the blasting for which this permit is issued conforms to the requirements of the applicable bylaws and Provincial regulations, nor prevents the District of Sooke from requiring correction of any contravention of the applicable bylaws.

WAIVER AND INDEMNITY: I, the applicant, assume all risks incidental to blasting and agree to release, save harmless and indemnify the District of Sooke and its officials, agents, servants and representatives, from and against all claims, actions, costs, expenses and demands with respect to the death, injury, loss or damage to persons or property arising from work done under a blasting permit. I understand that no warranty is implied by this permit and that this waiver and indemnity is binding on me, my heirs, executors and assigns. I acknowledge that the District of Sooke, in issuing this permit, is relying on my certification as a blaster.

FREEDOM OF INFORMATION NOTICE: Personal information contained on this form is collected under the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of issuing this permit and for municipal statistics. Enquiries about the collection or use of information on this form may be directed to the Deputy Clerk.

District of Sooke Bylaw No. 72 Blasting Regulation Bylaw, 2001 Page 4 of 4 Schedule B

my my				
	2205 Otter Point Road, Sooke, British Columbia, Canada V0S 1N0			
District of Sooke	Phone: (250) 642-1634 email: development@district.sooke.bc.ca			
BLASTING PERMIT				
Blasting Permit No.	Expiry Date:			
Blaster Name:				
Mailing Address:		ness Telephone:		
Fax:	Cellu	lar Telephone:		

The blaster is permitted to blast, carry on blasting operations, or use any explosive agent subject to the following requirements:

- 1. Blasting must be carried out in accordance with Provincial regulations and the *Blasting Regulation Bylaw, 2001.*
- 2. Blasting must only take place between the hours of 8:00 am and 4:30 pm, Monday to Saturday, exclusive of statutory holidays.
- 3. Notice must be given to owners and occupants of any building located within 100 m of the blasting at least 24 hours prior to blasting.
- 4. Notice must be given to the School District or the principal of any school within 300 m of the blasting at least 24 hours prior to blasting.
- 5. Written notice of any blasting, including site location and site contact information must be given to the District of Sooke at least 24 hours prior to blasting.
- 5. Precautions must be taken to prevent injury to any person, building, property or utility before blasting takes place.
- 6. The permit holder must take steps to suppress dust which may occur as a result of blasting or equipment used to prepare for blasting.
- 7. If the Certificate of Insurance submitted with the application for this permit expires during the term of this permit, the permit holder must submit a new Certificate of Insurance for the remainder of the term of this permit, otherwise this permit is deemed invalid.

Municipal Engineer

Date

Fire Chief

Date