

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 6821

A BYLAW
TO REGULATE BLASTING

The Municipal Council of The Corporation of the District of Saanich in open meeting assembled enacts as follows:

DEFINITIONS

1. This bylaw may be cited for all purposes as the "Blasting Bylaw, 1992, No. 6821".
2. In this bylaw:

MANAGER OF INSPECTION SERVICES means the Manager of Inspection Services of The Corporation of the District of Saanich or the agent thereof.

EXPLOSIVES includes any chemical compound or mechanical mixture which by fire, friction, concussion, percussion or detonation, may cause a sudden release of gasses having pressure capable of producing destructive effects.
3. No person shall blast or carry on blasting operations without first having obtained a blasting permit from the Manager of Inspection Services.
4. No person shall blast, carry on blasting operations, or operate drills, compressors or other equipment used to prepare land for blasting at any time except between the hours of 8:00 a.m. and 5:00 p.m. on each day except Sunday or a Statutory Holiday.
5. No person shall carry on any blasting operations that are at variance with any description, plans, specifications or other information supplied to the Manager of Inspection Services in support of the application for the blasting permit.
6. No person shall interfere with or obstruct the Manager of Inspection Services in the conduct or administration and enforcement of this bylaw.
7. The Manager of Inspection Services:
 - a) may enter onto any site or premises at any reasonable time for the purpose of administering or enforcing this bylaw;
 - b) may 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;
 - c) may order the cessation of work that is proceeding in contravention of this bylaw by placing a Stop Work Order at the site or by a registered return letter to the person carrying on the work or causing it to be carried on.
 - d) may 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 concerning damage or injury to persons or property or of a violation of the permit or this bylaw and in such case no blasting operation shall be carried out until the Manager of Inspection Services has completed his investigation and the Stop Work Order has been removed.
8. Where:
 - a) An application has been made;
 - b) The proposed work set out in the application conforms with this bylaw and all other applicable bylaws; and,

- c) The applicant for a permit provides satisfactory evidence that he maintains with an insurance company authorized to carry on business in British Columbia, 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 said insurance may not be cancelled, lapsed or materially changed without the insurer giving 15 days written notice of cancellation to the Manager of Inspection Services; and that such insurance requires a pre-blast survey to be carried out of buildings in the vicinity of the blast;

the Manger of Inspection Services shall issue the permit for which the application is made.

- 9. Every permit is issued upon condition that the blasting operation authorized thereby shall be started and completed within one (1) month from the date of issuing the permit.
- 10. The application and permit shall be in the form prescribed from time to time by the Manager of Inspection Services.
- 11. The application for a permit shall be accompanied by a fee of \$30.00.
- 12. Any person carrying on blasting operations shall comply with the Industrial Health and Safety Regulations made pursuant to the provisions of the *Worker's Compensation Act* which are hereby made a part of this bylaw.
- 13. a) No person shall issue a Purchase and Possession Permit pursuant to the Explosives Regulations under the *Explosives Act*, R.S.C. 1985, c.E-17, unless the applicant for the permit either:
 - i) is the holder of a valid Blaster's Certificate issued by the Worker's Compensation Board of British Columbia; or
 - ii) is the holder of a valid Blasting Certificate issued by the Ministry of Energy, Mines and Petroleum Resources; or
 - iii) has first obtained the written approval of the Chief Constable of the Saanich Police Force.
- b) The Chief Constable may require the applicant to provide any information relevant to the permit application including:
 - i) any previous convictions of a criminal offence;
 - ii) any history of treatment for a mental disorder;
 - iii) whether the applicant has been prohibited by a court from possessing any firearms, ammunition or explosives;
 - iv) whether the applicant has been issued or refused a Firearms Acquisition Certificate, Restricted Weapon Registration Certificate or firearm permit.
- c) The Chief Constable may, in his discretion, refuse to approve a Purchase and Possession Permit if he believes there is a risk that the explosives will be used for a criminal or mischievous purpose.
- 14. Every person using, storing or handling explosives shall establish fire emergency procedures acceptable to the Fire Chief of the Saanich Fire Department, which shall specify:
 - a) The location and identification of storage and use areas;
 - b) Methods to control a fire emergency safely and efficiently; and

- c) The names, addresses and telephone numbers of persons to be contacted in case of fire during non-operation hours.
- 15. No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 16. Every person who, without lawful excuse, contravenes this bylaw by willfully doing any act which it forbids, or omitting to do any act which it requires to be done, is guilty of an offence and is liable, on summary conviction to a fine of not less than \$100.00 and not more than \$500.00 for a first offence and for each subsequent offence to a fine of not less than \$250.00 and not more than \$750.00. A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.
- 17. The penalties imposed under Section 16 hereof, shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw.
- 18. Bylaw No. 4259 being the "Blasting Bylaw, 1979" is hereby repealed except insofar as it repeals any other bylaw of The Corporation of the District of Saanich.

Includes Amendment Bylaw No. 6939