

THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 2961

A Bylaw for regulating blasting within the limits of
the Corporation of the City of Port Coquitlam

WHEREAS Council deems it advisable to regulate blasting within the City pursuant to the Municipal Act.

NOW THEREFORE, the Municipal Council of the Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as the "Blasting Bylaw, 1995, No. 2961".
2. In this Bylaw, the following words shall have the following meanings:

 "Blast" or "Blasting" shall mean lighting, igniting, firing or discharging of gunpowder, stumping powder, dynamite, gun-cotton, nitro-glycerine, or any other explosive substance or mixture for the purpose of moving, breaking, disturbing, loosening or splitting of any material, substance, or thing, or for any purpose whatsoever.

 "City Engineer" shall mean the person appointed to such position from time to time and shall include any person Council designates to act in his place.
3. No person shall do or carry on any blasting within the City unless such person has first obtained a blasting permit pursuant to this bylaw.
4. Any person desiring to carry on blasting within the City shall make application to the City Engineer for a blasting permit. No permit shall be issued to a person unless he first produces a valid Blasting Certificate issued by the Workers' Compensation Board and a report from an engineer experienced in geotechnical engineering certifying that the blasting may be safely carried out.
5. Every applicant for a blasting permit shall pay a fee of **\$25.00**.
6. No permit for blasting shall be issued by the City Engineer until the applicant has given to the City Engineer security for damage to persons who, or whose property, may be injured by the blasting. This security shall be in the form of a public liability and property damage insurance satisfactory to the City, with minimum coverage of \$5,000,000.00 inclusive, for loss or damage in respect of injury or death of any person or persons or damage to person or property or both from any one accident or occurrence.
7. The person obtaining a blasting permit shall therein indemnify and save the City harmless from and against all legal actions or claims of any kind and description whatsoever brought against the City for or on account of injury or damage to person or property, received or sustained by any person or persons, on account of work done under the blasting permit.

8. Where a blasting permit is for an excavation, no permit shall be issued unless the applicant has first obtained a valid building permit for the proposed construction.
9. The City Engineer shall have the power at any time to cancel or suspend any blasting permit if such blasting operations are carried on thereunder in an incompetent, dangerous or unsafe manner, by giving verbal or written notice thereof to the holder of such permit. Such permit shall thereupon be immediately cancelled and the holder thereof shall immediately return the same to the City Engineer and no person whose blasting permit has been cancelled or suspended shall engage in or carry on blasting in the City.
10. A holder of a blasting permit may carry on blasting only on Monday to Friday inclusive between the hours of 8:00 a.m. to 4:00 p.m. and only when atmospheric or other conditions permit a clear observation at a distance of not less than 100m (328 ft.) from the place where the blasting is to be carried on.
11. Any person to whom a blasting permit has been issued shall comply with and observe the following regulations:
 - (a) blasting shall be carried on only under the immediate supervision of a person possessing a valid Blasting Certificate issued by the Workers' Compensation Board and a blasting permit issued by the City Engineer;
 - (b) no blasting shall be carried on in dangerous proximity to any person, building, or property, or the works of any underground public utility liable to suffer injury from blasting unless and until precautions have been taken to prevent injury to any person, building, property or utility;
 - (c) a flagman with red flags or a minimum size of 45cm by 45cm (18 in. by 18 in.), or other Workers' Compensation Board approved signalling devices, shall be posted at every possible point where cars, trucks, pedestrians might enter the blasting area -- when the blasting is completed, the normal vehicular and pedestrian traffic shall be restored as quickly as possible; and
 - (d) no blast shall be discharged by any person unless and until the material to be blasted shall first have been adequately covered with a suitable blasting mat or some material or device sufficient to provide the necessary precautions for adequately safeguarding life and property.
12. Prior to any charges being set off or discharged adjacent to any street where persons or vehicles may be present, the person in charge shall give effective warning, in accordance with the current Workers' Compensation Board regulations, and sufficient time shall be given to enable persons or vehicles to move to a safe distance from the blasting. When the blasting has taken place the person in charge shall inspect the area in the vicinity of the blasting and ensure that it is free of unexploded charges or explosive materials.
13. When blasting is being carried on, the person in charge shall provide at least two assistants and as many additional assistants as circumstances may require to warn all occupants of buildings in the vicinity and to take all reasonable precautions to adequately safeguard such occupants and also to prevent all persons and vehicles from approaching within the blasting area.

14. No person shall carry on blasting within a radius of 300m (984 ft.) of any school building during school hours until the person in charge thereof has been notified and his consent has been obtained.
15. No person shall carry on blasting within a radius of 100m (328 ft.) of any occupied dwelling within first notification of the occupant(s) of such dwelling.
16. Any person transporting or storing explosives or handling, loading or firing explosives shall comply with the current regulations of the Workers' Compensation Board.
17. A permit issued pursuant to the provisions of this Bylaw shall be substantially in the form shown as Schedule "A" hereto, which Schedule is attached to and forms part of this Bylaw, and shall terminate on the date specified in such permit. No permit shall be valid for a longer period than fourteen (14) calendar days from the date issued.
18. Every person who violates any provision of this Bylaw commits an offence and shall be liable on summary conviction therefor to a penalty not exceeding the sum of \$2,000.00 or 6 months' imprisonment, or both.
19. If any section, subsection, or clause of this bylaw shall be held invalid by a Court of competent jurisdiction, the section, subsection, or clause shall be severed, and such decision shall not affect the remainder of this bylaw.
20. The Corporation of the City of Port Coquitlam Blasting Bylaw 1913, No. 17 is hereby repealed.

Read a first time by the Municipal Council this 23rd day of January, 1995.

Read a second time by the Municipal Council this 23rd day of January, 1995.

Read a third time by the Municipal Council this 23rd day of January, 1995.

Reconsidered, finally passed and adopted by the Municipal Council of the Corporation of The City of Port Coquitlam this 13th day of February, 1995.

Mayor

City Clerk

CORPORATION OF THE CITY OF PORT COQUITLAM

SCHEDULE "A"

"BLASTING BYLAW, 1995, NO. 2961"

No:

Date of Issue:

Insurance Policy No.:

Policy Expiry Date:

WCB Blasting Certificate No.:

This permit authorizes:

address

to blast on those lands at

address

known as

legal description

in accordance with geotechnical report of:

for a period of not more than fourteen (14) calendar days from the date of issue in accordance with provisions of the "Blasting Bylaw, 1995, No. 2961"

NOTE: THIS PERMIT IS SUBJECT TO CANCELLATION WITHOUT NOTICE FOR A VIOLATIONS OF THE PROVISIONS OF THE BYLAW.

This permit expires:

By:

City Engineer