



BLASTING REGULATION

BYLAW 3545, 2014

Consolidated Version

BYLAWS

1958 Ripple Rock Explosion, Seymour Narrows, Campbell River BC



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BLASTING REGULATION BYLAW, 3545, 2014

Consolidate: July 22, 2014

Consolidated for Convenience Purposes

to include Bylaw 3566

The Council of the City of Campbell River enacts as follows:

PURPOSE

A Bylaw to regulate and prohibit the use of explosive agents for blasting, and to require persons engaged in blasting to give security for damage.

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PART 1: Title

- 1.0 This bylaw may be cited for all purposes as **BLASTING REGULATION BYLAW NO. 3545, 2014.**

PART 2: Definitions

- 2.0 In this bylaw unless the context otherwise requires:

Application	means a document in the form set out in Schedule 'A'.
Blast or Blasting	means the use of Explosives for the purpose of moving, displacing or breaking rock or other material.
Blasting Log	means a written record of information about a specific Blast as may be required by law or regulation.
Blaster	means a person, firm or corporation engaged by the Owner to conduct Blasting and includes an agent, contractor or employee of the Blaster.
Building Inspector	means the person appointed to that position for the City or their designate, or such other persons as may be duly authorized from time to time by Council to carry out the duties and responsibilities of the Building Inspector.
City	means the City of Campbell River.
Explosive	means 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.
Inspector	means any of the following employees of the City: a. Building Inspector; b. Bylaw Enforcement Officer; c. Fire Chief; d. Deputy Fire Chief; and includes an RCMP Officer.
Permit	means a document, in the form set out in Schedule 'B', to permit Blasting to be conducted.
Professional Engineer	means a professional engineer licenced to practice in the Province of British Columbia and experienced in geotechnical engineering and Blasting.

PART 3: Regulations

3.0 No person shall carry out Blasting or cause, allow or permit Blasting to be carried out with the City, without first obtaining a Blasting permit from the City.

3.1 A holder of a Blasting permit must:

- a. only carry out Blasting between the hours of 8:00 a.m. and 4:30 p.m., Monday to Saturday, excluding any Statutory Holiday;
- b. comply with the Occupational Health and Safety Regulations made under the *Workers Compensation Act* (British Columbia), relating to Blasting operations as amended or replaced from time to time;
- c. only carry out Blasting in accordance with the terms of a Blasting permit, including without limitation, at the times and in the locations specified in the Blasting permit;
- d. retain and make available to the Building Inspector, at his request, all records pertaining to the safety aspects of the entire project and its impact on neighbouring properties, including Blasting plans, seismic records and Blasting Logs;
- e. not carry out Blasting in proximity to any person, building or property, or the works of any underground public utility likely to suffer damage from Blasting, unless the utmost precautions have been undertaken to prevent injury or damage to any person, building, property or utility.
- f. not discharge explosives unless the materials to be blasted is fully covered with approved and properly secured blasting mats, or some material or device sufficient, to control fly rock, and every precaution is taken for adequately safe guarding life and property;
- g. report to the Building Inspector any unacceptable Blast monitoring results including, but not limited to, injury or damage to any person, building, property or utility, excessive vibration, rock falls, erosion, land slip, substance or avalanche.

PART 4: Notification

4.0 A person must not carry on Blasting operations without first notifying, by written notice, the owners and occupants of all buildings or dwellings within 100 metres of the edge of the Blast zone, or such other distance as the Building Inspector may require.

4.1 The notice must describe

- a. the work to be done,
- b. the expected date of commencement,
- c. the estimated duration of the project,
- d. methods intended to be used to safeguard persons and property,
- e. signals and other warning methods to be used to inform those nearby of an impending Blast,

- f. the name and phone number of the representative of the Blaster for additional information; and
 - g. the name and phone number of the representative of the insurance company of the Blaster.
- 4.2** The notice under Section 4.0 must be provided at least forty-eight (48) hours before Blasting operations commence, and at least one week for any Blasting expected to continue for more than two days.
- 4.3** No Blasting may be done within 300 metres of a school or hospital until notice as required in Section 4.0 has also be given to the senior administrator of the school or hospital. Further notice must be given to the senior administrator, or their designate, at least two hours prior to each Blast, stating the approximate time of the Blast.

PART 5: Blasting Permit and Fees

- 5.0** Every person applying for a Blasting permit must have a valid and subsisting Blasters Certificate issued by WorkSafeBC.
- 5.1** Every person applying for a Blasting permit shall submit a written application to the Building Inspector in the form contained in Schedule 'A', attached to and forming part of this bylaw, accompanied by a non-refundable permit fee in the amount of \$150.00.
- 5.2** Where a proposed Blasting site is located within 150 meters of an existing structure or is subject to, or is likely to be subject to rock falls, erosion, land slip, subsidence, avalanche or other similar risk, the Building Inspector may, in their sole discretion, require the person applying for a Blasting permit to provide a report from a Professional Engineer, certifying that the Blasting plan is acceptable for the site described in the permit Application.
- 5.3** A Blasting permit shall be valid for a period of ninety (90) calendar days from the date of issuance; and may be renewed for a further period of ninety (90) days, upon Application to the Building Inspector and payment of a renewal fee in the amount of \$50.00

PART 6: Inspections

- 6.0** An Inspector may enter onto any real property at any reasonable time for the purpose of administering or enforcing this bylaw.
- 6.1** A person must not interfere with or obstruct the Inspector in the administration and enforcement of this bylaw.

PART 7: Suspension or Cancellation of Blasting Permit

- 7.0** An Inspector is authorized to suspend or cancel a Blasting permit at any time if the Blasting operations are carried out in an incompetent, dangerous or unsafe manner or contrary to the requirements of this bylaw or any applicable statute, regulation or bylaw.

- 7.1 The notice of suspension or cancellation may be given verbally or in written form to the holder of such Blasting permit; and, in the case of suspension, such notice may include directions, orders, requirements, terms and conditions that must be met before Blasting may resume.
- 7.2 Upon receipt of such notice of suspension or cancellation, the permit holder shall immediately cease Blasting operations; and, where a permit has been cancelled, forthwith return the permit to the Inspector.
- 7.3 No person whose permit has been suspended or cancelled shall carry out Blasting in the City, or cause, allow or permit Blasting to be carried out.

PART 8: Insurance

- 8.0 A holder of a Blasting permit must maintain, at the permit holder's expense, throughout the term of the Blasting permit, and any extension period, commercial general liability insurance insuring the permit holder's Blasting operations against any and all claims which may be brought against the permit holder for a public liability, bodily injury, death and/or property damage, and such policy of insurance shall:
 - a. be issued by an insurance company licenced to do business in British Columbia;
 - b. have limits of not less than five million dollars (\$5,000,000) per occurrence; and
 - c. be duly endorsed to cover the City and the Professional Engineer as additional insureds in so far as their interests and liability may be involved as a result of any and all Blasting operations carried out within the City pursuant to the permit.
 - d. not be cancelled, lapse or materially changed without the insurer giving 15 days written notice of cancellation.
 - e. require a pre-Blast survey of buildings, structures, retaining walls and driveways in the vicinity of the Blast, and provide the City with a copy of the survey results if requested by the City.
- 8.1 A holder of a Blasting permit must agree to indemnify and hold harmless the City in respect of all Blasting Operations carried out within the City pursuant to a Blasting Permit.
- 8.2 No permit shall be issued under the provisions of the bylaw unless and until the applicant provides proof of the above insurance requirement in the form of a Certificate of Insurance issued to the City.

PART 9: Offences and Penalties

- 9.0 Every person or persons who contravenes, violates or fails to comply with any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of violation of this bylaw, or who fails to do anything required by this bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000.00 [and not less than the fines prescribed in the City's Ticketing for Bylaw Offences Bylaw], the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* (British Columbia) or the *Offence Act* (British Columbia) as amended from time to time.

Each violation against this bylaw shall be deemed to be a separate and distinct offence, and, where the offence is a continuing one, each day that the offence is continued constitutes a separate offence.

PART 10: Miscellaneous

- 10.0** Schedules 'A' and 'B' attached hereto, form part of this bylaw.
- 10.1** Council may, by bylaw adopted following a public meeting respecting the matter, suspend or prohibit the application of any section(s) of this bylaw within an area of the City for a period of time specified in such bylaw as outlined in Schedule 'C'.
- 10.2** Nothing in this bylaw precludes or relieves a person from complying with the provisions of any other applicable local government, provincial or federal enactment.
- 10.3** The headings contained in this bylaw are for convenience only and are not be construed as defining, or in any way limiting, the scope or the intent of the provisions of this bylaw.

PART 11: Severability

- 11.0** If any section, subsection, paragraph, clause, phrase or word within this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

PART 12: Repeal

- 12.0** The Blasting Regulation Bylaw No. 1874, 1990, is hereby repealed.

READ THE FIRST TIME this 4th day of March, 2014

READ THE SECOND TIME this 4th day of March, 2014

READ THE THIRD TIME this 18th day of March, 2014

ADOPTED this 1st day of April, 2014

Signed by the Mayor and City Clerk this 11th day of April, 2014

Original signed by:

P.F. Wipper

CITY CLERK

Walter Jakeway

MAYOR

Schedule "A"

Application for Blasting Permit

1.0 I, _____, of _____
(Print full name of owner) (City, Town, BC)

am the registered owner of the following property(s):

Civic Address: _____

Legal Description: _____

hereby authorize: _____
(print full name of Owner's Agent)

of: _____
(Name of Blasting Company)

to make application to carry out Blasting operations on the above noted property(s) subject to the provisions of the City of Campbell River Blasting Regulations Bylaw No. 3545, 2014.

- 2.0** I, the Applicant;
- a. hold a valid and subsisting WorkSafeBC Blasters Certificate and make application for a Blasting permit;
 - b. certify that the person employed by me to conduct or direct such Blasting operations is the holder of valid and subsisting WorkSafeBC Blasters Certificate;
 - c. agree to conform to all requirements of Blasting Regulation Bylaw No. 3545, 2014, and other applicable bylaws;
 - d. assume all risks incidental to Blasting and agree to indemnify and save harmless the City of Campbell River and it's officials, agents and representatives from legal actions or claims of any kind or description brought against the City for, or on account of, any injury or damage to person or property received or sustained on account of Blasting operations or other work carried out under this permit.

- 3.0** The purpose of the Blasting is
- Road and/or utilities
 - Building Construction
 - Driveway or parking area
 - Utility connections
 - Power/telephone pole
 - Other: _____

Schedule 'A' Continued

4.0 It is expected that the Blasting will start on _____ (date)
 and finish on _____ (date)

- 5.0** The following documentation is provided in support of this application:
- a. Certificate of insurance or a Certified copy of a Policy of Insurance meeting the requirements of Blasting Regulation Bylaw No. 3545, 2014. The expiry date of the attached insurance policy is: _____
 - b. \$150.00 Application Fee
 - c. control measures/ Blasting plan
 - d. pre-blast report which includes a plan showing the subject property(s) and those property(s) requiring notification as prescribed by Bylaw No. 3545, 2014
 - e. A report on noise control
 - f. Report from a Professional Engineer (where required)

6.0 The above information is certified to be correct:

Owner's Signature	Applicant's Signature
Date	Date
Owner's Mailing Address	Applicant's Mailing Address
Owner's Telephone #	Applicant's Telephone #
Owner's Cellular Phone #	Applicant's Cellular Phone #
Owner's Email Address	Applicant's Email Address

_____ For Office Use _____

Date Received: _____ Received by: _____

Schedule 'B' Blasting Permit

Blasting Permit No.: _____ Expiry Date: _____ Extended to: _____ <div style="text-align: right; margin-top: 5px;">(Date)</div>

This permit authorizes: _____
(Full name of Blaster)

of _____
(Name of Blasting Company)

to blast on those lands at: _____
(Civic Address)

legally described as: _____
(Legal Description)

for a period of not more than ninety (90) calendar days, after the date of issuance of this permit, subject to the following requirements:

- 1.0** Blasting must be carried out in compliance with the details of the application and the provisions of the Occupational and Safety regulations made under the *Workers Compensation Act* (British Columbia) relating to Blasting operations and the City of Campbell River's Blasting Regulations Bylaw No. 3545, 2014.
- 2.0** Blasting must only take place between the hours of 8:00 am and 4:30 pm, Monday to Saturday, excluding any statutory holidays.
- 3.0** Notice must be given to owners and occupants at any buildings or dwellings located within 100 meters of the Blasting at least 48 hours prior to Blasting.
- 4.0** Notice must be given to the senior administrator of any school or hospital located within 300 meters of the blasting at least two hours prior to each actual Blast, stating the approximate time of the blast.
- 5.0** Precautions must be taken to prevent injury to any person, building, property or utility before Blasting takes place.
- 6.0** The permit holder must take steps to suppress dust which may occur as a result of Blasting or equipment used to prepare Blasting.
- 7.0** 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.

This permit does not free the holder from responsibility caused while blasting and subject to cancellation if a violation occurs.

Date of Issuance: _____ Approved by: _____
(City Manager or Designate)

Date of Extension: _____ Approved by: _____
(City Manager or Designate)

Schedule 'C'

Applications of the following section(s) of Blasting Regulations Bylaw No. 3545, 2014 are suspended as noted:

Bylaw Section	Description
3.1 (a)	John Hart Generation Station Replacement Project located at 10 John Hart Road which is legally described as District Lot 1124, Sayward District, for the period of July 15, 2014 to October 1, 2018 to permit blasting 24 hours per day, 7 days per week.



City of
**Campbell
River**

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