



DISTRICT OF NORTH SAANICH

BYLAW NO. 1440

A BYLAW TO REGULATE BLASTING OPERATIONS IN THE DISTRICT OF NORTH SAANICH

THE COUNCIL OF THE DISTRICT OF NORTH SAANICH, in open meeting assembled, enacts as follows:

CITATION

1. This Bylaw may be known and cited for all purposes as the "District of North Saanich Blasting Bylaw, No. 1440, 2018".

DEFINITIONS

2. In this bylaw:

"**Blaster**" means a person certified to undertake blasting operations in the Province of British Columbia;

"**Blasting Operation**" means the detonation of explosives and operation of drills, compressors or other equipment used to prepare land for blasting;

"**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;

"**Director**" means the District Director of Infrastructure Services or their designate;

"**Inspector**" means any of the following employees of the District of North Saanich:

- (a) the District's Director of Infrastructure Services or their designate;
- (b) the District's Director of Planning and Community Services or their designate; and
- (c) a Bylaw Officer.

"**Permit**" means a blasting permit, as described in this bylaw.

BLASTING PERMITS

3. A person shall not blast or carry on blasting operations:
 - a) without first having obtained a blasting Permit from the Director;
 - b) at any time except between the hours of 08:00 am and 5:00 pm on each day except Sunday or a Statutory Holiday; and

- c) that is inconsistent with any description, plans, specifications or other information supplied to the Director in support of the application for the blasting Permit.
4. A Blaster shall make an application for blasting Permit and shall submit the following with the application:
- a) Site plan identifying the area to be blasted;
 - b) Proof of a valid blasting ticket for WorkSafeBC or other agency legally authorized to regulate Blasters;
 - c) Provide a current WorkSafeBC clearance letter confirming the Blaster has active and in good standing coverage;
 - d) Provide satisfactory evidence, with an insurance company authorized to carry on business in British Columbia, of 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
 - i that the said insurance may not be cancelled, lapsed or materially changed without the insurer giving 15 days written notice of cancellation to the Inspector; and
 - ii such insurance requires a pre-blast survey to be carried out of buildings in the vicinity of the blast;
 - e) a fee of \$30.00.
5. The Director may prescribe the form of the application and the Permit.
6. The Permit expires and the right of the Permit holder under the Permit is terminated 30 days after the date the Permit is issued.
7. The Permit shall be deemed invalid if the insurance provided under section 4 d) has expired and the Permit holder has not submitted a new Certificate of Insurance for the remainder of the term of the Permit.

INSPECTIONS

8. A person shall not interfere with or obstruct the Inspector in the conduct or administration and enforcement of this bylaw.
9. The Inspector:
- a) may place conditions on the Permit as they deem appropriate;
 - b) may enter onto any site or premises at any reasonable time for the purpose of administering or enforcing this bylaw;
 - c) 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;

- d) 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.

OFFENCE

10. A person shall not do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
11. A person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or who does any act which violates any of the provisions of this bylaw, is guilty of an offence against this bylaw and liable to the penalties hereby imposed.
12. Each day that a violation continues to exist shall constitute a separate offence.
13. A 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 \$500.00 and not more than \$10,000.00 for each offence.
14. Nothing contained or permitted in this Bylaw shall release or relieve any person of any obligation under any applicable provincial or federal act or regulation with regard to Blasting Operations.
15. The penalties imposed under Section 13 of this bylaw, shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw.

REPEAL

16. Bylaw No. 40 "Blasting By-law, (1967)" and its amendments are repealed.

READ A FIRST TIME the 16th day of April, 2018.

READ A SECOND TIME the 16th day of April, 2018.

READ A THIRD TIME the 16th day of April, 2018.

FINALLY ADOPTED the 7th day of May, 2018.



MAYOR



CORPORATE OFFICER

