



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

“Blasting Bylaw, 1954, No. 2287”

CONSOLIDATED FOR CONVENIENCE – AUGUST 21, 1969

Amendment Bylaw, 1960, No. 2900	April 19, 1960
Amendment Bylaw, 1961, No. 3043	August 8, 1961
Amendment Bylaw, 1969, No. 4088	August 21, 1969

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 2287

A Bylaw for regulating and prohibiting blasting within the limits of the City of North Vancouver.

THE MAYOR AND COUNCIL of the City of North Vancouver, in open meeting assembled, enact as follows:

1. In the construction and for the purpose of this Bylaw the following words and terms shall have the meanings hereby assigned to them unless repugnant to the context thereof:
 - (a) The word "blast" or "blasting" shall mean the lighting, igniting, firing, or discharging of gunpowder, stumping powder, dynamite, guncotton, 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;
 - (b) "Danger zone" shall mean any area in the City within which there is possible danger to any person or persons or property of whatsoever kind on account of or in any way due to blasting;
 - (c) "Superintendent of Works" shall mean the Superintendent of Works of the City of North Vancouver.
2. No person shall do or carry on any blasting within the limits of the City of North Vancouver unless such person shall have first obtained a blasting permit so to do as hereinafter provided.
3. Any person desiring to carry on blasting within the City shall make application in writing to the Superintendent of Works for a blasting permit and no person who is unable to speak and understand the English language or who is unable to prove to the satisfaction of the Superintendent of Works his ability to use explosives in a prudent, safe, and intelligent manner, shall be granted a blasting permit.
4. No blasting permit shall be issued until the applicant therefore shall deposit with the Clerk of the City evidence of public liability insurance in a form acceptable to the said Clerk providing protection in the following limits of liability:
 - (a) For bodily injury:
 - \$50,000.00 one (1) person;
 - \$100,000.00 one (1) accident;
 - (b) For damage to property:
 - \$25,000.00 any one (1) accident;

Provided that in the case of a Public Utility Company it shall be sufficient for the purpose of this Bylaw if, in lieu of depositing evidence of such public liability insurance with the Clerk of the City, such Company may enter into an agreement with the City in writing in a form satisfactory to the Clerk of the City, whereby it undertakes to indemnify and save harmless the City from and against any claim for injury or damage to persons or property

and legal costs caused by blasting operations conducted by such Company. *[Bylaw 3043, August 8, 1961]*

5. The Superintendent of Works shall have the power at any time to cancel or suspend any permit if, in the opinion of the Superintendent of Works such blasting operations are carried on thereunder in an incompetent, dangerous, negligent, or unsafe manner, by giving written notice thereof to the holder of such permit by registered post, or by delivery to him in person, and such permit shall thereupon be immediately cancelled and the holder thereof shall immediately return the same to the Superintendent of Works; and no person whose blasting permit has been cancelled or suspended shall engage in or carry on blasting within the City.
6. No person shall carry on blasting in the City at any time during the period from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise and at any time when atmospheric conditions prevent a clear observation for a distance of not less than three hundred (300) feet from the point where the blasting is to be carried on except by special permission of the Superintendent of Works.
7. 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 personal supervision of a competent person possessing sufficient experience and skill in the use of explosives and duly authorized by the City as hereinafter provided;
 - (b) No person shall carry on blasting in dangerous proximity to any other person building, or property, or works of any underground public utility, liable to suffer injury from such blasting without first having taken the utmost precautions to prevent injury to such person, building, or property;
 - (c) A red flag, at least eighteen inches by eighteen inches in size, fastened to a staff six feet in height, shall be hoisted in plain view as a danger signal at each intersecting street or lane in the vicinity where such blasting operations are about to be carried on and such flag shall be immediately lowered as soon as all blasts set shall have been discharged;
 - (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 net or some material or device sufficient to prevent debris or other substance from flying around the area in question and until every precaution has been taken to adequately safeguard life and property;
 - (e) The blaster, after igniting any charges and after the safety period has elapsed, shall minutely examine the site of all charges and shall either detonate or remove all explosives which have failed to fire. *[Bylaw 2900, April 19, 1960]*
8. The person in charge of such blasting, prior to any blasts being set off or discharged, adjacent to any street where persons or vehicles may be, shall give effective warning, and sufficient time shall be given to enable such persons or vehicles to move to a safe distance from such blasting, and such person shall immediately, and before such blast is fired, give a further final warning shout of "fire" three times at intervals of fifteen seconds, in aloud

and distant manner, and as soon as the blast has been exploded shall shout "all over" and shall then signal the traffic to proceed over such street or roadway.

9. When blasting is being carried on, the person carrying on such blasting shall provide at least two competent assistants and as many additional competent 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 guard all persons and vehicles from approaching within the danger zone of such blasting.
10. No person shall carry on blasting within a radius of one thousand feet of any school building during school hours or of any hospital until the Administrator or the person in charge thereof shall have been notified and his consent shall have been obtained.
11. No person shall discharge more blasts at any one time than can safely be attended to, and in no case shall more than ten blasts be set off or discharged at any one time, and at least twenty minutes shall intervene between each series of blasts, except in special cases where special permission of the Superintendent of Works shall be granted to do so.
12. No person shall fire any blasts by any fuse less than thirty inches in length, and where electrical apparatus is used, such apparatus shall be kept in perfect order and thoroughly inspected after each operation, and all wiring connected therewith shall be properly and adequately insulated and immediately disconnected from the firing device after such blast shall have been exploded. It shall be unlawful for any person to connect any firing wire to any battery used in connection therewith until everything connected with the blasting operation is in readiness and all clear.
13. All explosive material, caps, detonators) and firing apparatus of whatsoever kind used in blasting shall be securely stored at all times by the person in charge of the blasting in a suitable structure or magazine, and no explosive material, caps, fuses, detonators, or firing apparatus shall be exposed to the public or left lying on premises except in any manner hereinbefore provided. Separate or additional receptacles must be used for storage of caps inside such structure or magazine.
14. Before blasting upon any property adjacent to any fire alarm, electric light or telephone poles, police alarm) high voltage or trolley wires, the person to whom the blasting permit has been issued shall give at least twenty-four hours' notice in writing to the owner thereof, setting out the time and the exact location where such blasting will be carried on, and the holder of such blasting permit shall safe-guard such fire alarm, electric light or telephone poles, police alarm, high voltage or trolley wires, from injury or damage from such blasting.
15. Subject as hereinbefore provided, permits for blasting issued pursuant to the provisions of this Bylaw shall terminate on the date specified in such permit; and no permit shall be issued for a longer period than ten days from the date thereof.
16. Bylaw No. 9, being "A Bylaw to Regulate the use of Explosives in blasting work within the City of North Vancouver" is hereby repealed.
17. Every 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, or 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 constitutes a violation of any of

the provisions of this Bylaw shall be deemed to be guilty of an infraction hereof and liable to the penalties hereby imposed.

18. Any person, persons or corporation, guilty of any infraction of any of the provisions of this Bylaw shall, upon summary conviction therefor before a Police Magistrate or any Justice or Justices of the Peace having jurisdiction, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Police Magistrate, Justice or Justices of the Peace convicting, a penalty not exceeding the sum of Two Hundred, Fifty (\$250.00.) Dollars and costs for each and every offence, and in default of payment thereof, it shall be lawful for the Police Magistrate, Justice or Justices of the Peace convicting, as aforesaid, to issue a warrant under his hand and seal, or in case any two or more of them acting together therein, then under the hand and seal of any one of them cause any penalty and costs, or part of the penalty and costs to be levied, by distress and sale of the offender's goods and chattels, and in case of no distress or insufficient distress to satisfy the said penalty and costs or penalty or costs, it shall be lawful for the Police Magistrate, Justice or Justices of the Peace convicting as aforesaid or any of them, to commit the offender or offenders to imprisonment, for a period not exceeding thirty (30) days, unless said penalty and costs, or penalty or costs be sooner paid. *[Bylaw 4088, August 21, 1969]*
19. This Bylaw shall come into force and take effect from and after the date of the passing hereof.
20. This Bylaw may be cited as the **“Blasting Bylaw, 1954, No. 2287”**.

PASSED by a three-fourth's majority of all the members of the Council on the 7th day of Sept. A. D. 1954.

RECONSIDERED and finally adopted by a three-fourth's majority of all the members of the Council, signed by the Mayor and the City Clerk and sealed with the Corporate Seal on the 20th day of Sept. A. D. 1954.

C. W. Cates, Mayor

R.C. Gibbs, City Clerk

Registered with the Land Registry Office, Vancouver, B. C. on September 27, 1954.