



DISTRICT OF SOOKE BLASTING REGULATION BYLAW No. 72

CONSOLIDATED FOR REFERENCE JULY 11, 2022

BYLAW NO. 72, *BLASTING REGULATION BYLAW, 2001*
BYLAW NO. 685, *BLASTING REGULATION AMENDMENT BYLAW, (72-1)*
BLASTING REGULATION AMENDMENT BYLAW NO. 755 (72-2), 2019
BLASTING REGULATION AMENDMENT BYLAW NO. 798 (72-3), 2020
BLASTING REGULATION AMENDMENT BYLAW NO. 848 (72-4), 2022

THIS BYLAW IS PROVIDED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE RELIED UPON IN MAKING FINANCIAL OR OTHER COMMITMENTS. COPIES OF THE ORIGINAL BYLAW AND AMENDMENTS MAY BE VIEWED AT THE DISTRICT OF SOOKE MUNICIPAL HALL.

A bylaw to regulate the use of explosive agents for blasting and persons engaged in blasting.

Under section 728 of the *Local Government Act* Council, by bylaw, may regulate or prohibit the use of any explosive agent for blasting, regulate persons engaged in blasting and require persons engaged in blasting to give security for damage to persons who, or whose property, may be injured by it.

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This Bylaw is cited as the *Blasting Regulation Bylaw, 2001*.

Blasting Permits

2. No person may blast, carry on blasting operations, or use any explosive agent within the District of Sooke without first obtaining a blasting permit. *[amended by Bylaw No. 798 (72-3), 2020]*
3. To apply for a blasting permit, a person must submit a blasting permit application in the form prescribed by the Director Operations and the prescribed fee set out in the "District's Fees and Charges Bylaw". *[amended by Bylaw No. 798 (72-3), 2020 and previously by Bylaw No. 755 (72-2), 2019]*
4. An applicant for a blasting permit must hold a valid Provincial Blasting Certificate.

5. An applicant for a blasting permit must provide proof of liability insurance for the term of the permit with a minimum coverage of \$2,000,000 per occurrence and naming the District of Sooke as an additional insured.
6. Where blasting is required for excavation for the construction of a building, a holder of a blasting permit must first obtain a building permit for the proposed building.
7. A permit expires and the right of the permit holder under the permit is terminated one year after the date the permit is issued.
8. A permit is deemed invalid if the insurance provided under section 5 has expired and the permit holder has not submitted a new Certificate of Insurance for the remainder of the term of the permit.

Blasting Regulations and Safety

9. A person may only blast, carry on blasting operations, use an explosive agent, or operate drills, compressors or other equipment used to prepare land for blasting, during the times specified in section 3.2(g) of the Noise Control Bylaw.
10. No person may blast, carry on blasting, or use an explosive agent without giving notice at least 24 hours before the blasting commences to
 - (a) owners and occupants of any building within a radius of 100 m of the blasting site;
 - (b) the School District, Principal or person in charge of a school within a radius of 300 m of the blasting site; and
 - (c) the District of Sooke in writing, including the site location and site contact information.
11. No person may blast, carry on blasting operations, use an explosive agent, or operate drills, compressors or other equipment used to prepare land for blasting, unless steps have been taken to suppress dust which may occur as a result of the activity.
12. No person may blast, carry on blasting or operate or use an explosive agent in dangerous proximity to any person, building or property, or the works of any underground utility liable to suffer injury from blasting unless and until precautions have been taken to prevent injury to any person, building, property or utility.

Offences and Penalties

13. Enforcement Officers, offences, and fines are as designated by the Municipal Ticketing Information Bylaw.
14. This bylaw may be enforced by means of a ticket in the form prescribed for the purpose of s. 264 of the Community Charter.
15. Any person who contravenes this bylaw commits an offence and on summary conviction by a court of competent jurisdiction, is subject to a fine of not more than \$50,000.00, in addition to the costs of prosecution. Each day during which a violation, contravention, or breach of this bylaw continues is deemed to be a separate offence.

Introduced and read a first time the 10th day of December 2001.

Read a second time the 10th day of December 2001.

Read a third time the 10th day of December 2001.

Third reading rescinded the 28th day of January 2002.

Read a third time as amended the 28th day of January 2002.

Adopted on the 11th day of February 2002.

Original Signed by:

"Ed Macgregor"

Ed Macgregor
Mayor

"Tom Day"

Tom Day
Chief Administrative Officer