

CHAPTER 185

BLASTING

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185.01 PURPOSE AND SCOPE.

The purpose of these blasting regulations is to provide for the health, safety, and welfare of the general public during the use of explosives for blasting during excavation, mining, quarrying, drilling or any other reason.

185.02 GENERAL PROVISIONS.

Every person using explosives within Bainbridge Township shall comply with the regulations herein established and in addition, with the provisions of the applicable state and federal as well as the Fire Prevention Code of the National Board of Fire Underwriters in the use of such explosives including their storage, transportation and safety practices. All such persons shall use every reasonable precaution to provide for the safety of all employees on the job and such other persons who may be regularly entitled to be upon or near the explosive site as well as to provide for the safety of the general public. Every employee shall observe the provisions hereof and no person shall use explosives for blasting purposes in a manner contrary to the provisions of this resolution.

185.03 PERMIT REQUIRED.

- (a) No person, firm or corporation acting as a contractor or blaster shall use and detonate explosives unless in possession of a valid zoning permit to use explosives for blasting purposes and unless the requirements of this chapter have been observed and every reasonable precaution, including compliance with the Ohio Revised Code, and the NFPA (National Fire Protection Association) explosive material code current edition, is taken, to prevent accidents and damage to property or unreasonable disturbance. The blaster, the owner, the lessee, a contractor and a sub-contractor whose work involves the use of explosives shall comply with these rules and regulations and none shall be saved harmless herefrom because of errors of the other.

- (b) Such zoning permit shall be obtained from the Bainbridge Township Zoning Inspector and shall be issued at least ten days in advance of the commencement of blasting operations. This permit shall be valid for twenty-one (21) days from date of issuance.
- (c) After the issuance of such permit, the applicant shall file a "NOTICE OF INTENTION TO BLAST" with the Bainbridge Township Zoning Inspector, Police and Fire Departments seven days prior to the commencement of such operations.
- (d) Application.

The application for a permit shall contain the following data:

- (1) Name, address, age, occupation, business address of the applicant.
- (2) Description of the dangerous ordnance for which a permit is requested.
- (3) Description and address or addresses of the place or places where, and the manner in which, the dangerous ordnance is to be kept, carried and used.
- (4) A statement of the purpose for which the dangerous ordnance is to be acquired, possessed, carried and used.
- (5) The name of the certified seismologist required in 185.04(a).
- (6) Such other information that the Zoning Inspector, Fire Chief, Police Chief, Trustees, might request.
- (7) Upon investigation, the Zoning Inspector shall not issue a permit unless all of the following requirements are met:
 - a. The applicant is not otherwise prohibited by law from acquiring, having, carrying or using dangerous ordnance;
 - b. The applicant is age twenty-one (21) or over and the application is for explosives only;
 - c. The applicant clearly demonstrates sufficient competence to safely acquire, possess, carry or use the dangerous ordnance and provides that proper precautions will be taken to protect the security of the dangerous ordnance and insures the safety of persons and property;
 - d. The applicant attests that the dangerous ordnance will be lawfully acquired, possessed, carried, and used by the applicant for a legitimate purpose.
 - e. The applicant has submitted and completed an application satisfactory to the Zoning Inspector.

185.04 SEISMOLOGIST REQUIREMENTS.

- (a) The blaster or contractor shall provide a certified seismologist. No person, firm or corporation shall detonate explosives within the boundaries of Bainbridge Township without arranging and having present the certified seismologist and Zoning Inspector at each and every blast to record the same.
- (b) The certified seismologist shall record the following data:
 - (1) Identification of instrument used;
 - (2) Name of seismologist and zoning inspector;
 - (3) Name of interpreter;
 - (4) Distance of recording station from area of detonation;
 - (5) Recording station or location in structure;
 - (6) Maximum amplitudes for all components measured;
 - (7) Frequency of ground motion in cycles per second, if applicable;
 - (8) Maximum particle velocity for all components measured.
- (c) Written notice of the exact time and place of the use of explosives shall be given to the Zoning Inspector, certified seismologist, Police Department, Fire Department and State Fire Marshal's office, at least forty eight hours prior to detonation. It will be the duty of the certified seismologist to attend all such detonations on the date and the time and place, when requested and to notify the applicant of any alternative date and time in the event of rescheduling. The seismologist shall issue written reports on each and every blasting event to the Zoning Inspector, and comment upon compliance with regulations and standards herein established.
- (d) The applicant shall notify the property owners and or residents, within a radius of 600 feet, in writing, at least 48 hours prior to time and date of blast. The Applicant shall notify all utilities involved and forward copies of all notifications to the Zoning Inspector.

185.05 ALLOWABLE LIMITS; STANDARDS ESTABLISHED.

- (a) Blasting operations shall be conducted so that ground vibrations, measured at the nearest structure or building, do not exceed a peak particle velocity of two inches per second or its equivalent on any of the three mutually perpendicular planes of motion, i.e. vertical, longitudinal or transverse, and so that air blast over pressures do not exceed 130db peak linear. No blasting operation will be permitted within 150' of any building or structure used for occupancy by persons. Such measurement from the nearest structure or building, as described above, shall not apply to quarries or to the blasting of contractor-owned structures whether owned or leased, or high tension lines and the supporting towers and appurtenances.

- (b) If blasting is done in a congested area or in close proximity to a building or structure, the blast shall be covered before firing with a mat constructed so that it is capable of preventing debris from being thrown into the air.
- (c) Blasting operations must be non-damaging to structures, persons or property.
- (d) A record of the seismic wave pattern shall be kept by the certified seismologist for a minimum of three years after project completion, and the same shall be filed in the permanent records of Bainbridge Township.
- (e) No blasting will be permitted unless the seismologist and Zoning Inspector are present.
- (f) When the characteristics on environment of any specific blasting event have been determined to be extraordinarily hazardous by the Zoning Inspector, additional safety precautions may be required. The Applicant shall be advised of the nature of such extraordinary hazard and instructed as to what specific additional safety precautions are required.

185.06 LOG REQUIRED.

A record of each explosive event shall be kept by the contractor or blaster upon forms furnished by the Applicant, a copy of which shall be filed with the Zoning Inspector, which shall include the following:

- (a) Name of company;
- (b) Blast location;
- (c) Date and time of blast;
- (d) Number of holes, diameter of holes, depth of holes spacings and burdens, delay intervals, total weight of explosives, maximum weight of explosives fired per day.
- (e) Distance and direction to nearest structure neither owned or leased by person, firm or corporation conducting blastings except high-tension lines supporting towers or appurtenances;
- (f) Weather conditions.

A log shall be filed with the Zoning Inspector, on the next business day after the final blasting event, of each day blasting occurs.

185.07 INSURANCE PROTECTION.

Any person or firm or corporation who desires to conduct blasting operations within Bainbridge Township shall post an effective certificate of Public liability insurance with an accredited company authorized to do business in the State of Ohio in the amount of at least \$1,000,000.00 which policy shall protect such person, firm or corporation, Bainbridge Township, its residents and the general public from any and all claims, damages and demands arising from each blasting operation.

185.08 PENALTIES.

In the event any permittee violates the safety standards as herein established on two or more occasions, as reported by the seismologist or Zoning Inspector, the Zoning Inspector shall have the authority to refuse to issue any future permits to such permittee or licensee and to pursue injunctive remedies, if necessary, in order to correct continuing violations of such standards.