

BLASTING PERMIT APPLICATION
City of Harrisonville

Date: _____

Permit: _____

The Name and Address or Person(s) doing the Blasting: _____

Phone Numbers of Applicant: _____

Material Used in Blasting:

Type and Class of Explosive: _____

Amount of each Type: _____

Type of Detonators: _____

The following information must be submitted as part of the Blasting Permit Application:

1. A \$250.00 application fee.
2. A description of the property(s) where the blasting will occur.
3. If the applicant is a corporation, the state of incorporation.
4. A statement of whether the applicant, any subsidiary, affiliate or persons controlled by or under common control with the applicant, has ever held a blasting permit in any state or political subdivision that in the five-year period prior to the date of submission of the application has been suspended or revoked.
5. A description of the purpose for which the blasting is to be used.
6. A description of the land the applicant has the legal right to enter and commence blasting, and a statement of those documents upon which the applicant basis its legal right to enter and commence blasting on the area affected.
7. A restoration statement including an estimated schedule for the restoration of the permit area to its original state and topography.
8. Proof of sufficient comprehensive liability insurance as outlined in Section 150.100 of the Blasting Regulations.
9. Accurate maps of a scale not less than one inch to 200 feet clearly showing: (1) the land proposed to be affected, (2) the location of all structures within 500 feet of the permit area, and (3) all easements that cross the permit area.

The applicant acknowledges and agrees that the Blasting Regulations outlined in Chapter 150 of the Harrisonville Land Use Regulation have been read and will be complied with.

Applicants Signature: _____

Date: _____

Chapter 520. Blasting Regulations

Section 520.010. Title.

[Ord. No. 2761 §1(150.010), 3-19-2002]

This Chapter shall be known as the "Blasting Regulations" and may be cited as such and will be referred to in this Chapter as the "code".

Section 520.020. Severability.

[Ord. No. 2761 §1(150.020), 3-19-2002]

In any case where a provision of this code is found to be in conflict with a provision of any other ordinance or other legislation of the City existing on the effective date of this code, the provision which establishes the higher standard for the promotion and protection of the safety, welfare and health of the people shall prevail. If any part of this Chapter should be declared invalid for any reason, such decisions shall not affect the remaining portions of this code.

Section 520.030. General Provisions.

[Ord. No. 2761 §1(150.030), 3-19-2002]

A.

Blasting will be permitted in accordance to these blasting regulations. Blasting shall be done only by people experienced in the handling of explosives and in accordance with the recommendations of the AGC Manual of Accident Prevention in Construction and OSHA regulations. In locations where flying rock may be present, additional overburden shall be ready for use and/or in place before denotation. All trenching operations utilizing explosives shall be suitably backfilled to prevent any fly rock endangerment to persons or property. The use of these procedures does not relieve the contractor of responsibility for damage to life and property but acts only as an added assurance to the owner that damage will not occur.

B.

The Public Works Department and Fire Department will be the authority regarding the storage, handling, use and control of explosives used in construction projects.

C.

The requirements of the current Fire Code regarding explosives and blasting agents, as adopted by the City of Harrisonville, shall be considered part of these blasting regulations.

D.

The contractor shall be responsible for all damage caused by the blasting operations and shall be responsible for responding to all complaints. Suitable methods shall be employed to confine all materials lifted by blasting within the limits of the excavation or trench. All rock, which cannot be handled and compacted as earth, shall be kept separate from other excavated materials and shall not be mixed with backfill or embankment materials except as specified or directed.

E.

The handling and use of explosives shall conform to the regulations of the Federal Bureau of Alcohol, Tobacco and Firearms and the Department of Transportation.

F.

NFPA 495, ATF Publication 5400.7 and DOT CFR 49 may be used as references in enforcing these regulations.

Section 520.040. Definitions.

[Ord. No. 2761 §1(150.040), 3-9-2002]

Any word or phrase, which is defined in this Section, shall have the meaning assigned to it by the Section whenever the word or phrase is used in these blasting regulations.

EXPLOSIVE

Any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion.

LICENSING OFFICER(S)

The employee(s) of the City of Harrisonville designated by the Board of Aldermen to perform the duties provided for herein.

PERMIT AREA

The land the permittee has rights under law to occupy and use and upon which blasting is to be done.

PERMITTEE

Any person, as herein defined, who shall apply for and obtain a permit under the terms of this Chapter and in accordance therewith.

PERSON

Any natural person, firm, partnership, co-partnership, corporation, company, association, joint stock association and/or their lessees, duly constituted trustees or receivers, heirs, administrators or assigns.

SCALED DISTANCE

The actual distance in feet divided by the square root of the maximum explosive weight in pounds that is detonated per delay.

STRUCTURE

Any permanent, manmade building or other constructed object of significant value or importance including, but not limited to, any dwelling, building, office, school, church, bridge, culvert, dam, tower, utility, roadway, etc.

Section 520.050. Permits Required.

[Ord. No. 2761 §1(150.050), 3-19-2002]

A.

No person shall do or cause to be done any blasting within the City limits without first obtaining a permit therefore from the City. Such permit shall be subject to all the provisions of this Chapter and the current Fire Code as adopted by the City of Harrisonville.

B.

Persons applying for a permit shall submit the following information: location of blasts, purpose of blasting, size of blasts, locations of nearest structures, certificate of insurance and duration of the blasting activities. The fee for blasting permits is two hundred fifty dollars (\$250.00) plus actual ancillary costs incurred by the City of Harrisonville.

[Ord. No. 3503, 8-3-2020]

C.

The Licensing Officer is authorized to deny a permit request if it is determined from the information provided that the issuance of a permit would result in a high probability of property damage.

D.

In the event a permit request is denied by the Licensing Officer, the applicant may, within two (2) weeks following the denial, file an appeal to the Board of Aldermen.

E.

The State of Missouri, the United States Government and the military are exempt from these blasting regulations.

Section 520.060. Permits — Time Limit.

[Ord. No. 2761 §1(150.060), 3-19-2002]

All permits issued pursuant to the requirements of the ordinance shall be issued for a term not to exceed sixty (60) days. Provided, that if the Licensing Officers shall determine that the purpose for which the permit is to be issued can be fulfilled in a term less than sixty (60) days, the Licensing Officers shall specify the duration of the permit the Licensing Officers and the permittee have determined to be sufficient to fulfill the purpose for which the permit is issued.

Section 520.070. Permits — Renewal.

[Ord. No. 2761 §1(150.070), 3-19-2002]

The holder(s) of the permit may apply for renewal by notifying the Licensing Officers prior to expiration. Such renewal shall be issued provided the applicant seeking renewal has met the requirements and conditions of this Chapter. Notification shall specify any changes to the original permit application.

Section 520.080. Permits — Waivers.

[Ord. No. 2761 §1(150.080), 3-19-2002]

A.

The maximum peak particle velocity allowed is one and one-half (1.5) ips (inches per second). Applicants requesting to exceed this velocity may apply to the Board of Aldermen for a determination as to whether such a waiver would be in the public's best interest.

B.

The permittee shall submit a pre-blast design to the Licensing Officers at least ten (10) days prior to the Board of Aldermen meeting. Said pre-blast design shall include sketches of the proposed types of blasts, directions, drill patterns, delays, types and amounts of explosives to be used, critical dimensions and the locations and general conditions of structures to be protected. Such pre-blast design shall also include:

1.

The intended maximum peak particle velocity and minimum scaled distance, where applicable, for such blasts; and

2.

The dates and time periods of such blasts; and

3.

Pre-blast surveys of structures within three hundred (300) feet of the blast area. The pre-blast surveys shall be performed by a registered engineer.

C.

Waivers may be granted by the Board of Aldermen if the Board finds evidence to support all the following criteria:

1.

The applicant has taken the necessary precautions to protect property from damage and persons from injury; and

2.

The granting of the waiver will not be detrimental to the public welfare or injurious to other property or improvements in the areas to be affected by the proposed blast; and

3.

The applicant will suffer an unusual hardship unless a waiver is granted.

Section 520.090. Application Requirements.

[Ord. No. 2761(21-02) §1(150.090), 3-19-2002]

A.

Each application for a blasting permit shall be accompanied by a two hundred dollar (\$200.00) application fee.

B.

The permit application shall be submitted in a manner satisfactory to the Licensing Officer and shall contain:

1.

The name and address of the person doing the blasting; and

2.

A description of the property or plan showing the properties upon which the blasting is to be performed; and

3.

If the applicant is a corporation, the State of incorporation; and

4.

A statement of whether the applicant, any subsidiary, affiliate or persons controlled by or under common control with the applicant has ever held a blasting permit in any State or political subdivision that in the five (5) year period prior to the date of submission of the application has been suspended or revoked; and

5.

A description of the purpose for which the blasting permit is to be used; and

6.

A description of the land the applicant has the legal right to enter and commence blasting and a statement of those documents upon which the applicant bases its legal right to enter and commence blasting on the area affected; and

7.

Accurate maps of a scale of not less than one (1) inch to two hundred (200) feet clearly showing:

a.

The land proposed to be affected during period of the permit including all boundaries of the land to be affected; and

- b.
Location of the closest structures to the permit area in any direction for a distance of five hundred (500) feet; and
- c.
All easements of record, public and private, that cross the permit area; and
- 8.
A restoration statement to be approved by the Licensing Officer and including an estimated schedule for the restoration of the permit area to its original state and topography agreed upon by the Licensing Officer, permittee and property owner.

Section 520.100. Indemnity Bond Required.

[Ord. No. 2761 §1(150.100), 3-19-2002]

Before any permit referred to in this Blasting Code shall have been issued to do blasting, the applicant for such permit shall provide evidence of sufficient comprehensive general liability insurance to indemnify the City or its inhabitants against any damages arising from blasting; said liability insurance shall be provided by a responsible company licensed to do business in the State of Missouri and shall have a minimum coverage of one million dollars (\$1,000,000.00) per person, one million dollars (\$1,000,000.00) per occurrence, one million dollars (\$1,000,000.00) per property damage with an umbrella coverage of two million dollars (\$2,000,000.00). The insurance certificate, including a rider specifically covering the insured for doing blasting, shall be required with the permit application. In specific cases where blasting is being proposed within one thousand (1,000) feet of any dam, an additional rider for the endorsement of increased limits for a specific job shall be required at the sole discretion of the Licensing Officer.

Section 520.110. Overblasting.

[Ord. No. 2761 §1(150.110), 3-19-2002]

The requirements presented herein shall not relieve the contractor from the responsibility to avoid disturbing earth or rock beyond indicated and specified lines and levels.

Section 520.120. Notification.

[Ord. No. 2761 §1(150.120), 3-19-2002]

The contractor shall notify Missouri One-Call and the owner of all utilities within three hundred (300) feet of the blast area at least forty-eight (48) hours before blasting is to occur. A representative of the utilities shall be allowed to be present to observe preparations and blasting. The contractor shall give the Harrisonville Police Department and Licensing Officer twenty-four (24) hours' notice of the location and time of the blasting. The contractor shall also notify the Police Department immediately before blasting is to occur.

Section 520.130. Use of Explosives.

[Ord. No. 2761 §1(150.130), 3-19-2002]

A.

In all blasting operations, except as otherwise authorized in this Chapter, the maximum peak particle velocity shall not exceed one and one-half (1½) inches per second at the location of any structure. Peak particle velocities shall be measured in three (3) mutually perpendicular directions.

B.

The maximum peak particle velocity shall be the largest of any of these three (3) measurements and shall not apply at the following locations:

1.

At structures owned by the person conducting the blasting activity and not leased to another party; and

2.

At structures owned by the person conducting the blasting activity and leased to another party, if a written waiver by the lessee is submitted to the Licensing Officers prior to blasting.

C.

Fly rock, including blasted material traveling along the ground, shall not be cast from the permit area.

D.

Access to an area possibly subject to fly rock from blasting shall be regulated to protect the public and livestock. Access to the area shall be controlled to prevent the presence of unauthorized personnel during blasting until an authorized representative of the person conducting the blasting activity has reasonably determined:

1.

That unusual circumstances, such as imminent slides or undetonated charges, exist.

2.

That access to and travel in or through the area can be safely resumed.

E.

All blasting shall be conducted so as to prevent injury to persons and damage to public or private property outside the permit area.

F.

Before firing any blast all means of access to the danger zone, the extent of which shall be determined by the blaster but in no case closer to the explosion than the blaster himself/herself or three hundred (300) feet, whichever is more, shall be effectively guarded to exclude all unauthorized personnel. The blaster shall then sound a warning of sufficient intensity and duration to be distinctly audible to all persons within the danger zone and all such persons shall retire beyond the danger zone. The danger zone shall then be examined by the blaster to make certain that all persons have retired to a place of safety. No blast shall be fired while any person is in the danger zone.

G.

When the point of explosion is within three hundred (300) feet of a roadway, the blaster shall, just prior to the blast, designate a sufficient number of employees of the operator, each carrying a red warning flag, to stop all vehicular and pedestrian traffic on each route of travel within three hundred fifty (350) feet of the point of explosion until the blast has been fired.

H.

No person shall return to the danger zone until permitted to do so by the blaster as announced by audible or visual signal.

I.

Immediately following the blast, the area shall be examined by the blaster for evidence of misfired charges.

J.

A complete record shall be kept by the blaster showing the number of holes, the amount of explosive used per hole, amount of explosive used per delay, all misfires and method of disposal of misfires.

K.

All guidelines for the use, handling and transportation contained in the current Fire Code shall be adhered to, except where superseded by this Blasting Code.

L.

All blasting shall be carried out on weekdays between the hours of 8:30 A.M. and 4:30 P.M. No blasting will be allowed during holidays when the City of Harrisonville City Hall is closed.

M.

Blaster shall follow all State and Federal regulations concerning blasting operations.

N.

The permittee shall inform all utilities located within three hundred (300) feet of the blast area of the blasting operations, the times and dates.

O.

All blasting operations shall be conducted by experienced, trained and competent persons who understand the hazards involved.

P.

Explosives shall not be stored within the City limits of Harrisonville overnight.

Q.

The transportation of explosives shall conform to DOT, NFPA the Fire Code and ATF regulations.

Section 520.140. Use of Explosives Records of Blasting Operations.

[Ord. No. 2761 §1(150.140), 3-19-2002]

A.

A summary of the records of each blast including seismograph reports shall be submitted to the Licensing Officer at weekly intervals for blasts occurring during the previous week. The record shall contain the following data for each blast.

1.

Name of the permittee conducting the blast;

2.

Location, date and time of the blast;

3.

Testing locations;

4.
Direction and distance in feet from the blast to the monitoring device;
5.
The number of holes drilled;
6.
The maximum weight of explosives in pounds used in any hole;
7.
Maximum weight of explosives in pounds used per delay;
8.
Length of delay;
9.
The total weight of explosives in pounds used in the blast;
10.
Peak particle velocity at the testing location;
11.
Name of company and the person taking the seismograph reading; and
12.
Affidavit of company monitoring the blast, certifying the accuracy and truth of the reading obtained by the seismograph.

B.
Monitoring shall be performed by an independent firm, retained and compensated by permitted, who is responsible for submittal of the data directly to the City. The monitoring shall be performed by an engineering technician working under the direction of a registered professional engineer. Tabulated data (provided for in Section **520.090**) shall be submitted to the City at weekly intervals. The firm shall be responsible for notifying the City within one (1) hour of any blast exceeding the permitted values. Work shall be stopped and the City notified immediately if any blast exceeds two (2) ips.

C.
The Licensing Officer may suspend blast monitoring after the data from five (5) blasts is submitted if, at their determination, monitoring is not necessary to protect the public and when no individual blast exceeded one (1) ips. All blasts over one (1) ips must be continuously monitored. The Licensing Officer may reimpose the monitoring requirements at their sole discretion. The suspension of monitoring does not relieve the permittee from any other requirements of this Chapter. The permittee shall still be required to supply the data specified in Section **520.090**.

Section 520.150. Right of Inspection.

[Ord. No. 2761 §1(150.150), 3-19-2002]

A.
The Licensing Officers or any authorized City Official may at any reasonable time inspect premises, buildings and installations used for the storage of explosives or blasting agents or any premises on which blasting operations are being conducted for the purpose of determining whether provisions of this Chapter are being complied with.

B.

The Licensing Officers or any authorized City Official may during normal business hours enter and inspect the premises, including places of storage of the permittee, for the purpose of inspecting or examining any documents and records required to be kept by such person by law and any explosive and any explosive materials kept or stored by such person.

C.

Any person who shall hinder or obstruct the Licensing Officers or any City Official in the performance of their official duties shall be guilty of a violation of the provisions of this Chapter.

Section 520.160. Transfer, Assignment or Sale of Rights Granted Under Permit.

[Ord. No. 2761 §1(150.160), 3-19-2002]

No transfer, assignment or sale of rights granted under any permit issued pursuant to this Chapter shall be made without prior approval of the Licensing Officers.

Section 520.170. Penalties.

[Ord. No. 2761 §1(150.170), 3-19-2002]

Any permittee who violates any permit condition or who violates any other provision of this Chapter may be assessed a penalty and/or have their permit revoked and future permits refused. Such penalty shall not exceed five hundred dollars (\$500.00) and/or thirty (30) days' imprisonment for each violation. Each blast may be deemed a separate violation for purposes of penalty assessments. In determining the amount of the penalty, consideration shall be given to the permittee's history of previous violations, the seriousness of the violation, including any irreparable harm to the environment or property damage and any hazard to the health or safety of the public.

Section 520.180. Suspension or Revocation of Permit — Hearing, Notice.

[Ord. No. 2761 §1(150.180), 3-19-2002]

A.

The Licensing Officers shall have the power to suspend or revoke any permit granted under the terms and conditions of this Chapter for any of the following causes:

1.

Any fraud, misrepresentation or false statement contained in the application for permit or blast records; and

2.

Any violation of this Chapter.

B.

The City Administrator shall have the power to issue subpoenas and all necessary processes and to require the production of papers, to administer oaths and to take testimony and to make findings thereon and shall hold a public hearing in the event that such revocation or suspension is appealed.

C.

Notice of hearing for the suspension or revocation of a license shall be given, in writing, setting forth specific reasons for the suspension or revocation of the permit and the time and place of the hearing. Such notice shall be mailed to the permittee at its last known address at least ten (10) days prior to the date set for the hearing. In the alternative, such notice of hearing may be delivered to the permittee by personal service.

D.

Upon revocation or suspension, no refund of any portion of the license fee will be made to the permittee and the permittee shall cease all blasting operations.