



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



# Village of Lions Bay Blasting Bylaw No. 170, 1988

## Office Consolidation

This document is an office consolidation of Village of Lions Bay Blasting Bylaw No. 170, 1988 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Village of Lions Bay Blasting Bylaw No. 170, 1988, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: [admin@lionsbay.ca](mailto:admin@lionsbay.ca)

### List of Amending Bylaws

Bylaw No.	Section	Description	Adopted/In Force
465	3.1(5)	Amends section 5 text	September 2, 2014
497	5	Amends text	December 20, 2016 / January 1, 2017

VILLAGE OF LIONS BAY

BLASTING BYLAW NO. 170, 1988.

A Bylaw for regulating blasting within  
the limits of the Village of Lions Bay

WHEREAS Council deems it advisable to regulate blasting within  
the Village pursuant to the Municipal Act R.S.B.C. 1979, c. 290;

NOW THEREFORE, the Municipal Council of the Village of Lions  
Bay in open meeting assembled, HEREBY ENACTS as follows:

1. This Bylaw may be cited for all purposes as the "Village of  
Lions Bay Blasting Bylaw No. 170 , 1988".

2. In this Bylaw, the following words shall have the meanings  
hereby assigned to them:

"Blast" or "blasting" shall mean lighting, igniting, firing or  
discharging of gunpowder, stumping powder, dynamite, gun-cotton,  
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.

"Superintendent of Works" shall mean the person appointed to such  
position from time to time and shall include any person Council  
designates to act in his place.

3. No person shall do or carry on any blasting within the Village  
unless such person has first obtained a blasting permit pursuant to this  
bylaw.

4. Any person desiring to carry on blasting within the Village shall  
make application to the Superintendent of Works for a blasting permit.  
No permit shall be issued to a person unless he first produces a valid  
Blasting Certificate issued by the Workers ' Compensation Board and a  
report from an engineer experienced in geotechnical engineering  
certifying that the blasting may be safely carried out.

5. Fees for services that may be or are provided under this Bylaw  
shall be payable as set out in Fees Bylaw No. 497, 2016, as amended.

6. No permit for blasting shall be issued by the Superintendent of Works until the applicant has given to the Superintendent of Works security for damage to persons who, or whose property, may be injured by the blasting. This security shall be in the form of public liability and property damage insurance satisfactory to the Village, with minimum coverage of Three Million Dollars (\$ 3,000,000.00) inclusive for loss or damage in respect of injury or death of any person or persons and/or damage to property from any one accident or occurrence.

7. The person obtaining a blasting permit shall therein indemnify and save harmless the Village from any legal actions or claims of any kind and description whatsoever brought against th Village for or on account of any injury or damage to person or property, received or sustained by any person or persons, on account of work done under the blasting permit.

8. Where a blasting permit is for an excavation, no permit shall be issued unless the applicant has .first obtained valid building permit for the proposed construction.

9. The Superintendent of Works may refuse a permit if, in his opinion, the applicant is incapable of carrying on blasting in a safe, careful, competent and prudent manner.

10. The Superintendent of Works shall have the power at any time to cancel or suspend any blasting permit if such blasting operations are carried on thereunder in an incompetent, dangerous or unsafe manner, by giving verbal or written notice thereof to the holder of such permit. 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 in the Village.

11. A holder of a blasting permit may carry on blasting only on Monday to Friday inclusive between the hours of 8:00 a.m. to 4:00 p.m. and only when atmospheric or other conditions permit a clear observation at a distance of not less than 100 metres from the place where the blasting is to be carried on.

12. 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 supervision of a competent person possessing a valid Blasting Certificate issued by the Workers' Compensation Board and blasting permit issued by the Superintendent of Works;
- (b) no blasting shall be carried on in dangerous proximity to any person, building, or property, or the works of any underground public utility liable to suffer injury from blasting unless and until the utmost precautions have been taken to prevent injury to any person, building, property or utility;
- (c) a flagman with red flags of a minimum size of 45 centimetres X 45 centimetres, or other Workers' Compensation Board approved signalling devices, shall be posted at every possible point where cars or pedestrians might enter the blasting area -- when the blasting is completed, the normal vehicular and pedestrian traffic shall be restored as quickly as possible; and
- (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 mat or some material or device sufficient to provide every precaution for adequately safeguarding life and property.

13. Prior to any charges being set off or discharged adjacent to any street where persons or vehicles may be, the person in charge shall give effective warning, in accordance with the current Workers' Compensation Board regulations, and sufficient time shall be given to enable persons or vehicles to move to a safe distance from such blasting. When the blasting has taken place the person in charge shall inspect the area in the vicinity of the blasting and ensure that it is free of unexploded charges or explosive material.

14. When blasting is being carried on, the person in charge 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 prevent all persons and vehicles from approaching within the blasting area.

15. No person shall carry on blasting with a radius of 300 metres of any school building during school hours until the person in charge thereof has been notified and his consent has been obtained.

16. No person shall carry on blasting within a radius of 100 metres of any occupied dwelling without first notifying the occupant(s) of such dwelling.

17. Any person transporting or storing explosives or handling, loading or firing explosives shall comply with all current regulations of the Workers' Compensation Board.

18. A permit issued pursuant to the provisions of this Bylaw shall be substantially in the form shown as Schedule "A" hereto, which Schedule is attached to and forms part of this Bylaw, and shall terminate on the date specified in such permit. No permit shall be valid for a longer period than fourteen (14) calendar days from the date issued.

19. Every person who violates any provision of this Bylaw shall be guilty of an offence and shall be liable on summary conviction therefor to a penalty not exceeding the sum of Two Thousand Dollars (\$2,000.00) or six (6) months' imprisonment, or both.

20. If any section, subsection or clause of this bylaw shall be held invalid by a Court of competent jurisdiction, such section, subsection or clause shall be severed, and such decision shall not affect the remainder of this bylaw.

21. Village of Lions Bay Blasting Bylaw No. 14, 1972 is hereby repealed.

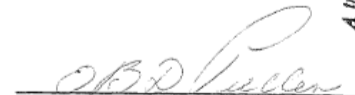
Read a First Time this 12th day of September, 1988


Read a Second Time this 12th day of September, 1988

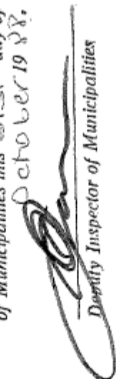
Read a Third Time this 12th day of September, 1988

RECONSIDERED AND ADOPTED by the Council on the 28th day of September, 1988.

  
Mayor

  
Clerk

Certified a true copy  
of By-law No. 170 as  
adopted.  
  
Clerk

A true copy of By-Law No. 170 registered in the office of the Inspector of Municipalities this 31st day of October 1988.  
  
Deputy Inspector of Municipalities

BYLAW NO. 170 , 1988

VILLAGE OF LIONS BAY

BLASTING PERMIT

No. \_\_\_\_\_

Date of Issue: \_\_\_\_\_

Insurance Policy No. \_\_\_\_\_

Policy Expiry Date: \_\_\_\_\_

This permit authorizes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Address)

to blast on those lands at (address) \_\_\_\_\_

known as (legal description) \_\_\_\_\_

in accordance with geotechnical report of \_\_\_\_\_

for a period of not more than fourteen (14) calendar days from (date of issue) \_\_\_\_\_ in accordance with the provisions of "Village of Lions Bay Blasting Bylaw No. \_\_\_\_\_ , 1988."

Note: This permit is subject to cancellation without notice for any violations of the provisions of the bylaw.

VILLAGE OF LIONS BAY

Permit expires: \_\_\_\_\_

By: \_\_\_\_\_