

CITY OF SURREY

BY-LAW NO. 3551

A By-law to regulate the use of any explosive agent for blasting, to regulate persons engaged in blasting and to require such persons to give security for damage to persons who, or whose property may be injured thereby

.....

As amended by By-laws No 12268, 04/25/94; 12455, 10/17/94 and 14531, 10/22/01

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS for the protection of persons and property within the City, it is deemed expedient to regulate the use of any explosive agent for blasting, to regulate persons engaged in blasting and to require such persons to give security for damage to persons who, or whose property may be injured thereby.

NOW THEREFORE the City Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. This By-law may be cited for all purposes as "Surrey Blasting By-law, 1971, No. 3551."
2. In the construction and for the purposes of this by-law, the following words and terms shall have the meaning hereby assigned to them unless repugnant to the contest hereof:

"Blast" or "Blasting" means 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.

"General Manager, Planning and Development" means the General Manager, Planning and Development or his designate, of the City of Surrey from time to time, duly appointed as such by resolution of the City Council and shall include his duly appointed assistant or other representative.

"Fur Farm" means any lands or premises within the City which are used for the purpose of breeding, rearing, raising or production of mink or other fur bearing animals and such use is the principal occupation of the owner or occupier thereof.

"Restricted Zone" means that area of the City lying within a radius of one-half (1/2) mile from any fur farm during the period commencing the 15th day of April and ending on the 31st day of May in each year.

3. The General Manager, Planning and Development shall have the responsibility of enforcing and administering the provisions of this by-law.
4. No person shall do or carry on any blasting within the limits of the City of Surrey, unless such person shall have applied for and been granted a permit to do so by the General Manager, Planning and Development pursuant to this by-law in the form set out as Schedule "A" hereto which is hereby made part of this by-law.
5. No persons shall do or carry on any blasting within the limits of any Restricted Zone during that period of each year specified in Section 2 hereof.
6. Every applicant for a permit to carry on blasting in the City, shall as a prerequisite for the granting of such permit:
 - (a) Be the holder of a valid and subsisting Blasters Certificate of Competency issued by the Workmen's Compensation Board of British Columbia, and
 - (b) Hold a valid and subsisting policy of insurance issued by an Insurance Company licenced to do business in British Columbia, insuring the applicant with respect of any and all claims which may be made against him as a result of any and all blasting operations carried out by him within the City during the period of the permit. Every such policy of insurance shall provide coverage for public liability, bodily injury, death and property damage in the sum of not less than Three Million (\$3,000,000.00) Dollars, and shall be endorsed to cover the City of Surrey, insofar as its liability and interest may become involved as a result of the granting of a permit pursuant to this by-law. A certified copy of such insurance policy shall be

filed with the General Manager, Planning and Development with each application for a permit under this by-law.

No permit shall be issued by the General Manager, Planning and Development under this by-law unless and until the requirements of clauses (a) and (b) of this section have been met by the applicant.

7. Every permit to do or carry on blasting operations issued in pursuance of this by-law, shall be in the following form, and shall terminate on the date specified in such permit.
8. Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act which violates any of the provisions of this by-law, shall be guilty of an infraction thereof and upon Summary Conviction shall be liable to a fine and penalty not exceeding Five Hundred (\$500.00) Dollars, or in default of payment thereof, or in the alternative, to imprisonment for any period of time not exceeding six (6) months.
9. "Surrey Blasting By-law, 1968, No. 2750" is hereby repealed.

PASSED by the Council on the 6th day of December, 1971.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk and sealed with the Corporate Seal on the 13th day of December, 1971.

"WM.N. VANDER ZALM" MAYOR

"C.D. GRIEVE" ACTING CLERK

SCHEDULE "A" TO BY-LAW NO. 3551

CITY OF SURREY

BLASTING PERMIT

- (1) I, _____ hereby make application for a permit to carry out blasting operations on the following described property:

Legal Description _____

Location (Address) _____

in the City of Surrey, subject to the provisions of "Surrey Blasting By-law, 1971, No. ____."

- (2) I hereby certify that I am the holder of a valid and subsisting Blasters Certificate of Competency issued by the Workmen's Compensation Board of British Columbia, or alternatively.
- (3) I hereby certify that the person employed by me to have direct charge and control of such blasting operations is the holder of a valid and subsisting Blasters Certificate of Competency issued by the Workmen's Compensation Board of British Columbia.
- (4) Submitted herewith is a duly certified copy of a policy of insurance issued by an Insurance Company, licensed to do business in British Columbia, insuring me in the total sum of not less than Three Million (\$3,000,000.00) Dollars against any and all claims which may be made against me, whether the same be with respect to public liability, personal injury, death or property damage, and duly endorsed to cover the City of Surrey insofar as its interests and liability may be involved as a result of any and all blasting operations carried out by me within the City of Surrey, pursuant to this permit.

- (5) My postal address is _____

Dated this ____ day of _____ 199__.

(Signature)

- (6) Permission is hereby granted to _____

to carry out blasting operations on the property hereinbefore described.

- (7) This permit shall expire on the _____ day of _____ 199__.

DATED at Surrey, B.C.

This ____ day of _____ 199__.

General Manager, Planning and Development
of the City of Surrey