

CHAPTER 127

EXPLOSIVES AND BLASTING AGENTS

127.01 Definition

127.02 Applicability of Regulations

127.03 Permit Procedure

127.04 Storage Regulations

127.05 Bond and Insurance

127.06 Supervision of Blasting

127.07 Permit Issuance

127.08 Notice of Storage

127.09 Report of Theft or Loss

127.10 Disposal Regulated

127.11 Notice of Blasting

127.01 DEFINITION. Where used in this chapter, the word “blasting” means the act of breaking or tearing to pieces rock or other material by the agency of gunpowder or other explosives.

127.02 APPLICABILITY OF REGULATIONS. This chapter applies to all persons, firms, corporations, co-partnerships, governmental agencies, except Federal agencies, and associations storing, handling or using explosives or blasting agents, and to the owner or lessee of any building, premises or equipment in or on which explosives or blasting agents are stored, handled or used.

127.03 PERMIT PROCEDURE. Any person who desires to perform any blasting operation within the City shall obtain a blasting permit therefor by complying with the following procedure:

1. By filing with the Council a copy of the commercial license issued by the State Fire Marshal pursuant to Chapter 101A of the Code of Iowa; and
2. By filing a security bond conditioned upon the payment of all damages resulting from the blasting operation in an amount of not less than ten thousand dollars (\$10,000.00).

127.04 STORAGE REGULATIONS. It is unlawful for any person to store any explosive material in a manner not in conformity with regulations promulgated by the State Fire Marshal. Before applying for a permit, the applicant must read and be familiar with such requirements. An application for a permit will be denied if, upon investigation, it is found that storage facilities are inadequate.

127.05 BOND AND INSURANCE. The bond provided for in Section 127.03 shall be in a form approved by the City Attorney and with an approved surety company as surety. The Council is authorized to require a bond or certificate of insurance in a larger amount in cases where the Council deems the same necessary because of the hazards involved. The Council is further authorized to accept a policy of liability insurance, with a company authorized to do business in the State as insurer, insuring the applicant’s liability arising out of such blasting, in lieu of or supplementary to the bond required in Section 127.03.

127.06 SUPERVISION OF BLASTING. The person in direct supervision of the blasting shall be a competent person who has had not less than five years' experience in the handling and discharge of explosives.

127.07 PERMIT ISSUANCE. Upon compliance by the applicant with the conditions of this chapter and if the Council finds that the person in immediate charge of the blasting is a competent and experienced person, the Council shall issue a permit to the applicant, which permit shall be restricted to the blasting operation described in the application. Permits shall not be transferable. Permits shall be good only for thirty (30) days.

127.08 NOTICE OF STORAGE. A permittee shall notify the Fire Chief and the Police Chief when and where explosive materials will be stored and shall also notify such authorities when storage is terminated.

127.09 REPORT OF THEFT OR LOSS. Any theft or loss of explosive materials, whether from a storage magazine, a vehicle in which they are being transported, or from a site on which they are being used, or from any other location, shall immediately be reported to the Police Department by the person authorized to possess such explosives. The local police shall immediately transmit a report of such theft or loss of explosive materials to the State Fire Marshal.

127.10 DISPOSAL REGULATED. No person shall abandon or otherwise dispose of any explosives in any manner which might, as a result of such abandonment or disposal, create any damages or threat of danger to life or property. Any person in possession or control of explosives shall, when the need for such explosives no longer exists, dispose of them in accordance with regulations prescribed by the State Fire Marshal.

127.11 NOTICE OF BLASTING. Prior to performing any blasting operation, the permittee shall give notice as follows:

1. On the day prior to blasting, the permittee shall attempt to contact, by telephone, a resident of each residence and an employee of each business located within 1,500 feet of the blast site, advising them that blasting is expected to take place the following day or, in the event the following day is a weekend or holiday, on the day following said weekend or holiday.
2. On the actual day blasting is planned, the permittee shall again attempt to contact, by telephone, a resident of each residence and an employee of each business located within 1,500 feet of the blast site, advising them of the anticipated time of the blast, giving as close an estimate of the time as is reasonably possible.
3. The permittee shall keep an up-to-date log of all telephone notices given, showing the person making the call, the person receiving the call, and the time of said call. The log shall also show those calls made where there was no answer or where a message was left on an answering machine.

o o o o o o o o o