

## Chapter 44 EXPLOSIVES

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[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg 2-1-1960 by Ord. No. 135. Amendments noted where applicable.]

### GENERAL REFERENCES

Firearms and weapons — See Ch. 48.

Fire prevention — See Ch. 51.

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#### § 44-1. Permit required to conduct blasting.

No person, firm, partnership, association, company, corporation, organization, individual or group of any kind shall do or perform, conduct, supervise or permit any blasting or the detonation of explosives or blasting material within the Borough of Pennsburg nor within any street, highway or property of the Borough of Pennsburg without first obtaining a blasting permit from the Borough Secretary or the Building Inspector and complying with the regulations and provisions hereinafter set forth.

#### § 44-2. Application for permit.

An applicant seeking issuance of a permit shall execute an application in writing on a form to be provided by the Borough Secretary or the Building Inspector, setting forth the following specific information:

- A. The complete name, address and identity of the person, firm, corporation, association or organization who or which proposes to do the blasting, and the name, address and identity of the specific person who shall be in charge thereof.
- B. The project or work in connection with which the blasting is proposed to be done.
- C. The time, date and place when the blasting shall be done.
- D. The type, kind and amount of explosives to be used.

#### § 44-3. Liability insurance. [Amended 4-3-2000 by Ord. No. 2-00]

Every applicant, as a condition precedent to issuance of a permit, shall furnish evidence to the Borough Fire Marshal or Building Inspector that there is and will continue in full force a public

liability insurance policy against personal injury and property damage in an amount of not less than \$1,000,000 for any one accident, which liability insurance coverage must remain in effect during the entire period of the blasting operations.

**§ 44-4. Permitted hours for blasting.**

No blasting shall be permitted except between the hours of 8:00 a.m. and 5:00 p.m. and at no other times shall blasting be permitted.

**§ 44-5. Manner of blasting; notice. [Amended 4-3-2000 by Ord. No. 2-00]**

- A. Blasting operations shall be conducted by the permittee in a safe, careful manner with full, proper and adequate safety precautions and protection to all persons and property and after suitable public warning at the expense and responsibility of the permittee to within a one-quarter-mile radius, in writing, with a minimum of 48 hours' notice.
- B. The permittee shall give the Borough Fire Marshal or the Building Inspector a twenty-four-hour notice prior to any blasting.

**§ 44-6. Liability for damage.**

The permittee shall be fully liable for any and all damages of every kind and nature resulting to any person or property from the conduct of the blasting operation.

**§ 44-7. Permit fee. [Amended 4-3-2000 by Ord. No. 2-00]**

A permit fee shall be paid to the Borough of Pennsburg for the processing and issuance of the permit and any inspections associated with the blasting operations. The amount of the fee shall be set by Pennsburg Borough Council by resolution from time to time.

**§ 44-8. Revocation of permit.**

Any permit issued under the provisions of this chapter may be revoked at any time by the Mayor, the Borough Secretary, the Building Inspector or any appropriate public official in the event of any breach by the permittee of the provisions hereof.

**§ 44-9. Violations and penalties. [Amended 4-4-1977 by Ord. No. 2-77; 4-3-2000 by Ord. No. 2-00]**

Any person who shall violate any provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not more than \$600 and costs of such proceedings, or upon default in payment of such fine and costs, by imprisonment in the county jail for a term of not more than 30 days. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.