

Town of New Durham  
Ordinance Regulating Blasting  
TO.03.004

The following Ordinance has been enacted by the Selectmen of New Durham, N.H. pursuant to the powers granted them in RSA 47:11 and RSA 158:9-f and Department of Safety Regulations.

**BLASTING PERMIT REQUIRED**

No person shall perform or cause to be performed any blasting in the Town of New Durham unless a blasting permit is obtained from the Road Agent or his designee. This permit shall not be issued until the following terms and conditions have been satisfied by the applicant.

- A. All abutters within five hundred (500) feet of the area where the blasting will occur shall receive notice by certified mail a minimum of two business days (excluding Saturday, Sunday and holidays) in advance of the blasting. The term "abutter" shall be defined in the manner used for the notification of zoning abutters.
- B. The Building inspector shall receive the same notice, also sent by certified mail, at least two business days (excluding Saturdays, Sundays and holidays) in advance of the blasting.
- C. The name and address of the blasting company be provided.
- D. The name of a company representative be provided and the twenty four (24) hour telephone number of the representative; such representative being a person who is capable of responding to claims and issues arising from blasting performed.
- E. A pre-blast survey shall be completed by the blasting company for an area within five hundred (500) feet of the proposed blasting.
- F. Any reports, measurements or videotapes made in connection with this pre-blast survey or with the subsequent blasting shall be made available upon request to all abutters within five hundred (500) feet of the area.
- G. The cost of the pre-blast survey shall be borne by the blasting company.
- H. The Use and Transport License of the hauler shall be designated.
- I. The route of removing the blasting material shall be designated.
- J. The location of the blasting shall be designated.

- K. The blasting shall take place within the hours of 8 AM to 4 PM Monday through Friday.
- L. An Insurance Certificate shall be posted with the Town Administrator in the amount deemed appropriate by the Road Agent and the Town administrator.
- M. The Road Agent is hereby authorized to promulgate blasting rules consistent with the intent of this ordinance, such rules shall become effective on acceptance by the Selectmen.

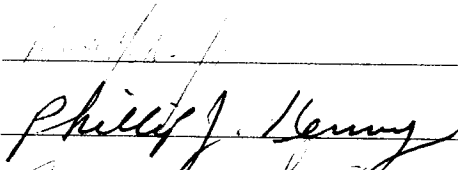

PENALTY:

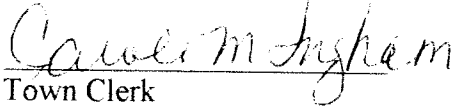
Any person found violating this Ordinance shall be issued a civil forfeiture in the amount of \$500.00 for the first offense and for each successive offense a civil forfeiture of \$1000.00. This will be paid to the Town of New Durham, at the Town Clerks Office within 15 days of issuance. Failure to comply with this procedure will result in a summons to the Rochester District Court.

EFFECTIVE DATE:

This Ordinance shall become effective May 1,2003.

New Durham Board of Selectmen:

  
\_\_\_\_\_  
Phillip J. Henry  
  
\_\_\_\_\_  
W. Dean Simpson

  
\_\_\_\_\_  
Carolyn M. Ingham  
Town Clerk



# Town of New Durham New Hampshire

*Incorporated in 1762*

## Blasting Ordinance Permit

The following Ordinance has been enacted by the Selectman of New Durham, NH pursuant to the powers granted to them in RSA 47:11 and RSA 158:9-f and the Department of Safety Regulation. Eff. May 1, 2003

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COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

NAME OF COMPANY REPRESENTATIVE \_\_\_\_\_

PHONE NUMBER (24 HOURS) \_\_\_\_\_

LOCATION OF THE BLASTING \_\_\_\_\_

USE AND TRANSPORT LICENSE OF THE HAULER \_\_\_\_\_

ROUTE OF THE REMOVING OF THE BASTING MATERIAL SHALL BE DESIGNATED. \_\_\_\_\_

INSURANCE CERTIFICATE SHALL BE POSTED WITH THE TOWN ADMINISTRATOR IN THE AMOUNT DEEMED APPROPRAITE BY THE ROAD AGENT AND THE TOWN ADMINISTRATOR. AMOUNT OF INSURANCE CERTIFICATE \$ \_\_\_\_\_

STAPLE INSURANCE CERTIFICATE

STAPLE CERTIFIED MAIL RECEIPTS FROM THE ABUTTERS AND BUILDING INSPECTOR

\_\_\_\_\_  
ROAD AGENT AUTHORIZATION

\_\_\_\_\_  
DATE

CC: APPLICANT