

- CODE OF ORDINANCES  
Title III - PUBLIC SAFETY  
CHAPTER 32. - FIRE PREVENTION AND PROTECTION  
ARTICLE III. PLANNED EXPLOSIONS AND BLASTING ACTIVITIES

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## **ARTICLE III. PLANNED EXPLOSIONS AND BLASTING ACTIVITIES**

### **Sec. 3-309. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Black powder* means a deflagrating or low explosive compound of an intimate mixture of sulfur, charcoal, and an alkali nitrate, usually potassium or sodium nitrate.

*Blast site* means the area in which explosive materials are being or have been loaded and which includes all holes loaded or to be loaded for the same blast and a distance of 50 feet in all directions.

*Blasting agent* means any material or mixture consisting of a fuel and oxidizer intended for blasting, not otherwise defined as an explosive, provided that the finished product, as mixed and packaged for use or shipment, cannot be detonated by means of a No. 8 blasting cap, as defined by the Bureau of Alcohol, Tobacco and Firearms, U.S. Department of Treasury, when unconfined.

*Building* means and includes any building regularly occupied, in whole or in part, as a habitation for human beings, and any church, schoolhouse, railway station, or other building where people are accustomed to assemble, but does not mean or include any buildings of a mine or quarry or any of the buildings of a manufacturing plant where the business of manufacturing explosives is conducted.

*Department* means the department of natural resources.

*Detonator* means any device containing any initiating or primary explosive that is used for initiating detonation. A detonator may not contain more than ten grams of total explosives by weight, excluding ignition or delay charges.

*Director* means the director of the department of natural resources.

*Explosive* means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion and includes high or low explosives. Manufactured articles, including, but not limited to, fixed ammunition for small arms, fire crackers, safety fuses, and matches, are not explosives when the individual units contain explosives in such limited quantity and of a nature or in such packing that it is impossible to produce a simultaneous or a destructive explosion of the units which would be injurious to life, limb, or property.

*Explosive materials* mean explosives, blasting agents, and detonators.

*Factory building* means any building or other structure in which the manufacture or any part of the manufacture of explosive materials is conducted.

*Highway* means any public street, public highway, or public alley.

*License* means that license issued by the department of natural resources under 225 ILCS 210/2000 through 210/2011, part of the Illinois Explosives Act, 225 ILCS 210/1001 et seq., authorizing the holder to possess, use, purchase, transfer or dispose of, but not to store, explosive materials.

(Code 2007, § 91.040; Ord. No. 2004-22, 10-21-2004)

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### **Sec. 3-310. Licenses required.**

- (a) No person may detonate explosive material within the boundaries of the village without first having been granted a license to do so by the village.
- (b) No application for a license of the village shall be considered unless, concurrent with applying for the village and paying the fee for application as prescribed elsewhere in this article, at the time of application the applicant possesses a valid license issued by the state department of natural resources in compliance with the Illinois Explosives Act, 225 ILCS 210/1001 et seq.
- (c) License applications shall be acted upon at a regularly scheduled meeting of the village board of trustees.

(Code 2007, § 91.041; Ord. No. 2004-22, 10-21-2004)

### **Sec. 3-311. License application requirements.**

- (a) Together with a completed application form, the full application fee, and proof of a valid license from the department, an applicant for a license under this article shall provide the following:
  - (1) A copy of the plat of record showing the location of the property whereon the detonation of the explosive material is to take place;
  - (2) A narrative statement summarizing the purpose of the detonation of explosive material;
  - (3) A detailed map of the property whereon the detonation of the explosive material is to take place showing the data in this subsection (a)(3). The applicant may provide several individual maps to show the entire scope of the proposed detonation, including:
    - a. The location of the individual detonations;
    - b. The proposed dates for the individual detonations; and
    - c. The location of all buildings as defined in this article which are within 1,500 feet of any proposed detonation.
  - (4) A certificate of liability insurance in an amount to be determined by the village upon examination of the application, which amount to be sufficient to indemnify the village against any and all damages arising from blasting conducted pursuant to a license issued under this article;
  - (5) Proof of a bond in an amount to be determined by the village posted in favor of the village to cover expenses incurred by the village;
  - (6) A plan for warning residents of the area within 1,500 feet of the proposed detonations substantially in the form as set forth in section 3-314;
  - (7) A list of any testing or monitoring firm, seismographic or otherwise, whose services will be used to monitor vibrations from the detonation site to residences within 1,500 feet of the detonation site, together with a map of proposed monitoring locations in similar form to subsection (a)(3) of this section. Proposed monitoring must include a minimum of four monitors which must be set between the proposed blasting site and inhabited buildings. Additional monitoring sites may be required after analysis by engineers hired for this review by the village;
  - (8) The duration, in days, for the proposed blasting project; and
  - (9) The approximate total number of cubic yards of material to be removed by the blasting.

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- (b) Payment of a nonrefundable application fee of \$100.00 per 1,000 cubic yards to be removed by blasting for each application for blasting.

(Code 2007, § 91.042; Ord. No. 2004-22, 10-21-2004)

### **Sec. 3-312. Distance from buildings.**

No detonation of explosive materials shall be permitted within 1,000 feet of any building within the village limits.

(Code 2007, § 91.043; Ord. No. 2004-22, 10-21-2004)

### **Sec. 3-313. Hours of blasting.**

No blasting shall take place within the village limits except between the hours of 9:00 a.m. and 5:00 p.m. on Mondays through Fridays except with special written consent of the board of trustees.

(Code 2007, § 91.044; Ord. No. 2004-22, 10-21-2004)

### **Sec. 3-314. Warnings required.**

In addition to any requirements for providing warning to residents of the area adjacent to the blasting required by state or federal statute or by county ordinance, the following warnings must be complied with prior to undertaking any detonation of blasting materials pursuant to a license issued under this article:

- (1) If a subdivision is located within 1,500 feet of the detonation site, a sign warning of the blasting shall be posted at each entrance to the subdivision and any other location the village shall determine, up to a maximum of ten locations.
  - a. Each warning sign shall be a minimum of four feet by four feet in size.
  - b. Each warning sign shall be weather-resistant and reflective surface on red background with black lettering.
  - c. Each warning sign shall be placed on a metal post with the bottom of the sign 48 inches from the ground.
  - d. All warning signs shall be posted seven days prior to the first day of detonation at the site and shall remain posted throughout the blasting project.
  - e. Each warning sign shall contain prominently the words, "Warning—Explosive Blasting" which shall be in letters four inches in height. Each sign shall also contain a description of the area where the blasting is to take place, the dates of the blasting, the times blasting is permitted, and a contact person with the blasting company, together with a phone number, where questions may be addressed, which information shall be in letters at least two inches in height.
  - f. All warning signs regarding blasting shall be removed within 48 hours of the last day on which blasting occurs.
- (2) If the property on which the blasting is to occur is not within 1,500 feet of a subdivision, the warning signs shall be posted at such locations as the village shall determine, up to a maximum of ten locations.
- (3) Written notices shall be sent by regular mail to all residences within 1,500 feet of the site upon which detonation is to occur upon application for a license to detonate explosive material. The applicant shall submit a list of the names and addresses to which the notice has been sent. The notice shall contain a

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description of the area where the blasting is to take place, the dates of the blasting, the times blasting is permitted, and a contact person with the blasting company, together with a phone number, where questions may be addressed.

- (4) A barrier of bright orange fencing shall surround the blast site during the placement of charges and shall remain in place until the completion of the post-blast inspection.
- (5) Warning sirens or bells shall be sounded for ten seconds beginning two minutes prior to each and every blast during the blasting project. These warning devices shall be of a type to be audible at not less than 60 nor more than 100 decibels at a distance of 1,500 feet from the blast site.
- (6) During the time that holes are being loaded or are loaded with explosive materials, blasting agents or detonators, only authorized persons engaged in drilling and loading operations or otherwise authorized to enter the site shall be allowed at the blast site. Blast site security shall be maintained until after the post-blast inspection has been completed.

(Code 2007, § 91.045; Ord. No. 2004-22, 10-21-2004)

### **Sec. 3-315. Storage of blasting materials prohibited.**

No explosive materials as defined in this article shall be stored within the village boundaries except during the time when active blasting is taking place pursuant to a valid license issued by the village. No explosive materials may be left on a blasting site at the end of the day when blasting ceases. Explosive materials must be removed from the site to a permitted location outside village boundaries and be brought back to the site at the commencing of blasting activities on any succeeding days. No blasting lead lines or other items incident to blasting shall be left unsecured on any property which is the subject of a license issued pursuant to this article.

(Code 2007, § 91.046; Ord. No. 2004-22, 10-21-2004)

### **Sec. 3-316. NFPA explosive materials code (NFPA 495).**

This article incorporates by reference all of the definitions and requirements, including, but not limited to, those for ground vibration, airblast, and flyrock, of the National Fire Protection Association Explosive Materials Code (NFPA 495). When the requirements of this article and NFPA 495 conflict, the provisions of this article shall take precedence.

(Code 2007, § 91.047; Ord. No. 2004-22, 10-21-2004)

### **Secs. 3-317—3-335. Reserved.**