



Town of Dover

Building Department

126 East Duncan Hill Road
Dover Plains, NY 12522
845.832.6111 x102 – Building Inspector
845.832.6111 x103 – Clerk
845.832.3188 - Fax

For Office Uses Only

Permit #: _____ Zone: _____
Grid #: _____
Fee: \$ _____ Date Paid: _____
Check #: _____ Receipt #: _____

Blasting Permit Application

(Must be filled out **IN FULL WITH PAYMENT** before review. Incomplete applications will be returned.)

Application is hereby submitted to the Building Inspector/Code Enforcement Officer of the Town of Dover for the approval of plans and detailed statement of the specifications of work to be performed.

Owner of Property: _____ Phone #: _____
Mailing Address: _____ Cellular #: _____
Applicant's Name: _____ Phone #: _____
Mailing Address: _____ Cellular #: _____
Blaster: _____ Phone #: _____
Mailing Address: _____ Cellular #: _____
Address of Proposed Project: _____ Lot #: _____
Subdivision Name: _____
Is property within a registered: Floodplain? Wetland? Easement? **If yes, show on survey & describe.**

Applications will be considered when the following information is supplied:

- ☐ Check for **\$320.00** for residential **\$630.00** for commercial (made payable to Town of Dover)
- ☐ Copy of license pursuant to §458 of the Labor Law of the State of New York
- ☐ Proof of insurance pursuant to §VI of Local Law #8 of 1988 (Liability & Property Damage)
- ☐ Proof of Workers' Compensation (C-105.2) and Disability Insurance (DB-120.1) **OR** Affidavit of Exemption (CE-200) https://www.buysseexpress.ny.gov/app/answers/cms/a_id/2263/kw/CE ; **ACORD forms are NOT acceptable proof of NYS workers' compensation or disability benefits insurance coverage).**
- ☐ Survey map showing:
 - ☐ Description of all structures, including residential dwellings, located within 300 feet of the blast site.
 - ☐ A list of the names and the addresses of the owner (s) of any parcel of property immediately adjoining or abutting the parcel of property from which the blasting is to take place.
 - ☐ The precise location of magazine (s), intended detonation of explosives, as well as the size charges intended to be detonated and the proposed schedule of explosives. **Applicant shall also notify fire department.**

Estimated date(s) and times of blasting: _____
(Blasting shall occur only between the hours of 8:00A.M. and 5:00P.M. Monday through Friday, excluding weekends and holidays)

I confirm that I have read Chapter 69 of the Town of Dover Zoning Law and understand my responsibilities of all provisions of Town of Dover Zoning Laws, New York State Uniform Fire Prevention & Building Code and State of New York Department of Labor requirements. The Town of Dover Zoning Law can be researched at www.doverNY.us (click Links, Town Code).

Signature of Applicant DATE

Signature of Owner DATE

Building Inspector/CEO

Date Issued

NOTIFICATION SHEET FOR FIREWORKS / BLASTING PERMITS

DATE: _____

(Area Code: 845)

FOR FIREWORKS	
TO:	
Dover Fire Department	877-6514 877-1170, fax

FOR BLASTING	
TO:	
Dover Town Clerk	832.6111 x112
Dover Building Department	832.6111, x103 832.3188, fax
State Troopers	877-3669 877-9029, fax
Sheriff Department	486-3800 452-2987, fax
Dover Fire Department	877-6514 877-1170, fax

For your information, attached is a copy of a Fireworks / Blasting Permit issued by the Town of Dover Building Department.

Please be advised that fireworks / blasting will occur at:

during the hours of 8:00 am and 5:00 pm on:

§ 69-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

EXPLOSIVES -- Gunpowder, powders used for blasting, high explosives, blasting materials, detonating fuses, detonators and other detonating agents, smokeless powder and any chemical compound or any mechanical mixture containing any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion or detonation of any part thereof may and is intended to cause an explosion, but shall not include gasoline, kerosene, naphtha, turpentine, benzine, acetone, ethyl, ether, benzol and all quantities of black powder not exceeding five pounds for use in firing of antique firearms or artifacts or replicas thereof. Fixed ammunition and primers for small arms, firecrackers, safety fuses and matches shall not be deemed to be explosives when the individual units contain any of the above-mentioned articles or substances in such limited quantity, of such nature and so packed that it is impossible to produce an explosion of such units to the injury of life, limb or property.

PERMITTEE -- A duly licensed person who has secured a permit to perform blasting in the Town of Dover.

PERSON -- Includes an individual, corporation, association, firm or partnership.

§ 69-4. Incorporation of state standards.

The provisions of Article 16 of the Labor Law of the State of New York, as well as Industrial Code Rules contained in Title 12, Part 39, of the New York Code of Rules and Regulations, are recognized as applicable to the possession, handling, storage and transportation of explosives within the jurisdiction of the Town of Dover and shall be complied with by all blasters.

§ 69-5. License and permit required; permit application.

- A. No person, firm or corporation shall detonate explosives within the Town of Dover unless it is licensed pursuant to § 458 of the Labor Law of the State of New York and, in addition to such licensing, has obtained a permit for such blasting from the Town of Dover pursuant to this section.
- B. No person shall blast or cause to be blasted any rock or other substance with any explosive in the Town of Dover as defined in this chapter without having first obtained a permit from the Building Inspector covering the specific blasting operation, upon written application. Such blasting operations shall be conducted under direct control and supervision of competent and licensed persons in accordance with the provisions of New York State laws and regulations

and the provisions of this chapter.

- C. The application for a blasting permit shall be on a form approved by the Building Inspector and contain such information as is required by the Building Inspector, including the following:
- (1) The name of the owner of the property upon which the detonation of explosives is intended to occur.
 - (2) The business address of the person, firm or corporation proposing to detonate explosives on the subject property.
 - (3) Evidence of the fact that the person, firm or corporation intending to detonate explosives is duly licensed pursuant to § 458 of the Labor Law in the State of New York.
 - (4) The precise location of the intended detonation of explosives, as well as the size charges intended to be detonated and the proposed schedule for detonation of explosives.
 - (5) Evidence that the person intending to detonate explosives has sufficient financial security or insurance coverage to provide payment for damages to any person suffering damages by virtue of the detonation of the explosives.
 - (6) A description of all structures, including residential dwellings, located within 300 feet of the blast site and a list of the names and the addresses of the owner or owners of any parcel of property immediately adjoining or abutting the parcel of property from which the blasting is to take place, as shown on the most recent tax rolls of the Town of Dover.

§ 69-6. Insurance requirements.

Before such permit is issued, the applicant shall submit evidence in the form of a certificate of insurance issued by an insurance company authorized to do business in the State of New York, guaranteeing that the applicant has in full force and effect a policy of public liability insurance, including a specific endorsement covering the liabilities arising from blasting and providing bodily injury coverage of not less than \$1,000,000/\$2,000,000 and property damage insurance of not less than \$300,000/\$500,000. Such policy shall also provide to save the town harmless from all claims, actions and proceedings brought by any person, firm or corporation for injury to personal property resulting from or occasioned by such blasting operations. Such a policy shall contain the provision that the policy shall not be canceled, terminated, modified or changed by the company unless 30 days' prior written notice is sent to the town by certified mail. No permit shall be valid unless such insurance is in full force and effect.

§ 69-7. Issuance of permit; fee.

Such permit, when approved and signed by the Building Inspector and upon the payment of a fee, to be determined by the Town Board by simple resolution, to the Building Inspector, or such other fee as may be fixed from time to time by the Town Board, shall be issued and signed by the Building Inspector, who shall keep a record thereof. Each permit shall specify the name of the permittee, the date of expiration, which shall be no later than 12 months from the date of issue, and the particular place where the blasting is to be done. The Building Inspector may revoke any permit issued hereunder and issue a stop-work order at any time for good cause shown.

§ 69-8. Minimum amount of explosives to be used.

No person shall use in a blasting operation a quantity of explosives greater than necessary to properly start the rock or other substances or use such an amount as will endanger persons or property.

§ 69-9. Precautions.

All blasts scheduled to take place within 300 feet of any roadway or structure, including any residential dwellings, before firing, shall be covered with metal rope or metal matting, heavy timbers chained together or other suitable screens of sufficient size, weight and strength to prevent the escape of broken rock or other material in manner liable to cause injury or damage to persons or property.

§ 69-10. Warning flags to be placed.

No person shall fire or explode or direct or cause to be fired or exploded any blast in or near any highway or public place in the Town of Dover unless competent persons carrying red flags shall have been placed at reasonable distances on all sides of the blast to give proper warning thereof at least three minutes in advance of firing.

§ 69-11. Blasting prohibited on certain days.

A. No blasting shall take place on Saturday, Sunday or any of the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents' Birthday
- Memorial Day
- Independence Day
- Labor Day
- Yom Kippur
- Thanksgiving Day

Christmas Day
Columbus Day
Election Day
Veterans Day

- B. A special blasting permit may be issued by the Building Inspector in the event that unforeseen circumstances require blasting on an otherwise prohibited day or beyond hours of operation set forth above. The notice required set forth below shall also apply to the issuance of a special permit.

§ 69-12. Explosives to be stored separately.

During blasting operations, explosives shall be stored separately from detonators, and, for this purpose, separate receptacles shall be built or provided and placed at a reasonable distance apart one from the other. Explosives shall be stored in approved magazines and shall not be stored unattended overnight.

§ 69-13. Adjacent owners to be notified.

- A. Whenever blasting is to occur within 300 feet, measured from the blast site, of any structure, including a residential dwelling, the inhabitants or users of such structure or dwelling shall be personally notified of the date and approximate time that blasting will occur. In the event that personal notification cannot be effected, a written notice containing the above information may be left or posted at the structure or dwelling in a conspicuous place, or a certified letter, return receipt requested, may be sent to the owner of the affected structure or dwelling.
- B. By whatever means notice is effected, said notice shall be received no less than 24 hours prior to blasting.
- C. Written notice of the date and approximate time of blasting shall additionally be given to the Town Clerk, New York State Police, Dutchess County Sheriff's Office and Building Department no less than 24 hours prior to blasting.
- D. The applicant shall submit an affidavit of notifications to the Building Inspector prior to commencing blasting.

§ 69-14. Transportation of explosives.

- A. Compliance with state regulations. It shall be unlawful for any person or persons to transport or cause or permit the transportation of explosives in any vehicle through, to or within the Town of Dover in any manner which violates the provisions of Section 39.6 of Title 12 of the

Official Compilation of Codes, Rules and Regulations of the State of New York.

- B. Guarding; stops. No person in charge of a vehicle containing explosives in transit shall allow such vehicle to remain unguarded at any time, and no person charged with the responsibility of such transportation shall make any unnecessary stops within the Town of Dover. Where such stop is unavoidable, the person in charge of the vehicle containing the explosives shall strictly observe the rules for vehicles in transit as defined in Paragraph g of Code Rule 39.6 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

§ 69-15. Exceptions.

- A. Public utilities and governmental agencies may be granted an exception in the provisions of this chapter upon application for such with the Town of Dover Building Inspector. An exception to this chapter shall be granted where the public utility or governmental agency demonstrates that:
- (1) The depth of the blasting trench and/or pole does not exceed six feet;
 - (2) The quantity of the explosive charges to be used does not exceed five pounds per detonation; and
 - (3) The request for an exception is accompanied by the certificate(s) of insurance required in § 69-6 of this chapter.
- B. The written request shall state the reasons for the exception application and shall be accompanied by a fee as provided in Chapter 73, Fees. Such special exception shall be granted for a period not to exceed 12 months and may be renewed from time to time upon written request and payment of the fee as required by this section. [Amended 2-11-1991 by L.L. No. 2-1991]

§ 69-16. Penalties for offenses; enforcement.

- A. Any person or corporation violating any of the provisions of this chapter shall be subject, upon conviction thereof, to a mandatory fine of \$1,000 for each offense. Every violation of any provision in this chapter shall be a separate and distinct offense, and, in the case of continuing violation, every day's continuance thereof shall be deemed to be a separate and distinct offense.
- B. This chapter may be enforced by the Building Inspector or his designated agents.