

Ordinance 34

The Quarry Commission forwarded its recommendation for an updated Ordinance 34 to City Council in May 2011.

The City Council has taken the recommendation under advisement. Action by the City Council is expected in the near future.

Old Ordinance 34 (and why the Quarry Commission doesn't like it).

- **What may have been the best course of action in 1992 may not be the best course of action in 2011.**
- **A quarry operator prepared this for the city.**

- In the section covering “safe distances” (13D) it says: “ The SD 70 scale has been selected as appropriate for blasting operations in earth structures to be encountered in the city. SD 70 will provide sufficient spacing to attenuate blast effect to a point below 2 inches per second, a conservative standard for safe blasting operations near residential and commercial structures.” **2 inches per second is not a conservative standard.**

The old Ordinance 34 says that SD 70 will be a constant for calculating safe distance and explosive weights in blasting operations within the city. The quarry has repeatedly stated that they target or calculate for a .25 PPV or 50% of the current .50, so as long as they calculate for it, the ultimate result is not technically relevant under the provisions of the ordinance. It would not appear that the blasting operator failed to calculate, pre-blast, a safe distance in accordance with the ordinance. **We care more about controlling results than calculations.**

- The penalty allowed for in the old Ordinance 34 may be invalid. \$2000 as a municipal ordinance violation applies only to offenses involving “fire safety, zoning or public health, including dumping of refuge”. **We want any penalty to be applied to all results that exceed the new ordinance. Penalties should be results or impact driven.**

- In section 13D 5 it says “For major blasting operations such as quarries, roads and mines the following table will be utilized. Distances will be determined by utilizing the formula shown below. (the scaled distance 70 table is referenced).
- It then says “In major blasting operations SD’s will be determined by consultation between the contractor and the city engineer.”
- **These two paragraphs may be in conflict and this conflict makes the ordinance very difficult to enforce.**

The old Ordinance 34 makes no mention of the Federal blasting guidelines for 1987. While not perfect these guidelines are the best starting point for the Commission. **PPV, Frequency and Air Over Pressure are all important and should be specifically regulated.**

The old Ordinance 34 makes no reference to distance. Some quarries in the San Antonio area currently blasting within 350 feet of homes. **We believe that the new ordinance adequately provides regulation to insure safety for adjacent properties.**

- The old Ordinance 34 says “the City may retain the services of an independent licensed inspector to monitor and direct blasting activities.” **Regulating blasting activities is more appropriate than directing blasting activities to insure the safety of the public and leaving blasting operational decisions to the professionals in that activity.**

Old Ordinance 34 allows the city to retain the services of an independent licensed inspector and that the cost of this inspector is to be borne by the permittee. **We believe that the annual fees for blasting operations should be substantially increased and the City should pay any inspection fees directly.**

The old Ordinance 34 does not require the blasting contractor to advise the City of each blast before they occur. **We believe that the blasting contractor should advise the City just prior to a blast that it is about to occur. Concerned citizens who might call the City about an explosion could then be told if the quarry just set off a blast.**

The old Ordinance 34 makes no mention of time. **We believe that blasting activities should be limited to reasonable daylight hours and exclude weekends.**

The data presented here, where noted by quotation marks, is copied from the original ordinance. Any discrepancies will be resolved in favor of the original ordinance document.