

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE enacting sections 5100., 5101., 5102., 5103., and 5104., Jackson County Code, 1984, relating to blasting, with a penalty provision.

ORDINANCE #4311, May 23, 2011

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, the Missouri Blasting Safety Act, sections 319.300-.345, RSMo, authorizes Missouri cities and counties to enact provisions to regulate blasting within their borders, so long as the local provisions do not conflict with state law; and,

WHEREAS, the Legislature finds it to be in the best interests of the health, welfare, and safety of the citizens of the county to enact provisions regarding blasting that are consistent with state law, but which can be enforced locally; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 5100., 5101., 5102., 5103., and 5104., Jackson County Code, 1984, are hereby enacted, to read as follows:

5100. Blasting, Governing Law.

Blasting operations, when conducted anywhere within the corporate limits of Jackson County, shall be governed by the Missouri Blasting Safety Act, sections 319.300-.345,

RSMo, this chapter, and any applicable municipal ordinances which are consistent with state law.

5101. Blasting, Defined.

Blasting is defined as the use of explosives in mining or construction.

5102. Blasting, Prohibition of Excessive Ground Vibrations.

No person, firm, or corporation shall perform any blasting within the County which exceeds the ground vibration limits established by section 319.312, RSMo, as measured pursuant to state law within the unincorporated portion of the County.

5103. Blasting, Conditional Use Permit.

The conducting of permitted blasting in the unincorporated portion of the County, pursuant to a conditional use permit, shall be governed by section 24005.15 of this code

5104. Penalty Provision.

The violation of any provision of this chapter may be punished pursuant to section 5520. of this code.

Section B. Penalty Provision. Any person, firm, or corporation who violates any penal provision of this Ordinance shall, upon conviction, be punished pursuant to section 5520., Jackson County Code, 1984.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

John D. Hedd
Chief Deputy County Counselor

W. Alexander Nifon
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4311 of May 23, 2011 was duly passed on *July 11*, 2011 by the Jackson County Legislature. In the votes thereon were as follows:

Yeas *8*

Nays *0*

Abstaining *0*

Absent *1*

This Ordinance is hereby transmitted to the County Executive for his signature.

7.12.11
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4311.

7/12/2011
Date

Michael D. Sanders
Michael D. Sanders, County Executive