

TOWN OF NORTH YARMOUTH

Ordinance Regulating the Use of Explosives

SECTION 1. PURPOSE

Subsection 1.0 Purpose: The purpose of this ordinance is to insure the safety of the citizens of North Yarmouth and to be certain that any damages caused by a person who uses an explosive device in the Town of North Yarmouth are adequately covered by an appropriate insurance policy.

SECTION 2. APPLICABILITY

Subsection 2.0 Applicability: This ordinance shall apply to any person using or detonating explosives within the Town of North Yarmouth.

SECTION 3. DEFINITION

Subsection 3.0 Definition: For the purposes of this ordinance, explosive device shall be deemed to mean dynamite, high explosives and other detonating agents such as those used for construction, well blasting and other related activities.

SECTION 4. PERMIT

Subsection 4.0 Permit: Any person proposing to use or detonate an explosive device in the Town of North Yarmouth shall obtain a permit from the North Yarmouth Code Enforcement Officer. This permit will be granted only after the applicant certifies to the Code Enforcement Officer the following information:

- Applicant's name and address
- Landowner's name and address
- Names of all abutters within 500' of the property
- Proof that the abutters have all been notified of the date and approximate time of the detonation.

The applicant shall also provide a copy of proof of insurance coverage in an amount no less than \$1,000,000. The Code Enforcement Officer shall be responsible for notifying the Fire Chief and Dispatch Center within a timely manner.

SECTION 5. VALIDITY AND SEPARABILITY

Subsection 5.0 Validity & Separability: Should any section or provision of this ordinance be declared invalid by a court, such decision shall not invalidate the remaining sections or provisions of the ordinance.

SECTION 6. PENALTY

Subsection 6.0 Penalty: Any person acting in violation of this ordinance shall be subject to a fine of up to \$200.00. Each instance shall constitute a separate offense. Any person who fraudulently obtains a permit from the Town of North Yarmouth under this ordinance shall be subject to a fine of up to \$1,000.00.

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SECTION 7. EFFECTIVE DATE

Subsection 7.0 Effective Date: The provisions of this ordinance shall become effective upon enactment by the legislative body of the Town of North Yarmouth

ADOPTED: February 26, 1986

CODIFIED: June 12, 2010

AMENDED: June 18, 2011