

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT
ORDINANCE #303-2024-03

AN ORDINANCE TO SET A FEE FOR BLASTING EVENTS

WHEREAS, the land use controls of Hartsville/Trousdale County, Tennessee have been adopted for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community; and

WHEREAS, as referenced in the Hartsville Zoning Ordinance Article VII.D Fee, "The Hartsville/Trousdale County Commission shall establish a schedule of fees and collection procedure...The schedule of fees shall be posted in the Office of the Building Inspector. Only the Commission may alter or amend the fee schedule";

WHEREAS, the Hartsville/Trousdale County Regional Planning Commission has duly reviewed and recommended this request to the County Commission at their February 12, 2024 regular meeting ; and

WHEREAS, the County Commission has reviewed such recommendation and has conducted a public hearing prior to the second reading.

NOW, THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION that a fee of \$100 (One Hundred Dollars) is set for blasting activity in the County.

BE IT ENACTED that this ordinance shall be adopted and effective on June 1, 2024, the public welfare requiring it.

*As recommended by Planning Commission February 12, 2024
As recommended by the Codes & Zoning Committee January 5, 2024
Public Hearing to be held on May 27, 2024 if passed at 1st reading*

First Reading:	<u>April 22, 2024</u>	1M _____ 2m _____	Voice Vote	Absent _____
Second Reading:	<u>May 27, 2024</u>	1M _____ 2m _____	Voice Vote	Absent _____

Approved:

Attest:

Commission Chairman

County Clerk



HARTSVILLE/TROUSDALE COUNTY
PLANNING OFFICE | CODES, ZONING, AND BUILDING
 328 Broadway, Room 1 | Hartsville, TN 37074
 office (615) 374-1125 | cell (615) 374-5066

Blasting Permit Fee \$ _____
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BLASTING PERMIT

While the State of Tennessee regulates all construction blasting, Hartsville/Trousdale County Planning Department also requires a permit which serves to notify of blasting taking place within the County.

If you have questions about construction blasting, please contact the State Fire Marshall's office at (615) 741-2241.

Application Date _____

Check one: **New work** **Renewal**
(Renewal required after 1 year)

Expiration Date _____

Project Name _____

Project Location _____

Anticipated Start Date _____ *Minimum 5 days after notification date*

Anticipated Completion Date _____

Actual Completion Date _____ *County to be notified when blasting operations cease*

Reason for Blasting _____

Will explosives be stored on site? YES * NO

*If the answer is YES, you must notify the Trousdale County Fire Department.
 Contact Chief Mark Beeler at firedept@trousdalecountyttn.gov*

Name of Blasting Contractor _____

Address _____

24-hour Contact and Phone _____

Email Address _____

Checklist (Attach Copies)

- Blaster's Certificate of Insurance
- Federal License of Purchase
- TN Explosive Users Registration Certification
- Handler's Card

The undersigned applicant hereby agrees to comply with all applicable requirements as prescribed by TCA, the Standard Fire Prevention Code, and the National Fire Code as adopted by the State of Tennessee and Hartsville/Trousdale County. In the event of handler changes, the undersigned is to notify the HTC Planning office within 48 hours of the change. This document in no way releases the holder from any liability nor authorizes any practices that are unsafe, malicious, or that violate any law or ordinance, either federal, state, or local. A copy of this document must be kept on the job site during blasting and/or related operations. Hartsville/Trousdale County reserves the right to stop blasting operations on this project if the safety of the general public and/or city facilities are endangered until the situation is mutually resolved.

Initial the following statements after reading:

- _____ **I UNDERSTAND THAT NO BLASTING IS ALLOWED WITHIN 50 FEET OF STREAMS OR WETLANDS.**
- _____ **I UNDERSTAND THAT NO BLASTING IS ALLOWED WITHIN 50 FEET OF POLYETHLENE NATURAL GAS LINES.**
- _____ **I UNDERSTAND THAT NO BLASTING IS ALLOWED WITHIN 100 FEET OF STEEL NATURAL GAS LINES.**

 Signature of Responsible Party (Contractor/Blaster)

 Print Name & Title

For office use only

Authorized by: _____

Copies to: Gas Dept. Police Dept. Fire Dept. Water and Sewer Dept. EMS Project File

Hartsville/Trousdale County Planning Commission Regular Meeting

Meeting Minutes

February 12, 2024 - 7:00 P.M. – Trousdale County Community Center

Present: Heather Bay, Amanda Carman, Katie Dillon, Arthur Harper, John Kerr, Rosalie Myhan, David Nollner, David Thomas, Cal Welch

Absent: Mitch Gregory

Others Present: Mike Carey, Jim Carman, Ron Moreland

Roll Call

- Chairman Kerr called the meeting to order at 7:00 P.M. and asked Amanda Carman to conduct a roll call.

Approval of Minutes

- Chairman Kerr asked for a review of the January 8th, 2024 meeting minutes. Cal Welch made a motion to approve minutes. Seconded by David Thomas. None opposed **MOTION CARRIED**

Changes to the Agenda – None

Public Hearing – None

Old Business – None

NEW BUSINESS

- REZONE REQUEST BY BARBARA WILLIAMS FROM A1 TO R1 AT 1880 HWY 25W (Map 29 Parcel 11.02) of 3.2 ACRES TO SUBDIVIDE IN THE 6TH CIVIL DISTRICT**
Mike Carey spoke on behalf of his niece Barbara Williams. Ms. Williams would like to divide the property into 3 lots if it surveys correctly. David Thomas made a motion send the request to the County Commission with a favorable recommendation. Seconded by Heather Bay. None opposed. **MOTION CARRIED**
- PLAT AMMENDMENT REQUEST BY TERRY AND DEANNA COX FOR A LOT RATIO VARIANCE ON 2160 AND 2199 HWY 141N (Map 14 Parcel 17.02 & 17.05) TO ADJUST LOT LINES IN THE 7TH CIVIL DISTRICT**
Jim Carman spoke on behalf of Terry and Deanna Cox. Mr. Carman stated the Cox's inherited two tracts of land and asked Carman Surveying to survey the lots. The Cox's would like to adjust the line for the property that will not meet the 5-1 rule. They have asked the Planning Commission to grant a variance to adjust the line. David Thomas made a motion to grant the width to depth ratio variance. Seconded by David Nollner. None opposed. **MOTION CARRIED**

DISCUSSION

- BLASTING NOTIFICATION**
Chairman John Kerr discussed the importance of needing the Blasting Notification Permit for Trousdale County. David Thomas reported to the Planning Commission that he spoke with the County Attorney, Branden Bellar, and asked for his opinion on whether the Planning Commission has the authority to be able to do a permit as long as a fee was not attached. Mr. Bellar's reply was under his conclusion there is no prohibition against it therefore the Planning Commission does have that authority as long as there is no fee associated. Mr. Thomas presented to the Planning Commission a Blasting Permit form created by Codes and Zoning that does not have a fee associated. Codes and Zoning voted to send this form to the full County Commission and the Planning Commission as it sits. After voting, it was requested by Codes and Zoning that the Planning Commission add an extra statement be added to the bottom of the form. The sentence requested is "In the event of any operator changes on this project, please notify the Planning Office within 48 hours of the change." Jessica Hill with GNRC looked into what the State Fire Marshal requires and found that it was very minimum. Ms. Hill stated that there are no requirements that the State Fire Marshal set for the blaster to notify local government or the public. GNRC stated that the State Fire Marshal was not clear on how the blaster should notify the public. Ms. Hill was told to contact the Department of Consumer Affairs and has received no response. Cal Welch made a motion to approve the Blasting Permit form adding the verbiage from the Codes and Zoning Committee. Seconded by Amanda Carman. **MOTION CARRIED**

BLASTING NOTIFICATION – CON'T

Cal Welch made a second motion to request that the County Commission adds a fee of \$100 for the Blasting Permit to offset the administrative costs associated with the permit. Seconded by Katie Dillon.

MOTION CARRIED

- **PLANNING TRAINING: THE ROLE OF THE PLANNING COMMISSIONER**

Ms. Hill with GNRC presented a PowerPoint handout to the Planning Commissioners that discusses the Role of the Planning Commissioner.

Report from Building Office

Closing Remarks from the Chair

Adjourn

- Heather Bay made a motion to adjourn, Seconded by Katie Dillon. None opposed.

MOTION CARRIED

Requirements for Blasters:

The State Fire Marshal's office has established specific requirements for companies seeking to conduct blasting activities. These requirements can be accessed on the Fire Marshal's website at <https://www.tn.gov/commerce/fire/permit/licensing/blasting/blasters.html>. Companies interested in becoming licensed blasters can apply through this link: <https://www.tn.gov/commerce/fire/permit/licensing/blasting/blasters/initial/>

Suggestions for Blasters in Regard to Public Notice:

Upon receiving registration from the Department of Commerce and Insurance, blasting companies have the discretion to conduct blasts with or without public notification. While companies have the option to provide advanced notices to the public about planned blasts, this practice is voluntary and typically coordinated with local zoning and planning committees. Companies may schedule one or multiple blasts and decide on the frequency of public notifications. To submit a blasting notice, companies can visit <https://www.tn.gov/commerce/fire/permit/blasting-notice.html>. Concerned individuals can contact the State Fire Marshal's office by submitting a blasting complaint here <https://www.tn.gov/commerce/fire/permit/licensing/blasting/consumers/complaint.html>.

(Attempted to find information regarding how a company should go about notifying the public, but was told to call a number that wasn't in service. I emailed the Division of Consumer Affairs, but they never responded.)