## CITY of ALBUQUERQUE TWENTIETH COUNCIL

COUNC	IL BILL NO. <u>0-13-60</u> ENACTMENT NO			
SPONSORED BY: Dan Lewis				
1	ORDINANCE			
2	ADDING A NEW ARTICLE TO CHAPTER 9 ROA 1994 TO ESTABLISH A			
3	REQUIREMENT AND PROCESS FOR PUBLIC NOTIFICATION PRIOR TO THE			
4	FINAL APPROVAL OF A BLASTING PERMIT.			
5	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF			
6	ALBUQUERQUE:			
7	Section 1. Chapter 9 ROA 1994 is amended by adding a new Article to read			
8	as follows:			
9	"§9-21-1 NOTICE REQUIREMENT FOR BLASTING PERMIT.			
10	(A) Any project, public or private, that requires a City issued blasting			
New eletion 12	permit shall be subject to the requirements of this ordinance.			
	(B) No blasting permit shall be issued without the approval of the Fire			
<u>-</u> 13	Marshal, the Albuquerque Police Department and the City Engineer.			
14 14 14 14 14 14 14 14 14 14 14 14 14 1	(C) The City Engineer shall not approve a blasting permit until the			
Marshal, the Albuquerque Police Department and the City Engineer  (C) The City Engineer shall not approve a blasting permit unit applicant has submitted the following material to the City Engineer with the blasting permit application:  (1) A sample of the notice that, at least ten days prior blast, shall be:  (a) Mailed by first class mail to all property own properties, and/or 20 properties, and/or 21 (b) Hand-delivered to all occupied properties, that are within 500 feet of the perimeter of the limits of construction				
원 <del>및</del> 16	with the blasting permit application:			
SSI ₹ 17	(1) A sample of the notice that, at least ten days prior to the first			
# 18	blast, shall be:			
7 THE TOTAL PROPERTY OF THE PR	(a) Mailed by first class mail to all property owners of all			
Exacketed Stacketed Stacke	properties, and/or			
21 <del>8</del> 21	(b) Hand-delivered to all occupied properties,			
22	that are within 500 feet of the perimeter of the limits of construction where the			
23	blasting is to occur ("the Notification Area"); and			
24	(c) Mailed or emailed to the contacts for the following			
25	associations and coalitions determined by the City's Office of Neighborhood			
26	Coordination to be all or partially within or adjacent to the Notification Area:			

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1	(i) Recognized Neighborhood Associations;
2	(ii) Unrecognized Neighborhood Associations and
3	Homeowner Associations that have provided contact information to the City's
4	Office of Neighborhood Coordination; and
5	(iii) Neighborhood Coalitions.
6	(2) A list of all addresses to which the notice will be sent or hand-
7	delivered.
8	(3) Proof of compliance with any other notice procedures deemed
9	necessary by the City Engineer to protect the public's health, safety and
10	welfare which may include, but are not limited to, the use of variable message
11	board signs in the vicinity of the blasting area to alert the public to the start
12	date of the project. If variable message boards are required, the number and
13	locations of these signs will be determined by the City Engineer. The applicant
14	should coordinate with the City Engineer in advance of its application to
15	determine what notice, if any, will be required in addition to the requirements in
16	subsection (C)(1) of this ordinance.
17	(D) At a minimum, the notice shall state the purpose for blasting, the
18	general project site boundaries, the anticipated start date and estimated
19	completion date of the blasting activity, and the name and contact phone
20	number of the individual(s) from whom further information may be obtained."
21	Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
22	clause, word or phrase of this ordinance is for any reason held to be invalid or
23	unenforceable by any court of competent jurisdiction, such decision shall not
24	affect the validity of the remaining provisions of this ordinance. The Council
25	hereby declares that it would have passed this ordinance and each section,
26	paragraph, sentence, clause, word or phrase thereof irrespective of any
27	provision being declared unconstitutional or otherwise invalid.
28	Section 3. COMPILATION. This ordinance shall be incorporated in and
29	made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.
30	Section 4. EFFECTIVE DATE. This ordinance shall take effect five days after
31	publication by title and general summary.
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