

## **AN ORDINANCE**

### **AN ORDINANCE TO AMEND THE CODE OF DEKALB COUNTY, AS REVISED 1988, CHAPTER, (Control Blasting and Safety Act) AND FOR OTHER PURPOSES.**

To establish regulatory oversight of blasting operations in DeKalb County through the adoption of a Control Blasting and Safety Ordinance; to promote public safety, environmental protection, and community stability; and for other purposes.

**WHEREAS**, the Governing Authority of DeKalb County is tasked with the protection of the County's health, safety, and general welfare;

**WHEREAS**, DeKalb County has experienced increased blasting activity associated with construction, infrastructure development, and land alteration; and

**WHEREAS**, unregulated blasting poses risks to public safety, property integrity, and environmental health, particularly in residential and ecologically sensitive areas; and

**WHEREAS**, residents have reported structural damage, noise disturbances, and challenges with communication from contractors conducting blasting operations; and

**WHEREAS**, the County will add on to the comprehensive framework to further enhance the monitoring, permitting, and enforcement of blasting activities; and

**WHEREAS**, the adoption of a Blasting Ordinance will establish clear permitting thresholds, notification protocols, inspection procedures, and penalties for violations.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of DeKalb County hereby supports the adoption of a Controlled Blasting and Safety Ordinance and directs the Department of Planning & Sustainability, in coordination with the County Attorney's Office, to finalize ordinance language and prepare for implementation.

**BE IT FURTHER RESOLVED**, that the County shall allocate necessary resources to support enforcement, including staff training, equipment for seismic monitoring, and public education efforts.

## **SECTION 1: PURPOSE AND SCOPE**

This ordinance establishes regulations for blasting operations within DeKalb County to protect public safety, property, and environmental integrity. It applies to all entities conducting blasting for construction, excavation, or land alteration.

## **SECTION 2: DEFINITIONS**

- *Blasting* means the use of explosives to fracture, displace, or remove rock, earth, or other materials.
- *Blast site* means the limits or boundary of the excavation area that will be subject to the blasting activity. For example, the boundary of a proposed lake within the development seeking a development blasting permit.
- *Permittee* means any individual or entity authorized to conduct blasting under this ordinance.
- *Sensitive Area/Close proximity* means any location within 750 feet of any structures, residential, roadway, schools, hospitals, or infrastructure.

## **SECTION 3: PERMIT REQUIREMENTS AND THRESHOLDS**

- All blasting operations require a permit issued by the Department of Fire & Rescue Services, with enforcement of all applicable state laws, regulations, and all applicable provisions by the Department of Fire and Rescue Services in accordance with Chapter 12 of the Code.
- Applications must include:
  - Site plan, Approved LDP permit set of plans, and blast zone map
  - Verification of the State of Georgia blasting license
  - Verification of individual blasting cards
  - Explosives transportation route; explosives storage plan if applicable; Federal Explosive License.
  - Blasting schedule and estimated volume
  - Proof of insurance and bonding as required by the State of Georgia
  - Seismic monitoring plan
  - Blasting within Sensitive/Close proximity Areas requires additional review and distribution of county printed materials distributed by contractors during notification to property owners within 750 feet of the blasting site.
  - Payment of permit sliding scale fee.

## **SECTION 4: NOTIFICATION PROTOCOLS**

- The permittee shall provide written notification to all property owners within 750 feet at least 10 business days prior to initial blast.

The Notice must include:

- Date and time of blasting
- Location of blasting
- The anticipated duration of the blasting project (e.g., “Blasting will occur on commercial property at 30-day intervals between December 3, 2026 and January 3, 2027”).
- The expected frequency and schedule of blasts (e.g., “Blasting will occur three days each week: Monday and Wednesday between 12:00pm - 3:00pm, and Friday at 10:00am - 12:00 p.m.”).
- If the blasting schedule changes or extends, the permittee shall provide supplemental notifications at least 2 business days in advance of each subsequent blast.
- Each supplemental notification shall specify:
  - The day and time of the next blast
- The last anticipated day of the project, Contact information for permittee and county liaison
- Safety precautions and complaint procedures
  - May include pre- and post-blast images of the interior and/or exterior of the structure to assess and document any potential damage resulting from blasting activities
- Signage must be posted at the site 72 hours before blasting begins.

## **SECTION 5: HOURS OF OPERATION AND NOISE LIMITS**

Blasting is permitted only between 9:00 AM and 4:00 PM, Monday through Friday.

- No blasting on weekends or county holidays without appropriate permitting for exceptions which requires a separate written request to the Department of Fire & Rescue.
- Noise levels must comply with the noise ordinance (Chapter 16; Article VII); however, the distinctions between the types of noise are outlined below.
  - Blasting is a short-term activity that lasts only seconds and produces brief seismic and sound waves; it is not typically very loud.
  - Drilling, by contrast, is a louder, continuous activity that often occurs for long hours and daily.

## **SECTION 6: INSPECTION AND ENFORCEMENT**

- County inspectors may conduct unannounced site visits.
- All blasts in DeKalb County are required to have 6' of earth cover and an additional layer of blasting mats.
- Relevant Codes and Statutes:
  - 120-3-3.10 State Statute on Fireworks and Explosives
  - NFPA 495, Chapter 10
  - IFC Chapter 56 Explosives and Fireworks
  - DeKalb Ord. 12-8
- Permittee must maintain blast logs, seismic data, and incident reports for 3 years.
- Failure to comply may result in:
  - Permit revocation

- Fines up to \$5,000 per violation
- Civil liability for damages

### **SECTION 7: PENALTIES AND REMEDIES**

- First violation: Written warning and mandatory compliance review
- Second violation: \$2,500 fine and 30-day permit suspension
- Third violation: Revocation of permit and ineligibility for reapplication for 12 months
- Property owners may file claims for property damage through the DeKalb County Office of Risk Management if the blasting is related to a County project.
- Property owners may file claims for property damage through the permittee if the blasting is related to a private project.

**ADOPTED** by the DeKalb County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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**CHAKIRA JOHNSON**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

**APPROVED** by the Chief Executive Officer of DeKalb County, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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**LORRAINE COCHRAN JOHNSON**  
Chief Executive Officer  
DeKalb County, Georgia

**ATTEST:**

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**BARBARA H. SANDERS, CCC**  
Clerk to the Board of Commissioners and  
Chief Executive Officer  
DeKalb County, Georgia

**APPROVED AS TO SUBSTANCE:**

**APPROVED AS TO FORM:**

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**MELVIN CARTER**

Interim Chief

Fire & Rescue Services

DeKalb County, Georgia

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**TERRY G. PHILLIPS**

Interim County Attorney

DeKalb County, Georgia