

ORDINANCE NO. 59-10

AN ORDINANCE TO DEFINE, TO REGULATE, AND CONTROL THE USE OF, EXPLOSIVES IN THE CITY OF BELLE MEADE AND TO REQUIRE A PERMIT FOR THE TRANSPORTATION OF, AND THE USE OF SAME, IN EVERY INSTANCE; AND PROHIBITING THE STORAGE OF EXPLOSIVES IN EXCESS OF A CERTAIN AMOUNT; AND PROHIBITING THE USE OF SAME, EXCEPT WITHIN CERTAIN HOURS; AND PROVIDING FOR THE PAYMENT OF A FEE FOR ISSUANCE OF A PERMIT; AND AUTHORIZING THE CITY BUILDING INSPECTOR TO ISSUE PERMITS; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF.

BE IT ORDAINED BY THE CITY OF BELLE MEADE AS FOLLOWS;

SECTION 1. The manufacture, possession, storage, transportation, sale, offer for sale, giving away or use of any explosive, as "explosives" are hereinafter defined, within the City of Belle Meade, is hereby prohibited, except as is hereinafter expressly provided, without a permit issued by the City Building Inspector of the City of Belle Meade.

SECTION 2. The term "explosive" or "explosives" wherever used herein shall be held to mean and include dynamite and its derivation and any chemical compound, or mechanical mixture which contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that an ignition by fire, friction, concussion, percussion, or by a detonator of any part of the compound or mixture may cause a sudden generation of gases with pressure sufficient to become destructive to life or property.

The term "explosives" shall not be interpreted to mean or include any small arms, ammunition or signal rockets, or devices or compositions used to obtain visible or audible pyrotechnic effects which are subject to regulation by other ordinances of the City of Belle Meade nor shall said term apply to gasoline or other motor or heating fuels.

SECTION 3. The manufacture, sale, offering for sale or giving away of explosives within the City of Belle Meade is prohibited.

SECTION 4. It is prohibited for any person to transport or carry any explosives in or upon any public conveyance which is carrying passengers for hire.

It is further prohibited for any person to have, keep, use, store or transport any explosives except under permit therefor issued by the City of Belle Meade.

It is prohibited for any person to have, keep, store, sell or offer to sell, give away, use, transport or manufacture any of the following explosives in any quantity:

- Liquid nitroglycerin; high explosives containing over 60 percent of nitro glycerin; high explosives having an unsatisfactory absorbent or one that permits leakage of nitro-glycerin under any condition liable to exist during transportation or storage; nitro cellulose in a dry condition, in quantity greater than five pounds in one package; fulminate of

mercury in bulk in a dry state or the fulminates of any other metals in any condition except as a component part of manufactured articles not hereinafter prohibited; or any explosives containing an ammonium salt and a chlorate.

SECTION 5. Every vehicle while carrying explosives, except those specifically hereinafter exempted, shall have painted on its front, sides and back, in easily legible white letters at least six inches high, the words "explosives-dangerous"; provided, however, that in lieu of such painted words such vehicle shall display on either end and either side of same, in erect position and clearly visible from all directions, a red flag or banner with the words "danger" printed, stamped or sewn thereon in white letters. Any such flag or banner shall be not less than six hundred square inches in area, and not less than thirty inches in lateral extent, and the letters thereon shall be not less than 6 inches high.

And it is further provided that it is prohibited for

- (a) Any person in charge of, or riding as a helper or passenger upon a vehicle carrying or containing permitted explosives to smoke while in, upon or near such vehicle;
- (b) Any person to place or carry in the bed or body of any vehicle containing or carrying explosives any metal tool or piece of metal.
- (c) Any person to place, carry or permit to be carried any detonators, blasting caps or matches in or upon any vehicle while same is used for the transportation of such explosives.
- (d) Any person in charge of a vehicle carrying explosives to deviate from the route upon which, and time within which the permit so to transport explosives has been issued.

SECTION 6. No explosives permitted to be used or stored shall be kept or stored except as follows:

- (a) No explosives in excess of twenty-five pounds in weight shall be stored at any one storage site in the City of Belle Meade.
- (b) Same shall be kept in a portable magazine, which shall be kept within a locked building, room or other covered enclosure, which enclosure shall be located not less than three hundred (300) feet from the nearest place of residence or outbuilding.

(c) No blasting caps or detonators of any kind shall be kept in the same magazine with other explosives.

(d) All magazines shall be kept locked, except when being inspected, or when explosives are being moved in or out; all magazines shall be kept clean, free of grit, empty packages or other waste, and metal tools or other pieces of loose metal.

(e) Magazines shall be of fireproof construction, and shall have walls, or sides of sufficient thickness and strength to stop the bullet from a small calibre rifle or shotgun, and shall be conspicuously marked "Dangerous, - Explosives Magazine."

(f) No explosive may be kept, except by permit issued by the City Building Inspector.


SECTION 7. No explosives except those of permitted types shall be used or discharged within the limits of the City of Belle Meade, and no explosives of any type shall be used or discharged except under the following conditions:

X (a) Explosives of a permitted type or types may be used in excavations or other operations requiring such use when a permit for such use has first been obtained from the City Building Inspector. The permit shall be issued in form approved by the City Building Inspector which shall prescribe the premises upon which the explosives are to be used; the specific purpose for same; the amount of maximum charge to be discharged at any one time; the amount of bond given by the applicant to secure the payment of compensation for any damage or injury to person or property which may be shown to have been caused by the discharge of such explosives; the name and address of the applicant, and of his servants, agents or employees who are authorized to discharge such explosives.

(b) No explosives shall be discharged except between the hours of eight o'clock A. M., and four o'clock P. M.

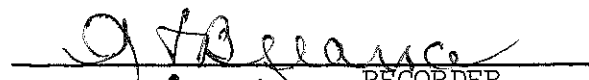
SECTION 8. Any person who shall violate the provisions of this ordinance shall, upon conviction, be fined not less than two (\$2.00) Dollars nor more than Fifty (\$50.00) Dollars. Each of keeping or storing explosives, and each discharge of explosives shall constitute a separate offense.

Passed on First Reading
July 23, 1959.
Passed on Second Reading
August 27, 1959.
Passed on Third Reading
and Adopted
November 16, 1959.


MAYOR


VICE MAYOR


COMMISSIONER


RECORDER