



---

## Exhibit K

### **Blasting Operations. Section 5-10-4**

Staff received direction to re-examine the Town's blasting requirements in order to determine if modifications or updates are needed. Staff received input from a resident, Nan Murley, that provided information regarding blasting in her neighborhood. Staff also examined the blasting codes for the City of Phoenix, City of Scottsdale, Town of Fountain Hills, Town of Carefree, Town of Cave Creek, and the Town of Oro Valley.

A copy of the Town Blasting Section is enclosed for reference. Section 5-10-4.1.3 of the Town Code identifies that the contractor shall conduct a pre-blast survey area of all structures located within a 300' radius of the blast site.

Below is: 1) information from a resident regarding damage that resulted from blasting in her neighborhood and 2) a brief outline of differing requirements from other municipalities.

#### **Input from Nan Murley**

Ms. Murley provided information regarding blasting at 6217 E. Quartz Mountain Road and blasting at 5959 E Hummingbird Lane. Staff did *not* receive notice from the neighboring property owners that they incurred damage as a result from blasting at the above properties. Although claims of damage/notice are a civil issue between the blasting contractor and the neighboring residence, Ms. Murley identified the following:

**5959 E Hummingbird Lane.** The property received Hillside Committee approval for a new single-family residence on November 16, 2006. Ms. Murley identified that the contractor used blasting to develop the pad. A grading permit was issued in 2007 for the excavation of the pad and driveway, however, a copy of a blasting permit cannot be found. Staff contacted the former Hillside Administrator, Bill Mead, to determine if blasting was used to develop the building pad on this property. Mr. Mead stated that no blasting was used for this project and that the pad was developed via conventional construction methods (e.g. digging via a backhoe). However, Ms. Murley identified that two neighboring homes received damage during the development of this property's building pad.

1. The property at 5949 E Quartz Mountain Road incurred damage in the form of cracks in the pool deck and cracks in the stairs. The house is approximately 320' away from the building pad.
2. The property located at 5939 E Hummingbird Ln incurred damage in the form of cracked tile flooring and cracked plumbing/pipes. The house is located approximately 102' away from the building pad.

**6217 E. Quartz Mountain Road.** The property received Hillside Committee approval for a new single-family residence on July 6, 2012. The contractor used blasting to develop the pad and received a blasting permit from the Town on June 11, 2013.

1. Ms. Murley property is located at 6217 E Quartz Mountain Rd and incurred damage in the form of cracks to her house from the blasting. The house is located just outside of the 300' radius and is approximately 318' away from the blasting site.
2. The property owner at 6220 E Hummingbird Ln did not incur any damage from the blasting. This property is located within the 300' radius and is approximately 148' away from the blasting site.

**Municipal Code Comparison**

Below are tables that identify the primary differences and similarities between the Town of Paradise Valley blasting code requirements with the blasting requirements for the City of Phoenix, the City of Scottsdale, the Town of Fountain Hills, the Town of Carefree, the Town of Cave Creek, and the Town of Oro Valley.

**City of Phoenix Comparison**

Town of Paradise Valley	City of Phoenix
<ul style="list-style-type: none"> <li>▪ Blasting Operation Code – Section 5-10-4</li> <li>▪ Pre-Blasting Survey Radius of 300'</li> <li>▪ May require applicant to notify neighbors within blast radius a minimum of 24 hours before blasting</li> <li>▪ No requirement for blasting mats</li> </ul>	<ul style="list-style-type: none"> <li>▪ Blasting via City Fire Code, which references International Fire Code</li> <li>▪ No Pre-Blasting Survey Radius Identified</li> <li>▪ Notify utility companies</li> <li>▪ Blasting mats or other means of protection required in close proximity to utilities or structures</li> </ul>

### City of Scottsdale Comparison

Town of Paradise Valley	City of Scottsdale
<ul style="list-style-type: none"> <li>▪ Blasting Operation Code – Section 5-10-4</li>   <li>▪ Pre-Blasting Survey Radius of 300’</li> </ul>	<ul style="list-style-type: none"> <li>▪ No Blasting Code/Ordinance in their City Code. Follow the International Fire Code requirements and the National Fire Protection Association Guidelines.</li>   <li>▪ Pre-Blasting Survey Radius of 300’</li> </ul>

### Town of Fountain Hills Comparison

Town of Paradise Valley	Town of Fountain Hills
<ul style="list-style-type: none"> <li>▪ Blasting Operation Code – Section 5-10-4</li> </ul>	<ul style="list-style-type: none"> <li>▪ No Blasting Code/Ordinance in their City Code. Follow the International Fire Code requirements, American Task Force guidelines, and the National Fire Protection Association Guidelines.</li> </ul>

### Town of Carefree Comparison

Town of Paradise Valley	Town of Carefree
<ul style="list-style-type: none"> <li>▪ Blasting Operation Code – Section 5-10-4</li> </ul>	<ul style="list-style-type: none"> <li>▪ Blasting Operations Code – Article 10-5</li> <li>▪ Carefree code very similar to TPV blasting code (both in content and format).</li> </ul>

### Town of Oro Valley Comparison

Town of Paradise Valley	Town of Oro Valley
<ul style="list-style-type: none"> <li>▪ Blasting Operation Code – Section 5-10-4</li> <li>▪ Code requires elements of a blasting schedule (such as time limits, signage, etc.) but does not specifically call out a blasting schedule.</li>   <li>▪ No requirement for blasting mats</li> </ul>	<ul style="list-style-type: none"> <li>▪ Blasting via International Fire Code and Town Fire Code</li> <li>▪ Requires blasting schedule with site’s phased location, proposed number of holes, and time for loading shots and time for blasting.</li> <li>▪ Blasting mats required for any structures and roadways within 500’ of blasting area. Earthen cover required when structure or roadway between 501’ and 1,320’ of blasting area.</li> </ul>