

ORDINANCE NO. 1192

AN ORDINANCE RESTRICTING BLASTING  
OR USE OF EXPLOSIVE DEVICES FOR MOVE-  
MENT OR REMOVAL OF EARTH OR OTHER  
NATURAL FEATURES.

BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF EUREKA SPRINGS, AR-  
KANSAS

SECTION 1: Section 11.04.06<sup>1/2</sup> Eureka Springs Municipal  
Code, created.

Section 11.04.06<sup>1/2</sup> Eureka Springs Municipal Code, is hereby  
created to read in its entirety as follows:

Section 11.04.06<sup>1/2</sup> Restrictions on blasting:

- (a) It shall be unlawful for any person or corporation to engage in blasting or the detonation of any explosive material or device for the purpose of causing the movement of earth or removal or change of any natural geographic feature within the corporate limits of the City.
- (b) Provided, however, the City Council may at a scheduled meeting authorize such blasing or detonation of explosive devices or materials upon application of the person or corporation seeking such authorization. The City Council may grant or deny such authorization after consideration of the area to be blasted, its proximity to residences or businesses, the apparent threat to the life or health of nearby residents, potential injury to property, the experience and safety record of the applicant, and the insurance coverage maintained by the applicant. No application will be approved without the applicant providing evidence of public liability insurance with per incident coverage in an amount not less than \$1,000,000.00.
- (c) Application for a permit shall be made at the office of the Clerk/Treasurer. The applicant shall provide in writing the information requested on a form provided by the Clerk/Treasurer's office. Providing false information on the application shall be a violation of this Section.
- (d) Any person violating any provision of this Section shall be guilty of a misdemeanor and, upon conviction, shall be fined \$500.00, imprisoned for up to 30 days or both.

PASSED AND ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF EUREKA SPRINGS, ARKANSAS  
THIS 29th DAY OF November, 1983.

ATTEST:

  
TRUIE WALSH  
Clerk/Treasurer

APPROVED:

  
DONALD THURMAN  
Mayor