

HOUSE BILL 3590

By Elam

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7 and Title 68, Chapter 105, Part 1,
relative to blasting and explosives.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-105-110, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b)

(1) As used in this subsection, unless the context otherwise requires:

(A) "Local government" means any incorporated city or town, metropolitan government or county in this state; and

(B) "Development" means construction, building, reconstruction, erection, extension, betterment, or improvement of land providing a building or structure, or the addition to any building or structure or any part of any building or structure that provides, adds to, or increases the floor area of a residential or nonresidential use.

(2) Subsection (a) shall not apply to local governments that, by ordinance, resolution or charter amendment, adopt provisions to establish their own procedures for the issuance of stop-work orders to blasters in charge of blasting operations at quarries or development sites located within the jurisdictional limits of the local government; provided, however, that such procedures for the issuance of stop-work orders shall be applicable only when blasting operations are believed to have caused damage to nearby buildings or created a situation in which the public safety is threatened. Upon the issuance of

a stop-work order by a local government the department shall investigate such blasting operations and enforce its authority as prescribed in this chapter.

(3) This subsection shall not be construed so as to affect the authority of the department to issue stop-work orders pursuant to this chapter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.