

RESOLUTION ESTABLISHING A SNOW AND ICE CONTROL POLICY

BELGRADE TOWNSHIP

amended 12/2015

Whereas, the Town Board of BELGRADE TOWNSHIP is the road authority and provides maintenance for approximately 38 miles of road in the Town;

Whereas, the Board, as the road authority, provides for snow and ice control on the town roads it has designated to receive winter maintenance;

Whereas, the Board determines it is in the best interest of the Town to develop a policy to set out how snow and ice control activities will be conducted on town roads considering the limited maintenance budget, personnel, and equipment available in the town;

Now, Therefore, be it resolved, the Board hereby adopts the following as the Snow and Ice Control Policy for the Town:

I. POLICY CONSIDERATIONS

In developing this policy for how to best undertake snow and ice control activities in the Town, the Board has had to balance a number of factors including, but not limited to, the following: public safety, the amount of funds available for these activities; the number and availability of town personnel to engage in these activities; the safety of town personnel; the wish to maintain an efficient transportation system; enable the delivery of emergency services; avoid damage to Town property and personal property; and the cost effective allocation of resources. A further explanation of some of these policy considerations follows:

1. Budgetary: The funds the Town has available for snow and ice control are derived from two sources. The first is the town road and bridge tax levy that is set by the town electors at the annual town meeting in March. The second source of funds comes from the gas tax imposed and collected by the state, a small portion of which is distributed to towns to help maintain their roads. The Board has no direct control over either source of funding. A proposed levy is submitted of the town electors at the annual town meeting, but the actual amount of the Town's road & bridge levy is determined solely by a vote of the electors.
2. Personnel & Equipment: The Town typically has 1 full-time and 1 part-time Town employees available to carry out snow and ice control activities. The Town owns and has available the following items of equipment for snow and ice control:
 - Grader, 1-ton Truck, Freight-liner truck

The Board also contracts with independent contractors on an as-needed basis for the following services and or equipment:

- Sufficient Snow Removal Equipment.

The number and availability of Town personnel and equipment may change over time. These changes may be temporary such as when personnel leave and replacements are hired, while equipment is down for repair, or permanently for budgetary or other reasons.

3. Safety, Equipment Damage & Effectiveness: Snow and ice control operations will be conducted only when conditions do not endanger the safety of employees or pose an unreasonable risk of damaging equipment. Once initiated, operations will be suspended if conditions deteriorate to the point that operations become unsafe for employees because of factors including, but not limited to, severe cold, significant winds, limited visibility, accumulation of ice, or rapid accumulation of snow. Operations will also be delayed or suspended if existing or anticipated conditions indicate the operations will not be effective. Any decision to delay or suspend operations shall be made by the Employees based upon the actual and anticipated weather conditions.
4. Work Schedule for Snowplow Operators: Snowplow operators will be expected to work 8-hour shifts. In severe snow emergencies, operators sometime will need to work in excess of 8-hour shifts. However, because of budget and safety concerns, no operator should work more than a 12-hour shift in any 24-hour period. Operators will take a fifteen-minute break every two hours with a ½ - hour meal break after four hours. After a 12-hour day, the operators will be replaced if additional qualified personnel are available.
5. Environmental Protection: Because the Town is concerned about the potential negative environmental effects of the use of salt, it will minimize its use. When possible and financially practical, salt and sand with salt will be stored in a manner to minimize run-off, and if snow containing salt is hauled, every reasonable effort will be made to deposit the snow away from public waters.

II. TOWN ROADS THAT ARE SNOWPLOWED

Unless closed because of a snow emergency, all town roads are snowplowed except those as outlined in paragraph III. section 2.

III. TOWN ROADS THAT ARE NOT SNOWPLOWED

The amount and nature of the uses to which the Town's roads are put can vary significantly by the location and season. While some town roads are needed throughout the year to access to homes, businesses, or as primary transportation routes, other roads are only needed for limited purposes such

as for hunting, farming, or as convenient short cuts between major roads and only during the summer months. The Board determines that attempting to keep all roads open during the winter regardless of the need or use would unreasonably dilute the funds available for winter maintenance and lower the level of maintenance that could be achieved on those roads that are relied upon year-round. In order to properly allocate the Town's limited resources, the Board has determined to close and barricade certain roads during winter months, to not snowplow certain minimum maintenance roads, and to reserve the right to close and barricade other roads as needed to respond to snow emergencies.

- 1) Town Roads that are Closed During Winter Months: Rather than commit limited resources to keeping all roads snowplowed regardless of the need for the roads during winter months or the costs to keep them open.
- 2) Minimum-Maintenance Roads that are not Snowplowed: Towns are authorized by Minn. Stat. 160.095 to designate roads that are used only occasionally or intermittently for passenger or commercial traffic as Minimum-Maintenance Roads. Once a road is properly designated as a Minimum-Maintenance Road and appropriate signs are posted, the town need only maintain the road at a level need to accommodate the occasional or intermittent use. In this Town the Board has designated certain roads in the Town as Minimum-Maintenance Roads. Some or all of the roads designated as Minimum-Maintenance are used primarily as access to lands for farming, hunting, sightseeing, or for other summer recreational purpose.
- 3) Town Roads Closed in Snow Emergencies: In snow emergencies the Board will close and barricade roads that it deems necessary to respond to the emergency. The Board will determine when to reopen each road that was closed based on need and conditions of the road as well as on the availability of funds, personnel, and equipment.
- 4) Special Circumstances: An owner of property adjacent to a road or road portion that the Board has determined not to snowplow during winter months may request the Board to snowplow the road in emergencies or if special circumstances exist. The Board will consider each such request and determine if it has the sufficient resources to accommodate it.

IV. TOWN ROAD SNOWPLOWING PRIORITIES

In order to provide for the most efficient and effective snowplowing as possible given the Town's limited resources, the roads will be plowed in a route that is most efficient for snow removal at the time.

V. EMERGENCY RESPONSE VEHICLE ASSIST

If law enforcement requests snow removal to assist emergency vehicles to respond to an emergency situation, reasonable efforts will be made to dispatch necessary personnel and equipment to accommodate the request.

VI. WHEN SNOWPLOWING BEGINS

The Full-time employee or designee shall determine when to begin snow and ice control operations. The criteria for that decision are:

- An evaluation of the immediate and anticipated weather conditions.
- The likely effectiveness of operations.
- Safety of employees.
- If an unreasonable risk of damaging equipment exists.
- Sever icy conditions that seriously effect travel.
- Time of snowfall in relationship to heavy use of the roads.

Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently, operations will normally not begin until the snow has stopped falling or until at least 3 inches of snow has accumulated or at the discretion of the Road Maintenance Director.

VII. WHEN SNOWPLOWING WILL BE DELAYED OR SUSPENDED

As stated in the policy considerations above, snow and ice control operations will be delayed or suspended if the full-time employee determines that the safety of employees is at risk, conditions pose an unreasonable risk of damaging equipment, or if operations will not be effective because of existing or anticipated conditions.

VIII. HOW SNOW WILL BE PLOWED

Snow will be plowed in a manner as to minimize traffic obstructions. Snow will normally be plowed from the center of the road first. Then snow will be pushed from left to right until at least the main traveled portion of the road has been cleared. On narrow roads, the full-time employee may choose to plow snow from one side to the other. Snow will normally be discharged to the sides of the road unless the full-time employee determines the snow should be hauled to another location for storage. Because of limitations of budget, equipment, and restrictions on the use of salt, blacktopped roads will not usually be cleared down to bare blacktop.

In the event of equipment failure, extreme snowfall, or other unanticipated events including the availability or need to rest snowplow crews, deviation from these standards may be appropriate at the discretion of the full-time employee.

Snow will be plowed as close as practicable to mailboxes located in the road right-of-way. It shall be the responsibility of property owners to clear snow from around their mailboxes to enable mail delivery.

Snowplowing unavoidably results in snow being deposited on driveways and approaches. Because the Town does not have the resources available to it to clear the ends of driveways and approaches, it is the responsibility of land owners to remove snow from their driveways and approaches.

IX. SANDING AND SALTING

The Town must consider the cost, environmental impact, public safety, and availability of staff and equipment when deciding if, when, and to what extent to apply sand and salt. Furthermore, the state legislature has imposed the following limitations on the use of salt by road authorities:

"In order to:

1. Minimize the harmful or corrosive effects of salt or other chemicals upon vehicles, roadways, and vegetation;
2. Reduce the pollution of waters; and
3. Reduce the driving hazards resulting from chemical on windshields.

Road authorities, including road authorities of cities responsible for the maintenance of highways or streets during periods when snow and ice are prevalent, shall utilize such salt or other chemicals only at such places as upon hills, at intersections, or upon high speed or arterial roadways where vehicle traction is particularly critical, and only if, in the opinion of the road authorities, removal of snow and ice or reduction of hazardous conditions by blading, plowing, sanding, including chemicals needed for free flow of sand or natural elements cannot be accepted within a reasonable time."

Minn. Stat. 160.215

To the extent sand or salt is applied, priority will be given to the following areas in the order listed:

- Hills, controlled intersections, bridges and curves
- Major arterial and collector streets
- Bus routes
- Residential areas
- Rural areas

X. SNOW STORAGE

Collecting, hauling, and storing snow is expensive, requires special equipment is labor intensive, and interferes with traffic while it is being performed. As such, snow will only be hauled and stored elsewhere when the full-time employee determines it is necessary to keep a road reasonably open and passable. Snow that is hauled will only be stored on public land or on private property with the expressed written permission of the owners to the extent possible, when snow containing salt is hauled it will be stored away from public waters.

XI. SNOWPLOWING OF PRIVATE PROPERTY

The Town will not snowplow or sand private property except when requested to do so by law enforcement to provide access for emergency vehicles responding to an emergency. If private property is used with permission of the owner to turn around Town equipment or to store snow, the Town may snowplow the private property as needed to accommodate the Town's use of the land.

XII. DEPOSITING SNOW IN PUBLIC RIGHTS-OF-WAY

It is unlawful for anyone to deposit any snow or ice in a public road right-of-way or to otherwise obstruct a public road. Minn. Stat. 160.27, subd. 5(a)(1); 169.42, subd. 1. Depositing snow or ice in a road also increases snowplowing costs, creates a potential public safety hazard and could damage equipment.

XIII. OBJECTS WITHIN TOWN ROAD RIGHTS-OF-WAY

Public road rights-of-way are used for a variety of purposes that are outside of the direct control of the Town. While reasonable efforts will be made to avoid damaging private property, snow and ice control operations may result in damage to the property of others. Where private property damage does occur, it is the policy of the Town to handle damages in the following manner.

1. MAILBOXES: Owners are responsible for erecting their own mailboxes in order to receive roadside mail delivery. Mailboxes must conform to the standards established by the Minnesota Department of Transportation. Mailboxes that do not conform to the established standards are considered a public nuisance and are prohibited by law; Minn. Stat. 169.072. The mailbox

owner assumes all risk of damage from snowplowing including damaged from pushed or piled snow.

2. SOD AND LANDSCAPING: The Town assumes no responsibility for damages from snow or ice control operations to sod, trees, or other landscaping materials or vegetation.

3. LAWN SPRINKLERS, LIGHTING, AND PERSONAL PROPERTY: The Town assumes no responsibility for damaged to aboveground or underground lawn sprinkling systems, exterior lighting systems, or other items of personal property located in a road right-of-way whether by direct or indirect contact with snow or ice control equipment.

4. UTILITY STRUCTURES: The Town will only be responsible for damage to utility pedestals, transformers, or other utility structures within the right-of-way that result from direct contact with snow and ice removal equipment provided the structure was marked with a minimum 5-foot identification marker. Town liability will be limited to the actual costs to repair the damages as documented by invoices submitted to the Town by the utility company.

5. CLEARING SNOW AROUND ITEMS LEFT IN ROAD: It is the responsibility of owners to keep the road rights-or-way clear of vehicles, trailers, trash cans, and other items of personal property in order to facilitate the proper snow and ice control operations. If an owner fails to keep the road clear of personal property, the owner becomes responsible for promptly clearing the snow left in the right-of-way around the item. If the Board determines personal property left in the road right-of-way poses an unreasonable risk to public safety, or significantly interferes with snowplowing operations, it will have the items removed from the right-of-way at the owner's expense.

6. DAMAGE BY CONTRACTORS: Complaints and requests for further services regarding snow and ice control or damage will be taken during normal working hours and handled in accordance with Town procedures. Complaints and request for further services should be directed to the Clerk. The Clerk shall inform the board of complaints, any requests for change to this policy, or any request that requires a Board decision to address.

IX. REVIEW OF POLICY

The Board will periodically review this policy, taking into consideration any changing conditions in the Town's circumstances, any complaints or comments received, and the experience learned from undertaking snow and ice control procedures.