

**RESOLUTION #2008-10  
SNOW AND ICE CONTROL POLICY  
LYNDEN TOWNSHIP**

**WHEREAS**, the Town Board of Lynden Township is the road authority and provides maintenance for approximately 39 miles of roadway;

**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 secures its snow and ice control services through contract with an independent contractor (Contractor);

**WHEREAS**, The Board determines it is in the best interest of the Town to develop a policy setting out how snow and ice control activities will be conducted on town roads considering the Town's limited resources;

**NOW, THEREFORE, IT IS RESOLVED**, the Board hereby adopts the following as snow and ice control policy for the Town;

**BE IT FURTHER RESOLVED**, that any Contractor performing snow and ice control services for the Town shall follow this policy.

**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 wish to maintain an efficient transportation system, to enable the delivery of emergency services, to 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 meeting held in March. The second source of funds comes from the gas tax imposed and collected by the state, a small amount 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 to the town electors at the annual meeting, but the amount of the Town's road and bridge levy is determined by a vote of the electors.

**2. Contract for Services**: The Board contracts with a Contractor for snow and ice control. (Current contract is available for review in the Clerk's office.) Because the Town obtains snow and ice control services through a non-exclusive contract, it does not have direct control over the availability of personnel, equipment, or the timing of the service delivery. The Town indicates through this policy and the service contract the work to be performed and the performance expectations, but the contractor must remain free to exercise initiative, judgment and discretion in how best to perform or provide the services.

**3. Safety, Equipment Damage, & Effectiveness:** Snow and ice control operations will be conducted only when the weather conditions do not endanger the safety of the operators or pose an unreasonably risk of damaging equipment. Once initiated, operations will be suspended if conditions deteriorate to the point that operations become unsafe for operators 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.

**4. Work Schedule for Snow Plow Operators:** Except in emergencies, snowplow operators shall not work more than twelve hours shifts and shall not operate equipment for more than ten hours during a shift.

**5. Environmental Protection:** Because the Town is concerned about the potential negative environmental effects of the use of salt and/or salt and sand, it will minimize its use. When possible and economically practicable, salt and/or salt and sand 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 TO BE PLOWED**

Unless closed because of a snow emergency, the following roads or portions of town roads are normally snow-plowed by the Town in the following priority:

Township roads will be plowed from the North of the Township to the South of the Township.

Roads will be sanded from the South of the Township back to the North. (Snowplow will then be fully loaded while plowing the entire Township.)

**1. Minimum Maintenance Roads:** Minimum maintenance roads will be plowed as needed.

**2. Town Roads Closed in Snow Emergencies:** In snow emergencies, the Board will close and barricade roads as it deems necessary to respond to the emergency. The Board will determine when to reopen each road that was closed based on need and condition of the road as well as the availability of funds, personnel, and equipment.

**3. Emergency Response Vehicle Assistance:** If law enforcement requests snow removal to assist emergency vehicles to respond to an emergency situation, reasonable efforts will be made to accommodate the request.

## **III. WHEN SNOWPLOWING BEGINS**

The following criteria shall be considered when determining when to begin snow and ice control operations:

- An evaluation of the immediate and anticipated weather conditions
- The likely effectiveness of the operations
- Safety of the employees
- If a reasonable risk of equipment damage exists
- Snow accumulation of two (2) inches or more
- Severe icy conditions that seriously affect travel
- Time of snowfall in relationship to heavy use of roads

Snow and ice control operations are expensive and involve the use of limited resources. Consequently, operations will normally not begin until the snow has stopped falling or until at least two (2) inches of snow has accumulated.

#### **IV. WHEN SNOWPLOWING WILL BE DELAYED OR SUSPENDED**

As stated in the policy considerations, snow and ice control operations will be delayed or suspended if the safety of the operators is at risk, conditions pose an unreasonable risk to damage of equipment, or if the operations will not be effective because of existing or anticipated conditions.

#### **V. HOW SNOW WILL BE PLOWED**

Snow will be plowed in a manner to minimize traffic obstructions. Because of limited resources and restrictions on the use of salt, blacktopped roads will not usually be cleared down to bare blacktop.

Snow will be plowed as close as practical to mailboxes located in the road right of way. It shall be the responsibility of the 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 recourses to clear the ends of driveways and approaches, it will be the responsibility of the landowners to remove snow from their driveways and approaches.

#### **VI. 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 chemicals on windshields;

road authorities, responsible for 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 on hills, at intersections, or on high-speed or arterial roadways where vehicle traction is particularly critical, and only if, in the opinion of the road authority, removal of snow and ice or reduction of hazardous conditions by plowing or sanding, including chemicals needed for free flow of sand, or natural elements cannot be accomplished within a reasonable time.” Minn. Stat 160.215

Priority for applying sand and salt will be given to the following areas in the order listed:

1. Hills, controlled intersections, bridges, and curves
2. Major arterial and collector roads
3. School bus routes as needed
4. Residential areas
5. Rural areas

At temperatures of less than 15 degrees Fahrenheit, salt becomes less effective as a deicer, thus salting should not be done at these lower temperatures. A combination of sand and calcium chloride or sand alone would be used to address slippery road conditions at these lower temperatures.

## VII. DEPOSITING SNOW IN PUBLIC RIGHT-OF-WAY

It is unlawful for anyone to deposit any snow or ice in a public right-of-way or to otherwise obstruct the public road. (Minn. Stat 160.27 subd. 5(a); 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.

## VIII. OBJECTS IN THE RIGHT-OF-WAY

Public road rights-of-way are used for a variety of purposes that are outside the direct control of the Town. Because snow and ice control operations are performed by independent contractors, the Town shall not be responsible for damages caused by the contractor to mailboxes, lawn sprinklers, utility structures, sod, landscaping materials, vegetation, or other personal or real property. Complaints regarding damages to property must be made to the contractor.

It is the responsibility of the owners of the property to keep the road rights-of-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 rights-of-way clear of personal property, the owner becomes responsible for promptly clearing the snow from around the item. If the Board determines personal property left in the road rights-of-way significantly interferes with the snowplowing operations, it will have the item removed at the owner's expense. 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 damages occur, it is the policy of the Town Board to handle damages in the following manner:

## IX. COMPLAINTS AND REQUESTS FOR FURTHER SERVICES

Complaints and requests for further services shall be directed to the Town Clerk during normal working hours.

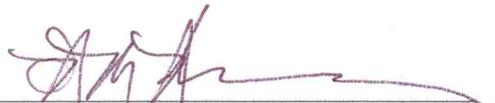
The Town Board recommends mailboxes should be installed on the metal, swinging mailbox post specified by the Postmaster. If a mailbox support is not one of this type and is damaged by contact from the snow plowing equipment, neither the Township, nor the contractor is liable for replacement.

## X. 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 experiences learned from undertaking snow and ice control procedures.

Adopted this 1<sup>st</sup> day of December, 2008.

BY THE TOWN BOARD

  
Town Board Chair

Attest:

  
Town Clerk