

**CREDIT RIVER TOWNSHIP
SCOTT COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2012-22

RESOLUTION ADOPTING SNOW PLOWING POLICY

WHEREAS, the Town Board (“Board”) of Credit River Township (“Township”) is the road authority and provides for snow and ice control on the town roads; and

WHEREAS, the Board secures its snow and ice control services through contract with an independent contractors (“Contractor”); and

WHEREAS, the Board determines it is in the best interest of the Township to develop a policy to set out how snow and ice control activities will be conducted on Township roads considering the Township’s limited resources; and

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the following as the snow and ice control policy for the Township; and

BE IT FURTHER RESOLVED, that any Contractor performing snow or ice control services for the Township shall follow this policy:

General Plowing Information:

The goal of the Township’s snow plowing operations is to strike a balance between cost and safety: keep roads open for potential emergencies but do not plow unnecessarily. In developing this policy for how to best undertake snow and ice control activities in the Township, 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; enable the delivery of emergency services; avoid damage to Township property and personal property; and the cost effective allocation of resources. A further explanation of some of these policy considerations is contained herein.

The Township does not maintain its own fleet of maintenance vehicles and relies on independent contractors to clear the roads, typically one for the northern portion and a second for the southern portion of the Township. Township supervisors are responsible for contacting the plow contractors, working with the contractors to correct problems and requesting additional services when required. Residents should report problems to either of the “Winter Roads” supervisors listed on the Credit River Township web site (www.creditriver-mn.gov/contact.html).

Because the Township obtains snow and ice control services through two non-exclusive contracts, it does not have direct control over the availability of personnel, equipment, or the timing of the service delivery. The Township indicates through this policy and the service contract for the work to be performed its performance expectations, but the contractor must

remain free to exercise initiative, judgment, and discretion in how best to perform or provide the services. The Town Board defers to its contractors expertise in determining the route that the snowplow operators are to follow in performance of their duties.

Budgetary Considerations:

The funds the Township 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 held 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 to 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.

Frequency of Plowing Operations:

Snow and ice control operations are expensive and involve the use of limited resources. Unless icy conditions are present, snowplowing operations will not be conducted unless total snowfall exceeds 1 inch. During significant snow events plowing will generally begin after snow stops falling, although during large accumulations (greater than 6 inches) plows may be dispatched earlier to ensure roads remain passable. Drifting and icy roads will be treated as necessary.

Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of 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.

Plow Shall has Right-of-Way:

Plowing operations have the right-of-way on Township roadways. The plow vehicles must maintain minimum speeds to ensure proper removal of snow. Private vehicles are required to move to the side of the road or enter a driveway as quickly as possible to avoid impeding a plow truck or grader.

Salt and Sand Application:

The Township 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, 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 accomplished within a reasonable time.” Minn. Stat. § 160.215.

To the extent sand and salt is applied, it will be applied to paved Township roads as necessary to address icy conditions.

Parking Restrictions:

Parking is prohibited on township roads between 2:00AM and 5:00AM and may not exceed 12 hours in duration at other times. Ordinance No. 2005-02.

Emergency Response Vehicle Assistance:

If emergency services agencies request snow removal to assist response to an emergency situation, reasonable efforts will be made to accommodate the request.

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, snow may be plowed from one side to the other. Snow will normally be discharged to the sides of the road unless it is determined that the snow should be hauled to another location for storage. Because of limited resources 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.

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 landowners to remove snow from their driveways and approaches.

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. Any removal costs incurred by the Township will be billed to the responsible homeowner.

Objects Within Town Road Rights-of-Way and Damage to Property:

Public road rights-of-way are used for a variety of purposes that are outside of the direct control of the Township. Because snow and ice control operations are performed by independent contractors, the Town shall not be responsible for damages caused by the contractor to lawn sprinklers, utility structures, sod, landscaping materials, vegetation, or other personal or real property. Such items are placed with the right-of-way at the property owner's risk and damage caused by plowing operations will not be reimbursed. Damage to mailboxes that do not conform to Scott County specifications (attached) will not be reimbursed while damage to conforming mailboxes may be reimbursed up to a maximum of \$50.00 at the Town Board's discretion.

It is the responsibility of owners to keep the road rights-of-way clear of vehicles, trailers, trashcans, 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 item removed from the right-of-way 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 left within the road right-of-way.

Review of Policy:

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

Adopted this 6th day of October 2014.

Brent Lawrence, Chairman

Lisa Quinn, Clerk