

**RESOLUTION NO. 2018-11**  
**Woodrow Township, Cass County, Minnesota**

**SNOW AND ICE CONTROL POLICY**

**WHEREAS**, the Town Board ("**Board**") of Woodrow Township ("**Town**") is the road authority and provides maintenance for approximately 33 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 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 to set out how snow and ice control activities will be conducted on town roads considering the Town's limited resources, public safety, protection of Town property, and protection of private property;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby adopts the following as the snow and ice control policy for the Town, which replaces and rescinds any prior snowplowing policy;

**BE IT FURTHER RESOLVED**, that any Contractor performing snow or 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, enable the delivery of emergency services, and the cost-effective allocation of resources.
  - A. **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 held in March. The second is the gas tax imposed and collected by the state.
  - B. **Contract for Services:** The Board also contracts for the following services and/or equipment: road and right-of-way maintenance, snow and ice removal, and sanding. 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 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.
  - C. **Snowplowing Standard:** Snow removal or plowing begins after a snowfall has stopped, and then only when three or more inches of snow have accumulated.

The Township road liaison shall confer with the Contractor relative to deviation from the three-inch standard and as to other special circumstances.

- D. **Safety, Equipment Damage, and Effectiveness:** Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of operators 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 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.
- E. **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 practicable, salt and sand with salt will be stored in a manner to minimize run-off.

**II. 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.

**III. SNOWPLOWING DELAYS OR SUSPENSIONS.** As stated in the policy considerations above, snow and ice control operations will be delayed or suspended if the safety of operators is at risk, conditions pose an unreasonable risk of damaging equipment, or if operations will not be effective because of existing or anticipated conditions.

In the event of equipment failure, extreme snowfall, or other unanticipated events, including the availability of personnel or need for rest for 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.

**IV. SANDING AND SALTING.** To the extent sand and salt is applied, priority will be given to the following areas in the order listed: (A) hills, controlled intersections, bridges, and curves; (B) collector streets; (C) school zones; and (D) bus routes.

**V. SNOWPLOWING OF PRIVATE PROPERTY.** The Town will not provide for the snowplowing or sanding of 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 equipment or to store snow, the Town may snowplow the private property as needed to accommodate the Town's use of the land.

**VI. 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.

**VII. OBJECTS WITHIN TOWN ROAD RIGHTS-OF-WAY.** 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 in or on the road right-of-way.

It is the responsibility of the owners 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 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 property.

**VIII. COMPLAINTS AND REQUESTS FOR FURTHER SERVICES.** 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 requests for further services should be directed to the Board. If the Contractor is aware of complaints or requests for additional services, it shall forward such complaints or requests to the Board for consideration.

**IX. MINIMUM-MAINTENANCE ROADS.** Minimum-maintenance roads shall be cleared of snow in the normal course of events and shall be subject to the policies set out herein.

Adopted this 13<sup>th</sup> day of December, 2018.

BY THE BOARD

/s/ Bob Hankey  
Bob Hankey, Chair



Attest: /s/ Diane Schires  
Diane Schires, Clerk

