

## RESOLUTION ESTABLISHING A SNOW AND ICE CONTROL POLICY

**WHEREAS** the Town Board of Stanton is the road authority and provides maintenance for approximately 32 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**: Town funds 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.
2. **Personnel**: The Town typically has four part-time employees available to carry out snow and ice control activities. One of the Town employees has been designated the Road Manager. 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 or 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 weather 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 Road Manager based upon the actual and anticipated weather conditions.

4. **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, and if snow containing salt is hauled, every reasonable effort will be made to deposit the snow away from public waters.

## **II. EMERGENCIES**

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

## **III. WHEN SNOWPLOWING BEGINS**

The Road Manager or designee shall determine when to begin snow and ice control operations.

- 1) An evaluation of the immediate and anticipated weather conditions.
- 2) The likely effectiveness of operations.
- 3) Safety of employees.
- 4) If an unreasonable risk of damaging equipment exists.
- 5) Severe icy conditions that seriously affect travel.
- 6) Time of snowfall in relationship to heavy use of the roads.
- 7) Stanton Township has established a threshold of 1.5 inches of snow accumulation for official snow removal action, on tarred roads. Snowplows will not be dispatched for lesser accumulations.
- 8) Gravel roads have a 2.0-2.50-inch threshold, with some discretion given to equipment operators.
- 9) Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently, in ongoing snowfalls, snow plowing will begin no later than an accumulation of 3 inches if visibility is adequate for driver safety.
- 10) The Road Crew will put a best effort to have roads open for morning and evening commutes and school bus traffic.
- 11) There shall be no vehicles parked on streets or roads or in turnaround areas by the beginning of, and throughout snow falls. Such vehicles shall be subject to towing.
- 12) Alternate east/west start, alternating by each year.
- 13) Snow drifts will be cleared on an ongoing basis at the discretion of plow staff.

## **IV. 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 Road Manager 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.

## **V. 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 Road Manager may choose to plow snow from one side to the other. Snow will normally be discharged to the sides of the road unless the Road Manager 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 Road Manager.

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.

## **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, 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, priority will be given to the following areas in the order listed:

1. Hills, controlled intersections, bridges, and curves.
2. Major arterial streets.
3. School Bus routes.

4. Residential areas.
5. Rural areas.

## **VII. 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.

## **VIII. 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. §§ 160.2715(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.

## **IX. 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 damage in the following manner.

1. **Vehicles:** There shall be no vehicles parked on streets or roads or in turnaround areas by the beginning of, and throughout snow falls. Such vehicles shall be subject to towing.
2. **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 damage from pushed or piled snow. The only exception is where the mailbox is damaged through direct contact with snowplowing vehicles. If, in the opinion of the Road Manager or designee, a mailbox was damaged through direct contact with snowplowing vehicles, the Town will repair, replace, or make other arrangements with the owner to correct the damage to the mailbox. The Town will not pay to repair or replace any mailbox that does not substantially comply with the standards established by the state, even if they are damaged by direct contact with snowplowing vehicles.
3. **Sod and Landscaping:** The Town assumes no responsibility for damage from snow or ice control operations to sod, trees, or other landscaping materials or vegetation.
4. **Lawn Sprinklers, Lighting, and Personal Property:** The Town assumes no responsibility for damage 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.
5. **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 damage as documented by invoices submitted to the Town by the utility company.

6. **Clearing Snow Around Items Left in Road**: It is the responsibility of 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 possess 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. There shall be no vehicles parked on streets or roads or in turnaround areas by the beginning of, and throughout snow falls. Such vehicles shall be subject to towing.
7. **Damage by Contractors**: The Town shall not be responsible for any damage or injuries caused by independent contractors performing snow or ice control operations for the Town. Any claims of damage must be made directly to the contractor.

## **X. COMPLAINTS AND REQUESTS FOR FURTHER SERVICES**

Complaints and comments regarding snow and ice control or damage should be directed to the Road Manager or a Township Supervisor and handled in accordance with township procedures. Any changes to this policy will require a Board decision.

## **XI. 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.

Adopted this 17th day of October, 2023

By the Town Board

Ken Burns, Town Board Chair

Attested

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Cheryle Peters, Town Clerk