

RESOLUTION ESTABLISHING A SNOW AND ICE CONTROL POLICY RES 2021-12

WHEREAS, the Town Board (“Board”) of Big Lake Township (“Town”) is the road authority and provides maintenance on the town’s roads;

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

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

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; 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 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. **Contract for Services**: Because the Town obtains snow and ice control services through non-exclusive contracts, 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 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.
4. **Work Schedule for Snowplow Operators**: Except in emergencies, snowplow operators shall not work more than twelve-hour 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, it will minimize its use. When possible and financially practicable; salt and sand mixed 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. SNOW EMERGENCIES

In snow emergencies, the Board may close and barricade roads. The Board will determine when to reopen each road that was closed based on need and condition of the road as well as on the availability of funds, personnel and equipment.

III. TOWN ROAD SNOWPLOWING PRIORITIES

In order to provide for the most efficient and effective snowplowing as possible given the Town's limited resources, the Board must determine which town roads will be plowed first. To this end, the Board has placed all the town roads the Town snowplows into three priority categories based on factors such as traffic volume, road function, and the importance of a road to the welfare of the community. The Board has determined that those town roads classified as priority one town roads should be snowplowed first, priority two town roads should be snowplowed second, and priority three town roads should be snowplowed third. A town road may only be snowplowed in the order accorded its priority category except in emergencies as set out in this policy.

Priority Roads attached as Addendum A.

V. 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.

VI. WHEN WINTER MAINTENANCE 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 operations.
- Snow accumulation of [two] inches or more.
- Severe icy conditions that seriously affect travel.
- Time of snowfall in relationship to time of heavy traffic.

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] inches of snow has accumulated.

VII. HOW SNOW WILL BE PLOWED

Snow will be plowed in a manner as to minimize traffic obstructions. Snow will normally be discharged to the sides of the road. Because of limited resources and restrictions on the use of salt, blacktopped roads may not 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 land owners to remove snow from their driveways and approaches.

VIII. 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 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:

- Hills, controlled intersections, railroad crossings, bridges, and curves.
- Major arterial and collector streets.
- School zones.
- Bus routes.
- Commercial areas.
- Residential areas.
- Rural areas.

IX. 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.

X. 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. If the Town must remove snow placed in roads, it will assess the cost to the property owner. (MN § 160.27 Sub. 5 and MN § 169.42).

XI. 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. 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, yard & lawn markers, or other personal or real property.

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. 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.

Mailbox damage – the Township will consider mailbox claims only if the snowplowing equipment physically hits the mailbox or post and only if the box conformed to the Town of Big Lake Mailbox Post Installation Ordinance 2001-2. Claims must be filed within 48 hours of the incident. If you live on a Township road, call the Town Clerk at 763-263-8111.

Where private property damage does occur, it is the policy of the Town to handle damages in the following manner.

Township:

1. Fills out complaint form asking if:
 - a. Specific damage to mailbox or post?
 - b. Did they place back up to receive mail?
2. Inform Contractor.

Contractor:

1. Assesses the damage and if it can be repaired or needs replacement.
2. Inform the Township.

Township:

1. Writes or calls with findings and informs of policy.

Contractor:

1. Repairs/replaces mailbox and post as necessary.

XIV. 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 Road Committee. If the contractor is aware of complaints or requests for additional services, it shall forward such complaints or requests to the Road Committee, for consideration.

XV. REVIEW OF POLICY

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

Adopted this _____ day of _____, 20____.

BY THE TOWN BOARD

Bruce Aubol, Board Chair

Attest: _____
Brenda Kimberly-Maas, Town Clerk

RESOLUTION 2021-12

Snow & Ice Policy

ADDENDUM

1. **Priority One Town Roads**: The following town roads are classified as priority one town roads for snowplowing purposes.
Collector Roads as follows:

Old County Road 79 – between CSAH 15 and County Road 32
201st Avenue – between CSAH 15 and 166th Street
205th Avenue – between County Road 43 and 166th Street
166th Street – between 201st Avenue and 205th Avenue
211th Avenue – between CSAH 15 and County Road 43
229th Avenue – between 170th Street and 176th Street
172nd Street – between CSAH 14 and 205th Avenue
176th Street – between County Road 43 and 229th Avenue

Hilde’s Addition and Mete & Bounds: 225th Avenue, 146th Street & 147th Street – between Elk River City limits and Orrock town line

Knick Knack Knoll and Meadowlands: 221st Avenue, 224th Avenue, 225th Avenue, 180th Street, 181st Street and 185th Street

Oakwood Hills and Metes & Bounds: 226th Avenue west of CSAH 15 to 165th Street; 165th Street between 226th Ave and 223rd Avenue; 223rd Avenue between 165th Street and 167th Street; 167th Street south of 223rd Avenue to County Road 83

Wild Run: 215th Avenue west of County Road 73 to 203rd Street; 213th Avenue between 203rd Street. & 205th Street; 205th Street between 213th Avenue & 214th Avenue; 214th Avenue between 205th Street & County Road 81

2. **Priority Two Town Roads**: The following town roads are classified as priority two town roads, for snowplowing purposes:
 - Residential Streets in Plats
 - Non-collector roads
3. **Priority Three Town Roads**: The following town roads are classified as priority three town roads, for snowplowing purposes:
 - All Cul-de-sacs