

## **MONONA COUNTY ORDINANCE 37**

### **AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN RESPECT TO CLEARANCE OF SNOW OR ICE MAINTENANCE OF THIS COUNTY'S SECONDARY ROADS DURING THE WINTER MONTHS.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MONONA COUNTY:**

#### **SECTION 1**

##### **PURPOSE**

The purpose of this ordinance is to establish this County's policy and level of service in respect to clearance of snow or ice and maintenance of its secondary road system during the winter months, specifically defined as November through April, as provided in **Section 668.10(2) (1995), Code of Iowa**, and pursuant to the provisions of **Section 309.67, Code of Iowa**.

This policy and level of service are to be implemented within the amount of money budgeted for this service, and as contained in this County's Secondary Road budget as submitted to and approved by the Iowa Department of Transportation and adopted by the Board of supervisors.

**The clearance of roads at any cost, under any circumstances, day or night, is not the County's policy.**

#### **SECTION 2**

##### **LEVEL OF SERVICE**

Clearance of snow or ice and maintenance of the secondary road system during the winter months is primarily for the benefit of the local residents of this County. Each storm has individual characteristics and must be dealt with accordingly.

The portion of the roadway improved for travel will have upon it snow and ice in compacted condition. These conditions may be continuous, or they may be more concentrated on hills, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose, to the extent practicable or possible under the particular conditions.

**On occasion County personnel may be rendered unavailable due to the requirements of the Omnibus Transportation Employee testing Act of 1991.**

**Except for "emergencies" as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis, all clearance of snow or ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as practicable.**

The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow and ice, drifted snow, or frost. Snow cleared from that part of the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch, or right of way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impaired. The snow removed from intersections will be piled in its corner in piles of unequal height. The lines of sight, sight distance, or visibility of motorists approaching these intersections may be greatly reduced or impaired. The County shall not be responsible for snow pushed or otherwise placed on the roadway or shoulders by others. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness, especially in respect to the surface of the roadway, and reduced or impaired visibility, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal conditions.

In respect to roadways that have only one lane open, the motorist should exercise further extreme watchfulness and caution, and their speed should not exceed 10 miles per hour. During these conditions, no additional warning or regulatory signs will be placed warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

#### **SECTION 3**

##### **SEQUENCE OF SERVICE**

In the implementation of snow and ice removal and other maintenance of the County's secondary road system during the winter months, the County Engineer shall select the actual sequence of roads to be cleared as provided for in this section of the policy, and shall determine when drifting, wind velocity, and additional snow or snowstorms require that the snow removal equipment be removed from the roadway, or that additional clearance of paved roads be accomplished prior to the clearance of gravel and dirt roads. The County Engineer's professional judgment, or his/her designee's, shall prevail, unless it is clearly erroneous.

#### **PAVED ROADS**

1. The initial effort will be to get all routes open to one-lane traffic as soon as possible and or practicable. During initial snow removal operations, paved roads may only have one lane plowed for a period of time.
2. After two-lane travel is possible on paved roads, subsequent snow removal will be carried on during normal working hours.
3. Snowplows and spreaders will not normally be in operation between the hours of 6:00 p.m. and 4:00 a.m. Snow plows and spreaders may be operated on paved roads between the hours of 4:00 a.m. and 6:00 p.m., when 1 inch or more has fallen or if, in the judgment of the County Engineer or his/her designee, conditions are such that warrant their operation (*e.g.*, precipitation has ceased or diminished, visibility is adequate, and an advantage in partially clearing and preparing the roadway for commuting hours may be possible). Snowplows and spreaders will be called in for weekend or Holiday service when snowfalls exceed 2 inches. Weekend service will be conducted during the hours of 8:00 a.m. and 5:00 p.m. Trucks may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his/her delegated representative.
4. When required, due to drifting snow, motor graders may be used to keep the paved roads open and the opening of gravel roads may be delayed.
5. **It is not the policy of the County to provide a "dry" pavement condition.**
6. After roads have been plowed, as provided in this section, intersections, hills, and curves may, but not necessarily will, have placed on them, salt, sand, or other abrasives. These intersections, hills, and curves may not be re-sanded, re-salted, or have other abrasives replaced on them between snowstorms.
7. There is no time limit after a snowstorm in which any of the above sequence of clearance, on paved roads, shall take place.

#### **UNPAVED ROADS**

1. The initial effort will be to get all routes opened to one-lane traffic as soon as possible and/or practicable after a storm has passed.
2. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
3. Motor graders and/or truck plows will not normally be in operation on unpaved roads between the hours of 6:00 p.m. and 4:00 a.m. The motor graders and/or truck plows may be operated on gravel roads between the hours of 4:00 a.m. and 6:00 p.m., when 3 inches or more has fallen or if, in the judgment of the County Engineer or his/her designee, conditions are such that warrant their operation (*e.g.*, precipitation has ceased or diminished, visibility is adequate, and an advantage in partially clearing and preparing the roadway for commuting hours may be possible). Motor graders will be called in for weekend or Holiday service when snowfalls exceed 4 inches on unpaved roads. Weekend service will be conducted during the hours of 8:00 a.m. and 5:00 p.m. The motor graders and/or truck plows may be called off the road if blowing snow and reduced visibility cause hazardous working conditions, in the professional judgment of the Engineer or his/her delegated representative.
4. Snow may not be removed from roads designated at Level B or C.

5. There is no time limit after a snowstorm in which any of the above sequence of clearance, on unpaved roads, shall take place.

#### **PRIVATE DRIVES**

1. The County will not explicitly clear snow from private drives.
2. Normal snow removal operations may result in snow being deposited in private drives.
3. Snow from private drives shall not be placed on the roadway or shoulders.

#### **MAILBOX AND FENCE REPLACEMENT**

1. The County will assume no liability for mailboxes and fences damaged because of snow removal unless such action can be determined to be malicious.
2. The County will not replace mailboxes damaged or knocked down by the force of snow thrown from the plow.

### **SECTION 4**

#### **LIMITATION OF SERVICE**

Notwithstanding anything else stated in this policy, the policy and level of service provided for in this policy shall not include the following, and the following services **shall not be performed**:

1. Sanding, salting, or placing other abrasives upon the roadways that are slick, slippery, and dangerous due to the formation of frost.
2. Placing of additional warning or regulatory signs warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.
3. Sanding, salting, or placing abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motor graders.
4. Removing of sand, salt, or other abrasives.
5. Removal of ice or snow or placing of sand, salt or other abrasives on private roads or driveways outside the right-of-way of the county road, except in emergency.

### **SECTION 5**

#### **EMERGENCY**

Service or the level or sequence of service may be suspended during "Emergency" conditions. An "Emergency" condition shall be considered as one where loss of life is probable, where a serious injury has occurred, or where extensive loss of property is imminent. These conditions should be verified through the 911 dispatcher or Sheriff's Office. The County may respond to all "Emergency" conditions, either during or after a snowstorm. Any person who makes a false report of an "Emergency" to an officer, official, or employee of Monona County or who causes a false report to be so made shall, upon conviction, be subject to a fine of not more than \$100.00 or imprisonment of not more than 30 days in the County jail.

Service or the level or sequence of service shall be further suspended in the event the Governor, by proclamation, implements the State Disaster Plan, or the Chairman of the Board of Supervisors, by proclamation, implements the County Disaster Plan. If such occurs, the County personnel and equipment shall be immediately subject to the direction of the Governor or the Chairman of the Board of Supervisors.

### **SECTION 6**

#### **REPEALER**

This ordinance shall repeal Monona County Ordinance 19, adopted April 5, 2005, and published April 21, 2005. In addition, all policies and resolutions, or parts thereof, in conflict herewith are hereby repealed.

**SECTION 7**

**SEVERABILITY CLAUSE**

If any section, provision, or part of this policy shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the policy as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 8**

**WHEN EFFECTIVE**

This policy shall be in effect immediately after its final passage.

**PASSED AND ADOPTED THIS 12TH DAY OF APRIL, 2011 MONONA COUNTY BOARD OF SUPERVISORS**

/s/John McCall

JOHN MCCALL, CHAIRMAN

/s/Jim Jensen

JIM JENSEN

/s/Tim Jessen

TIM JESSEN

ATTEST:

/s/Brooke Kuhlmann

BROOKE KUHLMANN

MONONA COUNTY AUDITOR

SEAL

**AUTHENTICATION**

Pursuant to Section 331.302(8) of the Code of Iowa, the undersigned Auditor of Monona County, Iowa hereby certifies that Ordinance No. 37 was published once in the Onawa Democrat and Mapleton Press newspapers on the 6<sup>th</sup> and 7<sup>th</sup> day of April, 2011.

/s/Brooke Kuhlmann

BROOKE KUHLMANN,

MONONA COUNTY AUDITOR

STATE OF IOWA )

)SS:

COUNTY OF MONONA )

On this 12<sup>th</sup> day of April, 2011, the aforementioned John McCall, Chairman, Monona County Board of Supervisors, and Brooke Kuhlmann, Monona County Auditor, subscribed and sworn to be the same and signed in their official capacity as stated above in my presence on this 12<sup>th</sup> day of April, 2011.

SEAL:

/s/LeAnn M. McClure

NOTARY PUBLIC,  
MONONA COUNTY, IOWA