

# **CITY OF OSSEO**

## **SNOW/ICE STREET MAINTENANCE POLICY**

### **Introduction**

A City response to snow fall and ice accumulation on City streets is necessary for safe, routine travel and efficient emergency operations. The City will respond in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. City employees and equipment, and/or private contractors will be utilized when necessary to provide this service.

### **Equipment**

Equipment will be acquired, maintained, and repaired on a timely basis, as the City's established budget allows. Equipment will be used in a cost effective manner. The Public Works Department may use removal trucks, motor graders, front-end loaders, and any other equipment as may be useful for removal of snow and ice.

Whenever existing snow removal equipment is broken down in excess of eight hours during a declared snow emergency, the Public Works Supervisor may rent equipment. The City Administrator shall be notified of this decision immediately. A written report including equipment down, reason for renting, estimated rental period, rental company, rental machine identification, rental rate, and estimate of total cost shall be submitted within 48 hours.

When the Public Works Supervisor determines that the policy levels of service cannot be provided by City forces, he shall report to the City Administrator the following information:

1. Additional time required providing desired levels of service using just City forces.
2. Additional equipment and/or personnel support required achieving desired levels of service.
3. Estimated number of hours equipment and/or personnel will be required.

The City Administrator will then take the following action:

1. Determine availability of contractor equipment.
2. Estimate cost of contracted service required.
3. Determine availability of funds to meet estimated costs.
4. Based on information supplied, the City Administrator shall determine whether to contract for additional service or equipment, or accept reduced levels of service.

If contracted service or equipment is secured, the City Administrator shall provide the City Council with a report containing the following information:

1. Purpose of contracting snow removal.
2. Estimated time and cost of contracted services.
3. Time and date contract began.

In the absence of the City Administrator, the Public Works Supervisor shall have full authority under this section and shall communicate any decisions or actions resulting in extraordinary expenditures to the City Council. For the purpose of this section, extraordinary expenditures are defined as greater than \$5,000.

The Public Works Supervisor shall have full authority to contract for any necessary hauling of snow from the Central Business District.

### **Snow Routes**

The following streets are designated primary snow routes: Central Avenue, County Road 81 Service Drives, 1<sup>st</sup> Avenue NW, 4<sup>th</sup> Avenue NE, 5<sup>th</sup> Avenue NE, 2<sup>nd</sup> Street NE, 3<sup>rd</sup> Street NE, 4<sup>th</sup> Street NE, 3<sup>rd</sup> Street NW, 4<sup>th</sup> Street NW, and 5<sup>th</sup> Street NW.

All other streets within the City limits are designated secondary snow routes.

### **Levels of Service**

The City will strive to achieve the following levels of service:

The City response to snow and/or ice may be terminated at any time the Public Works Supervisor or his designee upon determination that temperatures, visibility, and/or the rate of accumulation make the response unsafe, ineffective, or unnecessary.

Should a subsequent storm occur within the response time of the first storm, then such subsequent storm shall become the storm referred to in this policy:

1. Snow plowing and/or sanding operations shall begin on primary routes when snow accumulation reaches two (2) inches or when ice occurs and becomes a safety concern, and shall continue periodically throughout the duration of the storm. It is the intention of the City to keep these routes open to traffic, if possible, during a storm; however, it is not the intent to keep them snow or ice free.
2. It is intended that remaining through streets be open to traffic (two lanes) within 12 hours after the snowstorm subsides.
3. Downtown streets shall generally be plowed in the same manner as all other City streets. The Public Work Supervisor or his designee may elect to plow downtown streets during evening or

early morning hours to avoid traffic congestion and parked vehicles. City owned parking lots are generally plowed at the same time as downtown streets. Snow may be piled for removal when snow is hauled from downtown.

4. Downtown snow removal, if necessary, shall begin after all streets have been plowed.
5. Salt and sand operations will strive to provide bare pavement when conditions allow and skid resistance at school crossings, stop signs, and isolated City areas. General snow pack on residential streets shall not be “sanded.”
6. Plowed snow depth at the corners of intersections shall be reduced to 36 inches or less following other necessary operations. The Public Works Supervisor or his designee shall have the authority to determine the scheduling and priority of this function.

### **Method of Plowing Snow**

Snow will be plowed in a manner to minimize traffic obstructions. The snow will be plowed from the center of the street outward. For narrow streets, the Public Works Supervisor or his designee may choose to plow from one side to the other. Snow shall be plowed and pushed from left to right and discharged on the edge of the street or on adjacent right-of-way without regard for sidewalks and/or driveways. The City shall not be responsible for plowing snow from any sidewalks and/or driveways.

### **Driveways**

One of the most frequent and irritable problems in removal of snow from public streets is the snow deposited in driveways during plowing operations. Snow being accumulated on the plow blade is moved to the edge of the road and lands in front of the driveway. The drivers make every attempt to minimize the amount of snow deposited in driveways, but the amount can still be significant. City personnel do not provide driveway cleaning. Possible exceptions are at the discretion of the Public Works Supervisor for emergency situations.

### **Laws Regulating Use of Salt and Chemicals on Streets**

In 1974, the State Legislature passed legislation that restricts the use of salt and chemicals upon streets and highways. The legislation reads as follows: road authorities of cities responsible for the maintenance of highways or streets during periods when snow and ice are prevalent shall utilize such salt and chemicals only at such places as upon hills or 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.

## **Snow Removal (Hauling)**

Where space does not allow for snow to be piled outside the driving lanes, the City will remove the snow by hauling. Timing of such hauling shall be at the discretion of the Public Works Supervisor or his designee.

## **Weather Conditions**

Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of employees or equipment, and when operations will be effective. Factors that may delay snow and ice control operations include: severe cold, significant winds, limited visibility, and rapid accumulation of snow and/or ice.

## **Dispatching of Equipment**

The Public Works Supervisor or his designee shall determine dispatching of equipment. Plowing and/or sanding operations may occur during the assigned work shift or on a specific situation call out. If the specific situation is on a primary snow route, the response shall be as soon as possible if workers and equipment are available and it is more than four hours until a work shift is to begin. Once a work shift has ended, the Public Works Supervisor or his designee has the option of responding immediately to other specific situations or waiting until a new work shift begins.

Necessary workers and equipment will be dispatched as soon as possible to emergency situations (fire, medical, Police) within the City.

## **Damage to Personal Properties**

Only those items which are installed properly and allowed by City Ordinance to be in the right-of-way and adjacent to streets, that are damaged by actual contact from City equipment, will be considered for repair or replacement at City expense. Damage to trees, shrubbery, irrigation systems, and other landscaping will not be considered for compensation.

Damage to personal vehicles will be considered only if they are legally parked and only if physically contacted by equipment.

## **Complaints**

Complaints regarding snow and ice street maintenance or property damage shall be taken during normal working hours and handled in accordance with the City's complaint procedures. Complaints involving access to property or problems requiring immediate attention shall be handled on a priority basis. Response time should not exceed twenty-four (24) hours for any complaint. It should be understood that complaint responses are to ensure that the provisions of this policy have been fulfilled and that all

residents of the City have been treated uniformly. It is the City's intention to log all complaints and upgrade this policy as necessary in consideration of the constraints of our resources.

### **No Plowing of Private Property**

Unless there is direct benefit to City operations or unless emergency vehicles need access, there shall be no plowing of private property with City equipment.

### **Parking Regulations**

It is unlawful for any person, except an operator of an emergency motor vehicle on an emergency call, to park or leave standing any vehicle on any street or alley during a snow removal period between the hours of 12:00 midnight and 6:00 a.m. The City is authorized to remove violating vehicles or cause them to be removed, and the owner shall be responsible for the actual costs of removal and storage. A removed vehicle shall not be released to the owner or the owner's authorized agent until those costs have been paid. Parking may not be resumed on any street or alley between the hours of 12:00 midnight and 6:00 a.m. until the snow removal period has ended (Ordinance 71.06).

### **Vehicle Towing Policies and Procedures**

Snow cannot be effectively plowed from the streets when vehicles are parked on the street. If cars are left (plowed around), the snow surrounding the cars turns into ice and subsequent snowfalls create a hazard to the traveling public, as well as plow operators and equipment. When the plow strikes this ice, it either suddenly stops the plow or forces it to skip over the obstacle. The only alternative or solution to this problem is to eliminate the problem before it starts. Therefore, any vehicle which is parking in violation of parking regulations will be towed at the owner's expense. The towing will be done by a City authorized agency and will be monitored by the Police Department, which will issue a citation for unlawful parking.

1. The parking citation is the responsibility of vehicle owner.
2. The City is concerned with removal of vehicles from the streets to facilitate snow plowing, removal, and emergency operations. Any removal charge will be at the discretion of the towing company. If personnel are in the process of, or have hoisted the vehicle for, towing and the owner or operator appears, the vehicle shall be lowered and released to the owner or operator.
3. A City authorized agency will conduct all towing.
4. Information relative to towed automobiles, as well as payment of towing fees, should be made to Osseo Police Department at 763-424-5444. Inquiries pertaining to citations issued should be directed to Osseo Police Department.
5. A City authorized agency will be responsible for security of automobiles towed.
6. Court waiver of the fine does not relieve the owner of the towing charge without an order from the court to that effect.

## **Public Sidewalks – Snow Removal**

1. Public Nuisance. Any accumulation of snow or ice upon any public sidewalk is a public nuisance, which shall be abated by the owner or occupant of the property abutting such sidewalk within twenty-four (24) hours after snow or ice has ceased to be deposited upon such sidewalk. (See City Code Chapter 93.01.)

2. City Removal. If the owner of the property abutting any public sidewalk upon which snow and ice has been accumulated fails to abate the nuisance thereby created within twenty-four (24) hours after such snow or ice has ceased to be deposited upon such sidewalk, the City Administrator or his designated agent may cause the removal of such snow or ice. The agent causing such removal shall maintain a record showing the cost of such removal attributable to each separate lot and parcel and shall deliver such information to the City Administrator. (See City Code Chapter 93.01.)

The cost for removal is at a rate of \$55.00 per hour and a two hour minimum is also charged. If it is necessary to have the snow hauled away, an additional charge of \$110.00 per hour will be charged.

3. Assessment. Upon receipt of the information required by the preceding subdivision, the City Administrator shall forward to the Council a statement setting forth the unpaid charge for the cost of the removal of any snow or ice pursuant to Section 2 above for each separate lot or parcel. The City Council may then, pursuant to the provisions of Minnesota Statutes, Chapter 429, assess any such charge against the property benefited, and any such assessment shall, at the time at which taxes are certified to the county Auditor, be certified for collection in the manner that other special assessments are so certified. (See City Code Chapter 93.01.)

4. Civil Suit for Cost of Removal. The City Administrator may, as an alternative to the assessment procedure set forth in Section 3, initiate a civil suit in a court of competent jurisdiction to recover from the owner of land adjacent to which sidewalks have been cleared as provided in Section 2 above, the cost of the removal of snow or ice, together with allowable costs and disbursements.

5. Placing Snow or Ice on Public Streets or City Property. It is unlawful for any person, not acting under contract with the City, to place or deposit any snow or ice upon City property or streets. Such snow and/or ice is a hazard to travel.

City Ordinance provides that in the event the owner of private property abutting a public sidewalk fails to remove snow or ice from the sidewalk, the City may cause the removal of the snow or ice, and collect the cost of the removal by means of the special assessment procedure. The City Ordinance does not contain any provision which permits a Police officer or any other City employee to issue a citation or to place a person under arrest for failure to maintain the sidewalk. Warning orders for snow removal from sidewalks will be issued by the Public Works Supervisor.

## **Accidents during Snow Removal Operations**

Should any employee have a collision accident of any type during snow removal operations, he/she must immediately notify the Public Works Supervisor or designee, stating the type of collision and the conditions present. If the collision involved personal injury or a vehicle, the operator must remain on the scene until the Police arrive. It is the Supervisor's responsibility to call the Police. After the operator has sufficiently informed the Police of conditions and other pertinent data concerning the accident, the Supervisor will decide whether the operator will continue plowing operations. In the event of a very minor collision, which does not involve another vehicle or personal injury, the Supervisor will determine if the incident warrants calling the Police. This is done to insure that the Police are not contacted for insignificant incidents, such as bent sign posts, etc., and so the operator and equipment may continue plowing.

## **Review of Policy**

The City will keep on file comments and complaints received regarding this policy. This policy will be reviewed periodically. Any review will consider comments or complaints received since the last review.

Approved by the Osseo City Council on November 26, 2007.  
(Ratified by the Osseo City Council on December 10, 2007.)

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John P.W. Hall , Mayor

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Gregory S. Withers, Administrator-Clerk-Treasurer