

**CITY OF BALDWIN  
SHERBURNE COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 24-62**

**AMENDMENT OF A SNOW AND ICE CONTROL POLICY**

**WHEREAS**, the City Council of City of Baldwin is the statutory road authority and provides maintenance for all City roads within the City; and

**WHEREAS**, the City Council, as the road authority, provides for snow and ice control on the City roads it has designated to receive winter maintenance; and

**WHEREAS**, the City Council determines it is in the best interest of the City to develop a policy to set out how snow and ice control activities will be conducted on City roads considering the limited maintenance budget, personnel, and equipment available in the City.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council hereby adopts the following as the snow and ice control policy for the City:

**I. POLICY CONSIDERATIONS**

In developing this policy for how to best undertake snow and ice control activities in the City, the City Council 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 personal property; and the cost effective allocation of resources. A further explanation of some of these policy considerations follows:

1. **Budgetary:** The funds the City has available for snow and ice control are derived from two sources. The first is the City tax levy that is set by the City Council. The second source of funds comes from the gas tax imposed and collected by the state, a small portion of which is distributed to City to help maintain their roads.
2. **Personnel & Equipment:** The City has two full-time and several part-time employees available to carry out snow and ice control activities using the City's equipment. The City Council members are each designated as road superintendents with individual responsibility to enforce this resolution.
3. **Delayed or Suspended Operations:** 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. Any decision to delay or suspend operations shall be made by the City Council, in consultation with the Contractor, based upon the actual and anticipated weather conditions.

4. **Environmental Protection:** Because the City 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. 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 dispatch necessary personnel and equipment to accommodate the request.

## **III. WHEN SNOWPLOWING BEGINS**

1. The City Council shall determine when to begin snow and ice control operations. The criteria for that decision are, but not limited to:
  - An evaluation of the immediate and anticipated weather conditions.
  - The likely effectiveness of operations.
  - Safety of employees.
  - If an unreasonable risk of damaging equipment exists.
  - Snow accumulation of two inches or more.
  - Drifting snow that causes problems for travel.
  - Severe icy conditions that seriously affect travel.
  - Time of snowfall in relationship to heavy use of the roads.
2. Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently, operations will normally not begin until the snow has stopped falling or an accumulation of two inches or more has occurred.
3. Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of snowplow operators and equipment. Factors that may delay snow and ice control operations include: severe cold, significant winds, and limited visibility.

## **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 City Council or its designee determines that the safety of the 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.

## **V. HOW SNOW WILL BE PLOWED**

1. 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 City Council may choose to plow snow from one side to the other. Snow will normally be discharged to the sides of the road. Because of limitations of budget, equipment, and restrictions on the use of salt, blacktopped roads will not usually be cleared down to bare blacktop.
2. 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 City Council or its designee.
3. 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.
4. Snowplowing unavoidably results in snow being deposited on driveways and approaches. Because the City 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 City 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.

4. to the extent sand and salt is applied, priority will be given to the following areas in the order listed:
  - Hills, controlled intersections, bridges, and curves
  - Major arterial and collector streets
  - School zones
  - Bus routes
  - Commercial areas
  - Residential areas
  - Rural areas

## **VII. SNOWPLOWING OF PRIVATE PROPERTY**

The City 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 City equipment or to store snow, the City may snowplow the private property as needed to accommodate the City'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. §160.27, 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.

## **IX. OBJECTS WITHIN CITY 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 City. 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 City to handle damages in the following manner:

1. **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 City Council or its designee, a mailbox was damaged through direct contact with snowplowing vehicles, the City will repair, replace, or make other arrangements with the owner to correct the damage to the mailbox. Under no circumstances will the City pay more than fifty dollars (\$50) to correct damage to a mailbox. Furthermore, the City 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.

2. **Sod and Landscaping:** The City assumes no responsibility for damages from snow or ice control operations to sod, trees, or other landscaping materials or vegetation.
3. **Lawn Sprinklers, Lighting and Personal Property:** The City 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.
4. **Utility Structures:** The City 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. City liability will be limited to the actual costs to repair the damages as documented by invoices submitted to the City by the utility company.
5. **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 City Council 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 pursuant to applicable City ordinances.

## **X. TRAFFIC REGULATIONS**

The City Council recognizes that snowplow operators are exempt from traffic regulations set forth in Minnesota Statutes, Chapter 169 while actually engaged in work on streets, except for regulations related to driving while impaired and the safety of school children. Pursuant to this authority, snowplow operators engaged in snow removal or ice control on city streets have discretion to disregard traffic laws set forth in Chapter 169, except for laws relating to impaired driving and school children safety, when in their judgment, it is safe to disregard such laws. The privileges granted herein to operators of snow removal and ice control vehicles shall apply only if the vehicle is equipped with one lighted lamp displaying a flashing, oscillating, or rotating amber light placed in such a position on the vehicle as to be visible throughout an arc of 360 degrees.

Motorists are reminded that flashing amber and blue lights identify snow removal equipment. Motorists should maintain a 150-foot minimum distance from snow removal equipment.

## **XI. DEVIATION FROM POLICY**

The City Council or its designee may deviate from this policy when in his or her judgment it is in the best interest of the City or is necessary because of budget needs or other circumstances. Changes in priorities (lasting more than 4 hours) will be documented as to what caused such actions, why the change was necessary, and for how long the change is to be in effect. Those City employees and/or contractors affected will be notified immediately by radio or cell phone of such changes with all communications logged. Information logged will include the time and date of the communication, name of employee contacted, and how they were contacted. Any changes of priorities lasting more than 24 hours should be made in a written record and the public should be informed of such changes through normal methods used by the City for emergency notifications.

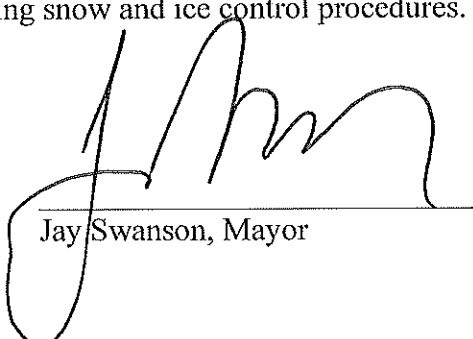
## **XII. COMPLAINTS AND REQUESTS FOR FURTHER SERVICES**

Complaints, requests for further services regarding snow and ice control, or damage to property should be directed to the City Council.

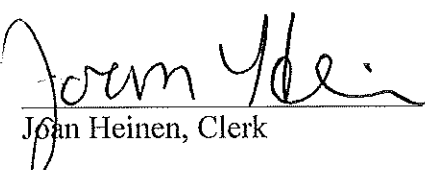
## **XIII. REVIEW OF POLICY**

The City Council will periodically review this policy, taking into consideration any changing conditions in the City's circumstances, any complaints or comments received, and the experience learned from undertaking snow and ice control procedures.

Passed this 16<sup>th</sup> day of December 2024.

  
Jay Swanson, Mayor

ATTEST:

  
Joan Heinen, Clerk

(Revised 01/02/06)

(Revised 12/16/19)

(Revised 12/16/24)