

**ALBANY TOWNSHIP
SNOW REMOVAL POLICY
ORDINANCE NUMBER 2010-01**

THE ALBANY TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

Section 1.00. Purpose and Goal.

1. Purpose. The Township of Albany believes that it is in the best interests of the residents of the township to assume basic responsibility for control of snow and ice on town streets. Reasonable ice and snow control is necessary for routine travel and emergency services. The Town will provide such control in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. The town will use a private contractor to provide this service.

2. Goal. The goal of the township is to have all roads passable within a reasonable amount of time after a snowfall has stopped. The Township does not assure a completely bare road and will not sand entire sections of roadway. Users of the township road system are reminded to exercise caution and drive with care. The legal speed limit may not be possible at all times.

Section 1.02 Operations

1. Plowing Restrictions. Township residents are reminded that it is unlawful to plow snow from driveways onto or across public roads. Piles of snow left on or near a road can freeze into a solid mass creating a hazardous situation for vehicles and snowplows. Accidents and/or damages caused by snow piles placed in the roadway may result in liability to the property owner.

2. Parking. Township residents are reminded to remove parked vehicles from township roads to assist in snow removal. The township or contracted equipment will not attempt to remove stuck vehicles from ditches, snowbanks or any other impediment. Vehicles left in the roadway in such a manner so as to cause accidents may result in liability to the owner.

3. Emergencies. The Township will, when directed by the Town Road Supervisor, the Town Board Chairman or when requested by the sheriff's department, make an emergency plowing effort through private property in a life threatening situation. No other plowing of private property will be allowed.

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

5. Personal Property. Grass damage to shoulders is considered incidental to snow removal and the township and/or contractor shall be held harmless for such damage. Mailbox damage-The mailbox owner assumes all risk of damage from snowplowing including damage from pushed or piled snow.

Section 1.03 Snow Removal Procedures

1. Dispatching Snowplows. The Town Road Supervisor will decide when to begin snow and ice control operations. The criteria for that decision are:

- a. Snow accumulation of three inches or more.
- b. Drifting of snow that causes problems for travel.
- c. Icy conditions which seriously affect travel.
- d. Time of snowfall in relationship to heavy use of roads.

Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently, snow plowing operations will not generally be conducted for snowfall of less than three (3) inches. During extended periods of snowfall, exceptions may be made. The snowplows will not be sent out in situations that may be hazardous due to restricted visibility. Snow will be plowed in a manner so as to minimize any traffic obstructions.

2. Snow removal. The Town Road Supervisor will determine when and if snow will be removed by truck from an area. Such snow removal will occur only in areas where accumulated piles of snow create a hazardous condition. Snow removal operations will not commence until other snow plowing operations have been completed. Snow removal operations may also be delayed depending on weather conditions, personnel and budget availability. The snow will be removed and hauled to a snow storage area. The snow storage area will be located so as to minimize environmental problems..

3. Use of Salt and Sand. The Township will use sand and salt when there are hazardous ice or slippery conditions. Sanding is done at problem locations on paved roads including intersections, curves and hills. The Township is concerned about the effect of salt on the environment and will limit its use for that reason. A 20 percent salt to sand mixture is used for regular sanding.

Section 1.04. Enforcement and Penalty.

1. **Correction Order.** Upon discovery of a violation of this ordinance, the Board may issue a correction order to the violator ordering the person to correct the violation by a certain time. If the violator fails to comply with the correction order by the time indicated in the order, the Board may provide for the correction of the violation. Issuance of a correction order does not preclude imposition of the penalty set forth in this ordinance.
2. **Immediate Correction.** If the Board determines that the violation creates an immediate threat to public safety, the Board will make a good faith effort to notify the violator to immediately correct the situation. If the Board is not able to promptly reach the violator, or if the violator fails to immediately correct the situation upon notification, the Board will provide for the correction of the violation.
3. **Cost of Correction** The cost of correcting a violation shall be the responsibility of the violator. If the Board provides for the correction of the violation, all expenses incurred, including reasonable attorney's fees, shall be billed to the violator. If the bill is not paid by the due date, the Board may exercise any lawful options available to it to collect the amount due.
4. **Penalty.** Any person who violates this ordinance shall be guilty of a misdemeanor and subject to the penalties for such as provided in State law. Each day of existence of such violation shall constitute a separate offense. If

convicted, the person may be assessed costs of prosecution as allowed by Minnesota Statutes section 366.01, subdivision 10.

Section 1.05. Savings Clause.

The failure of the Board to exercise, and any delay in exercising, any right under this Ordinance, including enforcement, shall not operate as a waiver thereof and shall not constitute a waiver of the Town's interest, however created, in any right-of-way, easement, or any other type of property interest.

Section 1.06. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Adopted this twenty-sixth day of April, 2010 by the Board of Supervisors of the Town of Albany.

BY THE BOARD

Timothy J Nierrenhausen
Town Chairperson

Attest: Diane E. Noll
Town Clerk