

3rd Amendment to Resolution # 309 -
The Policy and Level of Service in Respect to Clearance of Snow and Ice, and
Maintenance of Fayette County's Secondary Roads During the Winter Months

SECTION 1. Purpose. The purpose of this resolution 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) of the 2015 Code of Iowa, and pursuant to the provisions of Section 309.67 of the 2015 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 the County's secondary road budget as submitted to and approved by the Iowa Department of Transportation and adopted by the Fayette County 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 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. 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 designee acting in his 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, 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 leveled 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 the intersections will be piled in its corners 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, further extreme watchfulness and caution shall be exercised by the motorist, 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 this resolution, 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 roads. The County Engineer's professional judgment, or his designee, shall prevail, unless it is clearly erroneous.

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A. Paved Routes

1. The initial effort will be to get all routes open to two-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, subsequent snow removal will be carried on during normal working hours.
3. The truck mounted snow plows and spreaders will not normally be in operation between the hours of 4:30 p.m. and 5:00 a.m. The trucks may be called off the road if snow and/or blowing snow reduces visibility to hazardous working conditions, in the professional judgment of the County Engineer or his delegated representative.
4. When required, due to drifting snow, motorgraders may be used to keep the paved roads open and the opening of gravel 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, have placed on them, salt, sand, or other abrasives. These intersections, hills, and curves may not be resanded, resalted, or have other abrasives replaced on them between snowstorms unless in the County Engineer's or his delegated representative's professional judgment, the conditions are so hazardous that it is necessary to reapply salt, sand or have other abrasives in some areas. There is no time limit after a snowstorm in which any of the above sequence of clearance, on paved or unpaved roads, shall take place. This sequence of services shall be performed only between the hours of 5:00 a.m. and 4:30 p.m. each day, exclusive of Saturdays, Sundays and legal holidays observed by County employees.

B. 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. Motorgraders and/or truck plows will not normally be in operation between the hours of 4:30 p.m. and 5:00 a.m. The motorgraders and/or truck plows 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. Snow may not be removed from roads designated as Class B and Class C roads.
5. Snow may not be removed from roads classified as "No Snow Removal" roads. "No Snow Removal" roads will be designated by the engineer, approved by the Board of Supervisors, and signed with a 30" x 30" or larger diamond grade warning sign stating "No Snow Removal".
6. Roads may be temporarily closed at any time by order of the County Engineer or his designated representative. Snow may not be removed from roads designated as closed.
7. After roads have been plowed as provided in this section, intersections, hills and curves may have abrasives placed upon them. These intersections, hills and curves will not have abrasives replaced on them between snowstorms unless in the County Engineer's or his delegated representative's professional judgment, the conditions are so hazardous that it is necessary to reapply abrasives in some areas. This sequence of service shall be performed only between the hours of 5:00 a.m. and 4:30 p.m. each day, exclusive of Saturdays, Sundays and legal holidays observed by County employees. Due to the limitations of time, available equipment and money budgeted for clearance of snow or ice on the secondary road system, many roadways, hills, curves and intersections may not

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have any abrasives placed upon them. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness and shall reduce their speed as road conditions dictate.

C. Private Drives

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

D. Mailbox & Fence Replacement

The County will assume no liability for mailbox fences damaged because of snow removal and limited liability for mailboxes damaged because of snow removal. The County will provide a basic mailbox equivalent to the damaged mailbox in size after the damaged mailbox has been brought in for inspection. A standard 4" x 4" wooden post may be provided to replace posts broken during snow removal after the damaged post has been brought in for inspection. Installation of post and/or mailbox will be the resident's responsibility.

SECTION 4 Limitation of Service. Notwithstanding anything else stated in this resolution, the policy and level of service provided for in this resolution 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. Sanding, salting, or placing of other abrasives upon paved roadways due to freezing rain that occurs outside the County's usual working hours.
3. 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.
4. Salting 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. 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 be placed along with the use of other mechanical means such as scraping with snow blades on motorgraders.
5. Removing of sand, salt or other abrasives.

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 Fayette County or who causes a false report to be 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

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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. All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7. Severability Clause. If any section, provision, or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 8. When Effective. This resolution shall be in effect immediately after its passage and publication as provided by law.

WHEREAS the 2015 Code of Iowa Section 309.67 and Section 668.10 provides for the establishment of a policy and level of service in respect to clearance of snow or ice and maintenance of the county secondary roads during the winter months, and

WHEREAS the Fayette County Board of Supervisors desire to further amend the December 31, 1984 resolution, that was first amended on December 28, 1999, and subsequently amended on October 30, 2000, on policy and level of service in respect to clearance of snow and ice and maintenance of Fayette County's secondary roads during the winter months,

NOW THEREFORE BE IT RESOLVED by the Fayette County Board of Supervisors that the revised policy and level of service in respect to clearance of snow and ice and maintenance of Fayette County's secondary roads be adopted and in effect as of this date and shall remain in effect until such time as it is amended, repealed or replaced by amendment or County Ordinance.

On roll call all voted eye, none nay, and the resolution was adopted.

Approved this 14th day of December, 2015.

Fayette County Board of Supervisors



Jeanine Tellin, Chair



Darrel Dolf, Vice Chair



Vicki Rowland, Member

Attest:



Lori Moellers
Fayette County Auditor

2015 Iowa Code

668.10 Governmental exemptions.

1. In any action brought pursuant to this chapter, the state or a municipality shall not be assigned a percentage of fault for any of the following:

a. The failure to place, erect, or install a stop sign, traffic control device, or other regulatory sign as defined in the uniform manual for traffic control devices adopted pursuant to section 321.252. However, once a regulatory device has been placed, created, or installed, the state or municipality may be assigned a percentage of fault for its failure to maintain the device.

b. The failure to remove natural or unnatural accumulations of snow or ice, or to place sand, salt, or other abrasive material on a highway, road, or street if the state or municipality establishes that it has complied with its policy or level of service for snow and ice removal or placing sand, salt, or other abrasive material on its highways, roads, or streets.

2. In any action brought pursuant to this chapter, the state shall not be assigned a percentage of fault for contribution unless the party claiming contribution has given the state notice of the claim pursuant to section 669.13.

1984 Acts, ch 1293, §10; 2007 Acts, ch 110, §3

309.67 Duties of county board of supervisors and the county engineer.

The county board of supervisors is charged with the duty of establishing policies and providing adequate funds to properly maintain the secondary road system. The county engineer, pursuant to section 309.21 and board policy, shall adopt such methods and recommend such personnel and equipment necessary to maintain continuously, in the best condition practicable, the entire mileage of said system.

[S13, §1527-s15; C24, 27, 31, 35, §4660; C39, §4660, 4778; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §309.67]

Duty to remove obstruction, chapter 318