

Resolution No. 997

Lincoln County Snow Removal Ordinance

1. **Purpose**

The purpose of this Ordinance is to establish Lincoln County's Policy and level of service in respect to the clearance of snow or ice and maintenance of its road systems during the winter months. This Ordinance and level of service shall be implemented with the amount of money approved in advance by the Board of Commissioners for this service, and as contained in Lincoln County's road budget as submitted and approved by Lincoln County and adopted or amended by the Board of Commissioners.

2. **Liability of Lincoln County**

Liability of the County for effects to private property. Snow removal operations may cause snow to be deposited in the approaches of driveways of property owners. The County will not remove this snow or ice from private driveways. Snow from property owners' driveways shall not be placed on the County roadway or shoulders. The County will not be responsible for damage caused by snow removal operations to structures or any other objects on or within the County road right-of-way.

3. **Emergency Conditions**

A person shall not push, place, or deposit items, including but not limited to: snow debris, construction materials or litter onto the County right of way, other than materials within a public construction project limits, normal trash pickup, or such other material approved by the County Commissioners. The driver of a vehicle that impedes or interferes with road snow removal crews or other emergency personnel responding to an emergency may be directed to remove the vehicle from the County road. Under direction of the County or emergency personnel, the driver shall immediately remove the vehicle from the right of way, or be towed at the owner's expense.

Any vehicle parked in County right of way may be subject to towing at the owner's expense. The County will make an effort to notify the owner if the vehicle is visible to oncoming traffic and is not unreasonably restricted the use of the road and other vehicles. Lincoln County will not be held responsible for any damage to the removed vehicle. If a vehicle or other obstruction impedes the County's snow removal process, or obstructs the use of a County road by emergency vehicles, a Sheriff Deputy or the County, a District Foreman may order the removal of the obstruction, or vehicle by County vehicles or equipment. Lincoln County will not be liable for any resulting damage to the removed obstruction and vehicles.

4. **Repealer**

All Ordinances, parts of Ordinances, County Policies and parts of County Policies in conflict with the provisions of the Ordinance are hereby repealed.

5. **Severability Clause**

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


6 **When Effective**

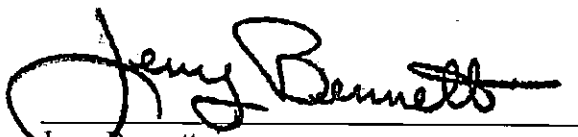
This Ordinance, shall be in effect, after its final passage, approval, and publication as provided by law.

DONE IN SESSION this 15th day of November, 2017

LINCOLN COUNTY BOARD OF COMMISSIONERS


Mike Cole, Chair


Mark Peck


Jerry Bennett