

## 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**

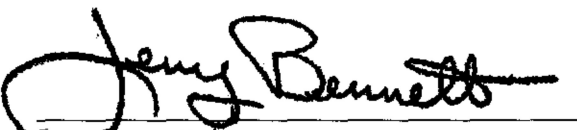
This Ordinance, shall be in effect, after its final passage, approval, and publication as provided by law.

DONE IN SESSION this 15<sup>th</sup> day of November, 2017

LINCOLN COUNTY BOARD OF COMMISSIONERS

  
Mike Cole, Chair

  
Mark Peck

  
Jerry Bennett

## **SNOW REMOVAL POLICY**

1	Title
2	Purpose
3	Level of Service
4	Sequence of Service
5	Limitation of Service
6	Emergency Conditions
7	Repealer
8	Severability Clause
9	When Effective

### **1 TITLE**

The title of this Policy shall be "Establishing A Snow Removal Policy on Lincoln County Roads".

### **2 PURPOSE**

The purpose of this policy is to establish Lincoln 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. This policy and level of service are to 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 budgets as submitted to and approved by Lincoln County and adopted or amended by the Board of Commissioners.

**LEVEL OF SERVICE**

Clearance of snow, ice, or compacted snow and maintenance of the road system during the winter months is primarily for the benefit of the motoring public. Each storm has individual characteristics and must be dealt with accordingly. From time-to-time, the portion of the roadway improved for travel will have upon it snow and ice in a compacted condition. These conditions may be continuous, or they may be more concentrated on hills, on sheltered areas, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose. All clearances of snow or ice, sanding, deicing, and other maintenance respecting winter conditions shall be accomplished within the amount of money approved in advance by the Board of Commissioners for this service. The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow or ice or frost. The snow cleared from that part of the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch approaches, or right-of-way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impaired. The snow removal from intersections may be piled in its corners in piles of unequal height. The line 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 shoulder.* Motorists shall drive their vehicles during these conditions with additional caution and care, especially in respect to the surface of the roadway, and are expected to operate their vehicle in a careful and prudent manner and at a reduced rate of speed no greater than is reasonable and prudent under the conditions existing at the point of operation, taking into account the amount and character of traffic, visibility, weather, and roadway conditions. In respect to roadways that have only one lane open, caution and care should be exercised by the motorist. During these conditions, no additional warning or regulatory signs will be placed that warn 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.



**SEQUENCES OF SERVICE**

In the implementation of snow and ice removal and other maintenance of the County's road system during the winter months, the District Foreman shall, at the beginning of each winter season, select the actual sequence of roads to be cleared as provided for in this Section of the policy, and shall determine when snow accumulation, drifting snow, wind velocity and additional snow or snowstorms require that the snow removal equipment be placed in operation or removed from operation or that additional clearance of paved routes be accomplished prior to the clearance of gravel roads, and secondary roads. It is the policy of Lincoln County to not plow on weekends unless an accumulation of six (6) inches of snow has been deposited in the lower valley. The District Foreman's professional judgment shall prevail.

1. Routes.

- a. The initial effort will be to get routes open to two-lane traffic as soon as possible, and these may be the only routes maintained on weekends. Priority will be hills, school bus routes, and high traffic routes.
- b. After routes are open to two-lane travel, subsequent snow removal will be provided only during regular working hours, and plowed once per shift.
- c. The truck mounted snow plows, spreaders, and motor graders will not normally be in operation after two-lane traffic has been achieved. The trucks will be called off the road if snow and/or blowing snow reduces visibility to hazardous working conditions, in the professional judgment of the District Foreman or his delegated representative.
- d. When required, due to drifting snow, motor graders may be used to keep the paved roads open and the opening of gravel roads may be delayed. In the event of an extreme snow event the County may focus only on high traffic areas, and other routes may be delayed until a later shift or as weather permits.
- e. It is not the Policy or the responsibility of the County to provide a "dry" pavement.
- f. After roads have been plowed as provided in this section, intersections, hills, sheltered areas, and curves may have placed on them, deicer, sand, or other abrasives as deemed necessary by the District Foreman.

2. Secondary routes.

- a. The initial effort will be to get all routes opened to one-lane traffic for rural residents as soon as possible after a storm has passed.
- b. After routes are open to one-lane travel, subsequent snow removal will be to widen the roadways to provide two-lane travel as soon as possible.
- c. Secondary routes will not be plowed when the District Foreman determines that wind is causing substantial amounts of snow to drift across the roads. At his discretion, the District Foreman may make this determination for their portion of the County.
- d. Snow will not be removed from roads which do not directly access occupied residences until, such time as the District Foreman determines that adequate personnel and equipment are not required for higher priority snow removal work. This service will be provided only during regular working hours.

3. Liability of the County for effects to private property. Snow removal operations may cause snow to be deposited in the approaches of driveway of property owners. The County will not remove this snow or ice from private driveways. Snow from property owner's 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.

**5****LIMITATIONS OF SERVICE**

The policy and level of service provided for in this Policy shall not include the performance of the following services:

Sanding, deicing, or placing of other abrasives upon the roadways that are slick, slippery, and dangerous due to the formation of frost which occurs after an established weather service has indicated to the County that the probability for formation of frost.

1. Sanding, deicing, or placing of other abrasives upon paved roadways that are slick, slippery or dangerous due to freezing rain that occurs suddenly.
2. Sanding, deicing, or placing of other abrasives upon secondary roadways, except at those locations approved in advance by the District Foreman.

**6****EMERGENCY CONDITIONS.**

The sequence of service may be suspended during "emergency" conditions declared by the District Foreman. An "emergency" condition shall be considered as one where a loss of life is probable, where a serious injury has occurred, or where extensive loss of property is imminent. The County will respond to all "emergency" conditions, either during or after a snowstorm.

1. Provisions of the Policy shall be further suspended in the event the Governor, by proclamation, implements the State Disaster Plan, or the Chairman of the Board of Commissioners, by proclamation, implements the County Disaster Plan. If such occurs, the County personnel and equipment shall be immediately subject to the direction of the Governor or the District Commissioners.
2. 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. Upon direction of the County or emergency personnel, the driver shall promptly 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 by 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 processes, 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 by county vehicles or equipment.

Lincoln County will not be liable for any resulting damage to the removed vehicle.

Refer to County Resolution # 997 in reference to Lincoln County Snow Removal Ordinance.