

City of Rushmore, Minnesota Snowplowing Policy

1. Introduction

The City of Rushmore, Minnesota, finds that it is in the best interest of the residents of the city to assume basic responsibility for control of snow on city streets. Reasonable snow control is necessary for routine travel and emergency services. The city will attempt to provide such control in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. The city will use city employees, equipment and/or private contractors to provide this service. This policy does not relieve the operator of private vehicles, pedestrians, property owners, residents and all others that may be using public streets, of their responsibility to act in a reasonable, prudent and cautious manner, given the prevailing street conditions.

2. When Will the City Start Snow or Ice Control Operations?

The Street Superintendent will decide when to begin snow or ice control operations. The criteria for that decision are:

- A. Snow accumulation of three (3) inches or more;
- B. Drifting of snow that causes problems for travel;
- C. Icy conditions which seriously affect travel; and
- D. Time of snowfall in relationship to heavy use of streets.

Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently, snowplowing operations will not generally be conducted for snowfall of less than three (3) inches.

3. How Snow will be Plowed

Snow will be plowed in a manner so as to minimize traffic obstructions. The City of Rushmore uses the city owned road grader for snow removal on City streets. The center of the roadway will be plowed first. The snow shall then be pushed from left to right on two-way streets. The discharge shall go onto the boulevard area of the street. The equipment driver typically pushes snow back to the corner in the direction the equipment is traveling. This causes particular corners to get more snow on it than another. It is not practical to require that the large equipment attempt to maneuver around the intersection to equally distribute snow on opposite corners. This is difficult to accomplish and is also time-consuming. Roadway design, the type of equipment that is utilized and the severity of snow events all factor into the size of the windrow left in the machine wake. In times of extreme snowfall, streets will not always immediately be able to be completely cleared of snow.

During significant and severe storms, the city must be prepared to move personnel and equipment to maintain priority routes first. In fulfilling the need to have all priority streets safe and passable, when resources are limited, plowing of all other streets may be stopped at any time so resources can be shifted to priority routes. In order to keep intersections safe, other city equipment or contracted private equipment may be utilized to complete the snow removal process.

Unforeseeable circumstances may cause delays in completing plow routes. Such circumstances may include weather conditions that endanger the safety of snowplow operators and/or safe and effective operation of equipment, commuter traffic, disabled vehicles, poor visibility conditions, parked cars along streets, assistance to emergency response vehicles, equipment breakdown, and personnel shortages.

A ridge of snow will be left at the end of your driveway, curb, vehicle, riding lane, etc. from our plowing equipment. It is the responsibility of the property owner to remove snow left by our equipment. This snow cannot be deposited back into the plowed area of the street or right of way as stated in Minnesota Statute 160.2715 .

4. **Plowing of Alleys and Private Property**

Unless there is direct benefit to city operations or unless emergency vehicles need access, their shall be no plowing of city alleys or private property with city equipment.

5. **Work Schedule for Snowplow Operators**

Snowplow operators will be expected to work their assigned shifts. In severe snow emergencies, operators sometimes have to work longer shifts, but will be paid overtime for hours in excess of 40 per week. While work breaks are not guaranteed, generally operators will take breaks in accordance with city policy, provided the breaks do not interfere with city services or operations. In addition, operators will be allowed sufficient time to eat a meal during any shift which is eight or more hours.

6. **Traffic Regulations**

The city 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.

7. **Weather Conditions**

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

8. **Emergency Conditions**

For emergency vehicles responding to emergency situations (fire, medical, law enforcement) within the city, Fire Department or Sheriff Department jurisdiction, necessary employees and equipment will be dispatched as soon as possible.

9. **Right-of -Way (ROW)**

A street typically consists of more than the actual graveled or blacktop area traveled by vehicles. This traveled portion of the street is contained within a larger swath of land that consists of many more elements known as the street right-of-way, or ROW. The ROW is usually defined by the easement document or plat. In some less common situations, the ROW may be defined by actual use or the traveled street surface.

The city will make reasonable attempts to evenly distribute plowed snow between and among neighboring properties. However, the location of driveway, fire hydrants, mailboxes and the like may not enable an "equal" distribution of plowed snow along roadways. The city does not have the resources in terms of manpower, equipment or funds to expend time and effort in redistribution of snow piles along roadways. The primary function and objective of the city during the winter is to endeavor to keep city roads in a reasonably safe condition for travelers.

10. **Sidewalks**

The city will remove a path of snow on the 100 block of North Thompson Avenue sidewalks after a significant snowfall. As there are a limited number of personnel available, the city will only clear a path of snow on these sidewalks when personnel are available. The city will not clear ice or be responsible for any ice removal on sidewalks that are not owned by the city.

11. **Damage to Personal Property or Mailboxes**

Only those properties which are installed properly and allowed by city ordinance to be adjacent to streets and damaged by actual contact with city equipment, will be considered for repair or replacement at city expense. Damage to trees, shrubbery and other landscaping will not be considered for compensation.

Damage to personal vehicles will be considered only if they are physically contacted by equipment and if they are legally parked. City of Rushmore Ordinance #59 describes parking regulations during a snowfall event.

Damage to a mailbox is a risk that snow removal operators face during their winter plowing requirements. The city will conduct a review of each mailbox damage claim to determine whether the city has any legal responsibility for the damage and, if so, to replace or provide reimbursement for the mailbox. If the city, in its discretion, determines that reimbursement or replacement is appropriate, the city may at the mailbox owner's request, replace the mailbox with a standard size, non-decorative metal mailbox and replace the support post as necessary, both which will be installed by the city.

12. **Deviation from Policy**

The Maintenance Supervisor 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. The policy will be reviewed periodically.

13. **Nobles County**

Certain streets, such as County Road 27, within the city are maintained by Nobles County,

and fall under county maintenance policy.

14. Parking During A Snow Event

CITY OF RUSHMORE ORDINANCE NO. 59 Section 71.06 of the City Code addresses parking during a snowfall event.

§71.06 PARKING REGULATIONS DURING A SNOWFALL EVENT

A. A snowfall event under this section of the City Code is any event during which snow accumulates in plowable or shovelable measurements on the sidewalks and/or streets of Rushmore, either as a direct result of precipitation amounts, or as a result of snow being blown and drifted into certain areas. Plowable and shovelable amounts are those which cover an area completely with snow.

B. It is unlawful for any person to leave or park an automobile, truck, bus, trailer of any kind, camper, snowmobile, motorcycle, or recreational vehicle on the street within the city limits of Rushmore within ten (10) hours of a snowfall event as defined herein until after such time as snow has been visibly plowed to the curb and removed from the street.

C. VIOLATIONS AND PENALTIES. Violation of this Section constitutes a misdemeanor and in addition the City may remove and impound the vehicle and certify the cost of removal, impoundment, and storage as an assessment or lien on the vehicle. Vehicles will be impounded after remaining parked for two days in violation of this ordinance. Upon impoundment of the same, said violator will be notified by personal service and said violator will have sixty (60) days from impoundment to reclaim the same by paying the misdemeanor fines and any assessments. After sixty (60) days from impoundment, unclaimed property becomes the property of the City, and is subject to disposal by the City.