

## WINNEBAGO COUNTY ORDINANCE NO. 2

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WINNEBAGO COUNTY

AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN RESPECT TO CLEARANCE OF SNOW AND ICE AND MAINTENANCE OF THIS COUNTY'S SECONDARY ROAD SYSTEM DURING THE WINTER MONTHS.

SECTION 1. Purpose. The purpose of this ordinance is to establish Winnebago 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, as provided in HF 2487, Section 10(2), acts of the 63<sup>rd</sup> G.A., Second Session, and pursuant to the provisions of Section 309.67, 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 Winnebago County's road budget as submitted to and approved by the Iowa Department of Transportation and adopted by the Board of Supervisors.

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 Winnebago 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 a compacted condition. These conditions may be continuous, or they 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. All clearance of snow or ice, sanding, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service. 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 accumulated 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 removed from intersections will be piled in its corner 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 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 the legally permitted or advised under normal conditions. In respect to roadways that have only one lane open further extreme watchfulness and caution should 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 shall be.

SECTION 3. Sequence of Service. In the implementation of snow and ice removal and other maintenance of Winnebago County's secondary road system during the winter months, the County Engineer, or his designated representatives, shall assign operators and equipment to snow and ice removal operations, shall select the actual sequence of roads to be cleared as provided for in this Section, and shall determine when drifting, wind velocity, and additional snow or snowstorms required that the snow removal equipment be removed from the roadway, or that additional clearance of paved routes be accomplished prior to the clearance of gravel and dirt roads. The County Engineer's professional judgement shall prevail unless it is clearly erroneous.

A. PAVED ROUTES.

1. The initial effort will be to open the paved routes to one-lane traffic.
2. The snow equipment required for the initial effort will not normally be in operation between the hours of 6:00 P.M. to 6:00 A.M. The engineer or his delegated representatives may call the equipment off the road when the snow and/or blowing snow reduces visibility to hazardous working conditions, or when snow drifts are forming as fast as they are removed.
3. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
4. When required, additional snow removal equipment may be used to open the paved roads and the opening of the gravel roads may be delayed.
5. It is not the policy of the county to provide a "dry" pavement condition.
6. After the paved roads have been plowed as provided in this section, intersections, hills, and curves may be sanded. These intersections, hills, and curves will not normally be re-sanded between snowstorms. Sanding will be performed during normal working hours.

B. UNPAVED ROADS.

1. The initial effort will be to provide at least one lane of access from one direction for all residents.
2. The snow equipment required for initial effort will not normally be in operation between the hours of 6:00 P.M. and 6:00 A.M. The engineer or his representatives may call the equipment off the road when the snow and/or blowing snow reduces visibility to hazardous working conditions or when snow drifts are forming as fast as they are removed.
3. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
4. Snow will not be removed from any "dirt" road and may not be removed from all gravel-surfaced roads.
5. Sand will not normally be applied to gravel roads. If applied, it will be done only on a limited spot application basis upon request and subsequent confirmation of need by the Secondary Road Department.

### C. PRIVATE DRIVES.

Snow removal operations may result in snow being deposited in entrances to private drives. The County shall not be responsible for removing such deposits nor for any snow removal operations with respect to private drives and entrances.

Snow removal from private drives by residents shall not be placed on the roadways or shoulders.

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.

### SECTION 4. Limitation of Service.

- A. Winnebago County will not normally sand or place other abrasives upon the roadways or bridges that are slick, slippery and dangerous due to the formation of frost, or as a result of freezing precipitation outside of the County's usual working hours.
- B. Winnebago County will not place any 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.

### SECTION 5. Emergency.

- A. The sequence of service stated in Section 3 may be superseded during "Emergency" conditions. An "Emergency" condition shall be considered as one where a loss of life is probable, a serious injury or illness has occurred which requires a physician's immediate attention, or extensive loss of property is imminent. An "Emergency" request from a physician, fire department, ambulance service, police department, or sheriff's office will be honored and responded to by the County either during or after a snowstorm. Emergency requests from individuals should be certifiable as such and once confirmed will also be honored during or after a snowstorm.
- B. The provisions of this ordinance 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 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. Damage to Private Property. The County's obligation to remove snow and/or ice from the roadway of the secondary road systems takes precedence over accidental damage to privately owned fences, gates, mailboxes, machinery or abandoned or stranded vehicles. Reasonable care will be used to avoid damage to private property; but due to the conditions of winter, the County assumes no liability in the event of

damage unless it can be established that operator negligence was the primary reason for the damage.

In general, privately owned vehicles that are stuck on the normally traveled portion of the roadway will not be moved. If county equipment cannot get around a stuck vehicle, it may be moved enough to allow equipment to pass. Again, no liability for any damage is assumed unless negligence can be established. Stranded motorists will be offered assistance.

SECTION 7. Repealer. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

SECTION 8. 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.

SECTION 9. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law and Winnebago County Ordinance No. 1.

Winnebago County Ordinance No. 2 is hereby approved and adopted upon second and final reading by unanimous vote of the Winnebago County Board of Supervisors this 7<sup>th</sup> day of January, 1986.

WINNEBAGO COUNTY BOARD OF SUPERVISORS