

**Marshall County
Ordinance #6**

SNOW REMOVAL

**AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN
RESPECT TO CLEARANCE OF SNOW OR ICE AND MAINTENANCE OF THE
SECONDARY ROADS OF MARSHALL COUNTY DURING THE WINTER
MONTHS.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MARSHALL
COUNTY, IOWA:**

SECTION 1. Purpose.

The purpose of this Ordinance is to establish Marshall County's policy and level of service in respect to clearance of snow or ice and maintenance of Marshall County's secondary road system during the winter months, pursuant to the provisions of Sections 668.10, 670.4 and 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 Marshall County's Secondary 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.

The clearance of snow or ice and maintenance of Marshall County's Secondary Road system is primarily for the benefit of the residents of this County. Marshall County's existing snow removal equipment will be utilized for this purpose and 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.

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 or intersections. Each storm has individual characteristics and must, therefore be dealt with accordingly. The entire width of a portion of road improved for travel may not be cleared of snow, ice or compacted snow and ice, or frost. Snow that is cleared from the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch or right-of-way. It can be expected that snow will accumulated adjacent to the traveled portion of the roadway to the extent that motorist's sight distance to both the left and the right may be greatly reduced or impaired. The snow removed from any intersection may be placed 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 or sight distance, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal driving conditions. In respect to roadways that have only one open lane of traffic, further extreme watchfulness and caution should be

exercised by motorists, and their speed should not exceed 10 miles per hour. During these conditions no additional warning or regulatory signs will be placed along roadways to warn of reduced or impaired sight distances or 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 or his designated representative shall select the actual sequence of roads to be cleared as provided for in this Section of this Ordinance, and the County Engineer or his designated representative shall determine when drifting snow, high winds, and additional snow or snow storms require 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 judgment or his designated representative's judgment shall prevail unless it is clearly erroneous.

Paved Routes-

1. The initial effort will be to get all routes open to a minimum of one-lane traffic as soon as possible.
2. After one-lane travel is possible, subsequent snow removal may be delayed until normal working hours.
3. Motor graders may be used to open the paved roads first and the opening of gravel roads may be delayed.
4. The truck mounted snow plows and spreaders will not normally be in operation between the hours of 4:00 P.M. and 7:00 A.M. Snow removal may be called off the road if snow and/or blowing snow reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his designated representative.
5. It is not the policy of the County to provide a "dry" pavement condition.
6. The County may place salt, sand or other abrasive on intersections, hill and curves after roads have been plowed as provided in this Section. These intersections, hills and curves may not be re-sanded, re-salted, or have other abrasive replaced on them between snowstorms. The County does not intend to perform this service between the hours of 11:00 P.M. and 5:00 A.M. each day.

Unpaved Roads-

1. The initial effort will be to get all routes open to one-lane traffic as soon as possible after a storm has passed and paved routes are open.
2. After one-lane travel is possible, subsequent snow removal may be delayed until normal working hours.
3. Gravel roads may not be plowed if the wind is causing continual drifting.
4. Snow will not be removed from roads designated as dirt roads.

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 roadways or shoulders.

There is no time limit after a snowstorm in which any of the above sequence clearance, on paved or unpaved roads, shall take place.

SECTION 4. Limitation on Service.

The policy and level of service provided for in this ordinance shall not require the County to perform the following services:

1. Sanding, salting, or placing of other abrasive upon the roadway and/or bridges that are slick, slippery, and dangerous due to the formation of frost.
2. Sanding, salting, or placing other abrasive upon paved roadways due to freezing rain that occurs between the hours of 11:00 P.M. and 5:00 A.M.
3. Sanding, salting, or the placing of other abrasive materials upon granular surfaced or dirt roads that are slick, slippery, and/or dangerous due to an accumulation of freezing rain, ice and/or compacted snow.
4. 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.

SECTION 5. Emergency.

The sequence of service may be suspended during “Emergency” conditions. An “Emergency” condition shall be considered as one where a loss of life is probably, where a serious injury has occurred, or where extensive loss of property is imminent. These conditions should be verified through a physician or the County Sheriff. The County will respond to all “Emergency” conditions, if possible, either during or after a snowstorm.

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. Severability of Provisions.

It is the intention of the Board of Supervisors that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any such section, paragraph, sentence, clause or provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance or any part thereof other than that affected by such decision.

SECTION 7. Effective Date.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

SECTION 8. Repeal of Previous Ordinances.

This Ordinance repeals and replaces any previous Marshall County Snow Removal Ordinances that may be in conflict with this Ordinance.

Passed and approved this 14th day of November, 1994.

History:

Snow Removal Ordinance

Recorded Instrument No. 02772-1989-0

Amendment No. 1, Recorded Instrument No. 9502694