

Prepared by Brandon Billings, 2716 S Federal Ave., Mason City, IA 50401, (641)424-9037  
Return to Bob Peshak, 220 North Washington Ave., Mason City, IA 50401, (641)421-3046

## **SNOW ORDINANCE 24A CERRO GORDO COUNTY**

**TITLE:** An ordinance establishing the policy and level of service in respect to clearance of snow or ice and maintenance of this County's secondary roads during the winter months.

Be it Enacted by the Board of Supervisors of Cerro Gordo County, Iowa.

**SECTION 1.** Purpose. The purpose of this ordinance is to establish this 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, specifically defined as November through April, as provided in *Section 668.10(2) (1995), Code of Iowa*, 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 this County's secondary road budget as submitted 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 this County. Each storm has individual characteristics and must be dealt with accordingly. The portion of the roadway impaired 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 and personnel will be utilized for this purpose. On occasion County personnel may be unavailable due to the Omnibus Transportation Employees Testing Act of 1991. Except for emergencies as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis, all clearance of snow and ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as practicable. 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 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 removed from intersections will be piled in its corners in piles of unequal heights. 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 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 that 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 that ward 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 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 shall select the actual sequence of roads to be cleared as provided for in this Section of this Ordinance, and shall determine when drifting, wind velocity, and additional snow or snowstorms 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/her designee's, shall prevail, unless it is clearly erroneous.

A. Paved routes.

- (1) The initial effort will be to get all routes open to two-lane traffic as soon as possible and or practicable. During initial snow removal operations, paved roads may only have one lane plowed for a period of time.
- (2) After two-lane travel is possible, subsequent snow removal will be carried on during normal working hours. Normal hours of operation may be adjusted based on the Engineer's professional judgment for more efficient road clearing.
- (3) The truck mounted snowplows and spreaders will not normally be in operation between the hours of 6:00 p.m. and 5:00 a.m. unless deemed necessary by the County Engineer's professional judgment. The trucks may be called off the road if snow and/or blowing snow reduces visibility to hazardous working conditions, in the professional judgment of the County Engineer or the County Engineer's delegated representative.
- (4) If it is in the County Engineer's professional judgment, or his/her designee's, the motor graders may be used to keep the paved roads open, and clear of ice. The opening of gravel roads may be delayed.
- (5) It is not the policy of the County to provide a "dry" pavement condition.
- (6) After roads have been plowed as provided in this section, intersections, hills, and curves may, but not necessarily have placed on them, salt, sand, or other abrasive. These intersections, hills, and curves may or may not be resanded, resalted, or have other abrasives placed on them between snowstorms.

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.

B. Unpaved roads.

- (1) The initial effort will be to get all routes opened to one-lane traffic as soon as possible after a storm has passed.
- (2) After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours to clear the normal traveled portion of the roadway.
- (3) Motor graders and/or truck plows will not normally be in operation between the hours of 6:00 p.m. and 5:00 a.m. unless deemed necessary by the County Engineer's professional judgment. The motor graders and/or truck plows may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his/her delegated representative.
- (4) Snow may not be removed from roads designated as Level B.

C. 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 roadway or shoulders. The County shall not replace, or repair mailboxes destroyed or damaged by snow during snow removal operations. Mailboxes destroyed or damaged by County equipment shall be repaired or replaced by the County at the County's earliest convenience, using U.S. Postal Standard 4 x 4 post and box.

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.** Notwithstanding anything else stated in this ordinance, the policy and level of service provided for in this ordinance shall not include the following, and the following services **shall not be performed.**

- A. Sanding, salting, or placing of other abrasives upon the roadway that are slick, slippery, and dangerous due to the formation of frost.
- B. Sanding, salting, or placing other abrasive upon paved roadways due to freezing rain that occurs outside the County's usual working hours unless deemed necessary by the County Engineer's professional judgment.
- C. 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.
- D. Sanding, salting, or placing abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the

paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motor graders.

E. Removing of sand, salt, or other abrasives.

**SECTION 5. Emergency Conditions.** Service or the level or sequence of service may be suspended during “emergency” conditions. An “emergency” condition shall be considered as one where loss of life is probable, where a serious injury has occurred, or where extensive loss of property is eminent. These conditions should be verified through the 911 dispatcher or Sheriff’s office. The County may respond to all “emergency” conditions, either during or after a snowstorm. Any person who makes a false report of an “emergency” to an officer, official, or employee of Cerro Gordo County or who causes a false report to be so made shall, upon conviction, be subject to a fine of not more than \$100.00 or imprisonment of not more than 30 days in the County jail.

Service or the level or sequence of service 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. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 7. 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 adjudges invalid or unconstitutional.

**SECTION 8. When Effective.** This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

First Consideration: January 26, 2021

Second Consideration: Waived January 26, 2021

Third Consideration: Waived January 26, 2021

Passed and approved this 26<sup>th</sup> day of January, 2021.

AYES: Watts, Latham, Callanan

NAYS: None

ABSENT/NOT VOTING: None

---

Chairman Casey M. Callanan  
Board of Supervisors

ATTEST:

---

Bob Peshak  
Deputy Auditor