

Model Snow and Ice Management Policy

A framework for private snow and ice management contractors

Developed by snow and ice management professionals from cities and counties in diverse areas of Minnesota, watershed districts, the Minnesota Pollution Control Agency, the Minnesota Nursery and Landscape Association, and other stakeholders

Prepared by Smith Partners PLLP

August 26, 2016

MODEL SNOW AND ICE POLICY ADVISORY COMMITTEE
MINNESOTA MODEL SNOW AND ICE MANAGEMENT POLICY

August 26, 2016

A. Introduction

It is among the responsibilities of the [City/County] of _____ to manage snow and ice on [City/County] streets and public property under the [City / County]'s jurisdiction. The purpose of this document is to set policies for how the [City/County] will fulfill this responsibility and to identify those [City/County] officials and employees who are authorized to set subordinate policies and make judgments in the course of carrying out snow and ice management activities.

Setting policies for snow and ice management involves evaluating and weighing a number of considerations, including the following:

1. Public safety. The safety of those traveling by motor vehicle, on foot and by other modes of transportation is of high priority. The goal of the [City/County] is to provide for surface conditions that are safe for travel in consideration of surrounding conditions and circumstances. Also, vehicles and personnel engaged in snow and ice management activity can increase risk to the public by virtue of their presence on public ways during times when travel conditions and vision are impaired.
2. Personnel safety. [City/County] personnel incur risk by their presence on public ways while managing snow and ice. The safety of [City/County] personnel as well is of the utmost importance.
3. Cost. [City/County] funds are limited and taxpayers require that they be spent cost-effectively. It is not possible to address all snow and ice issues simultaneously and completely. It is not practical to maintain equipment and personnel availability at a level that is sufficient for all circumstances.
4. Environment. Materials to maintain or improve surface traction contribute pollutants such as sand and chlorides to surface waters and to [City/County] stormwater basins and other facilities, which in turn can increase the cost of maintaining those facilities. It is important not to use an excess of these materials. Chloride harms fish and other freshwater aquatic life and also negatively affects infrastructure, vehicles, plants, soil, pets, and wildlife, as well as impairs groundwater and drinking water supplies. Once in the water, chloride becomes a permanent pollutant and continues to accumulate in the environment over time. The data show that salt concentrations are increasing impairments to both surface waters and groundwater across the state.

5. Priority setting to optimize outcomes. Because consideration must be given to all factors, it is necessary to set priorities for snow and ice management activities. Considerations include, though are not limited to, maintenance area classification and vehicle use level, need for emergency vehicle access, areas of known safety risk, reported conditions, costs, and impact on the environment.

6. Management/professional/technical judgment. Policies and practices rest on management, professional, and technical knowledge, on prevailing weather and travel conditions and on other circumstances that operators encounter. As to important policy elements, the [Council/Board] cannot state a policy but instead must delegate the authority to establish and adjust the policy to the professional judgment of appropriate [City/County] personnel.

7. Need for adaptability. Particularly with respect to effectiveness, cost and environmental consequences, snow and ice management is a realm of innovation. It is important that [City/County] policy allow for personnel to maintain awareness of developments and allow for practices to be adjusted as appropriate. The public must practice due care given the continuously changing hazards presented by natural snow and ice concerns

The policies stated in this document, as well as any delegations of authority to set subordinate policies, rest on an assessment and balancing of these considerations. It is not possible or practicable for snow and ice to be fully removed from all surfaces or prevented from accumulating on surfaces. The [City/County] encourages and expects that [City/County] residents and other members of the traveling public will at all times conduct their activities mindful of conditions, hazards, and what is necessary to remain safe.

B. Snow and Ice Management Priorities

The [City/County] differentiates among maintenance areas based on a variety of factors, including traffic volume and location (e.g., business district). The established [City/County] priority is as follows:

[Insert City/County “level of service” chart, or use default chart below. modeled on MNDOT’s Bare Lane Indicator Guidelines (Table 2-3.02A).]

Classification	Target Regain Time	Lane Description
Super Commuter Arterials Central Business District/ Downtown	0-3 hours	The goal of the jurisdiction is to achieve driving lanes that are as free of snow and ice as reasonably possible in a northern climate. Drivers should take due care when driving on snow and ice surfaces, including reducing their speed. Jurisdictions will log the date and time when a satisfactory road condition is obtained.
Urban Commuter	2-5 hours	
Rural Commuter Remaining streets, including cul-de-sacs	4-9 hours	
Alleys, parking lots, sidewalks, trails, and other surfaces for non-motorized travel	9-36 hours	

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Alleys, parking lots, sidewalks, trails, and other surfaces for non-motorized travel	9-36 hours	

However, the [City/County] will also consider localized safety concerns, reported hazard conditions and other relevant information in adjusting priorities. The [City/County] Administrator, or delegated authority has discretion to direct the resources contained in this Policy, and those directives set by the [City/County] Administrator or delegated authority. [City/County] Administrator delegated authority directs resources and adjusts priorities during an event with due attention to the considerations listed in Section A, above. Within the policies and directives set by the [City/County] Administrator or delegated authority, operations personnel may adjust their activity as well to address safety concerns, improve effectiveness, reduce costs, and limit environmental impacts. Section A, paragraph 1, is a significant operational consideration for [Cities/Counties] when making such adjustments.

The [City/County] is not responsible for managing snow and ice on streets, sidewalks, or other areas not within [City/County] jurisdiction.

C. Training

It is important that personnel involved in snow and ice management receive appropriate training to inform their operational capacities and the judgment that they must exercise in performing their responsibilities. The [City/County] Administrator is delegated the authority to determine and provide for appropriate training and tasked to inform the [Council/Board] of training funding needs during budgeting. The Administrator will consider training for police, emergency response and other [City/County] personnel who may not have specific responsibilities for snow and ice management but whose awareness and coordination is important to the [City/County]'s efforts.

The [City/County] will document, or require documentation of, all training that it requires or conducts.

D. Delegations of Authority

Authority with respect to snow and ice management decisions is delegated as follows:

1. [City/County] Administrator or delegated authority. The [City/County] Administrator or delegated authority will exercise general oversight of snow and ice management activities and will make recommendations to the [Council/Board] on staffing, purchases and funding as a part of annual budgeting. The Administrator or delegated authority will exercise responsibility with respect to personnel training as indicated in Section C, above.

The Administrator or delegated authority will establish procedures for reports on snow and ice conditions from [City/County] personnel or the public to be documented and routed to appropriate [City/County] personnel so that such reports inform snow and ice management activities. Operators will consider how best respond to snow and ice management complaints, pursuant to the following [City/County] policy:

[Insert individual [City/County] complaint documentation and response policy here. Include how the [City/County] response is management in terms of priority of services.]

The Administrator or delegated authority may enter into contracts for snow and ice management services or may recommend such contracts to the [Council/Board], in accordance with [City/County] policy. All contracts will provide the following:

a. *[Cities and Counties should insert one of the following model paragraphs, or their own training policy, indicating the training required of personnel performing the contract on behalf of the contracting party:*

All personnel performing the contract on behalf of the contracting party are trained to the same extent as would be [City/County] personnel performing the same work.

All personnel performing the contract on behalf of the contracting party are trained to Smart Salting Level 1 certification, and the performer of the contract is responsible for managing the training of these personnel.

All personnel performing the contract on any public maintenance area on behalf of the contracting party are trained to a minimum level approved by the [City/County]]

b. The contracting party will perform the work in accordance with all applicable [City/County] policies and directives, copies of which will be provided to the contracting party.

c. The contracting party will be insured for general and automotive liability to the same limits and under the same standard conditions as in other [City/County] contracts, or to such other limits and under such other conditions as the [City/County] Attorney may advise.

d. The contracting party will perform all work with due care, and will indemnify the [City/County] and hold it harmless for its negligent and willful acts and omissions.

2. [City/County] Engineer or delegated authority. The [City/County] Engineer or delegated authority is authorized to establish subordinate policies and directives with respect to the following:

a. Adjustments to snow and ice management priorities as indicated in Section B, above.

b. Protocols and directives concerning the initiation and cessation of snow and ice management activities. Cessation protocols and directives will consider conditions that endanger employee or equipment safety, or that cause management activities to be ineffective.

c. Protocols and practices for snow plowing and other operations, including snow storage. In determining snow storage locations and conditions, the Engineer or delegated authority will consider the debris and pollutant load held within stored

snow and the potential water pollution impact of snowmelt within surface runoff.
[Insert more specific [City/County] policy here.]

d. Protocols for application of sand, salt and other means to preserve/reestablish traction. The Engineer or delegated authority will give particular consideration to safety, environmental, and cost concerns, will maintain **[City/County]** awareness of best practices and innovations, and in his or her judgment will adjust protocols in accordance with such practices and innovations.

In making the judgments underlying these actions, the **[City/County]** Engineer or delegated authority will give due attention to the considerations listed in Section A, above. The **[City/County]** Engineer or delegated authority should consider providing for awareness of best practices, including those contained in the Winter Parking Lot and Sidewalk Maintenance Manual (MPCA, 2015) and the Minnesota Snow and Ice Control Field Handbook for Snowplow Operators (Minnesota Local Road Research Board, 2012), as they may be updated, and to provide for incorporation of best practices as appropriate.

Until such time as applicable policies and directives are established, the **[City/County]** Engineer or delegated authority will direct operations in his or her best judgment and with attention to the considerations listed in Section A, above.

3. Operators. **[City/County]** personnel engaged in snow and ice management operations are authorized to adjust activities in accordance with Section B, above. Such personnel, in their judgment, also may adjust plowing and other operational methods and may implement hazard warnings, consistent with the policies and directives set by the **[City/County]** Engineer or delegated authority. Operators are to use professional judgment and discretion to determine the best course of action to complete snow and ice management responsibilities under the circumstances, considering public and driver safety.

E. Operational Framework

1. Documentation. ***[Insert [City/County] policy for documentation of control practices, decisions, and written or printed records.]***

Model statement:

The **[City/County]** and its operators will document control practices and decisions and keep written or printed records of application and other decisions in carrying out this Policy. A storm record will be completed by the **[City/County]** for each storm event and should include operating times, weather conditions, material used, and personnel and equipment resources committed.]

2. Emergency Situations. The [City/County] will dispatch operators and equipment as soon as possible to the routes required by emergency vehicles—fire, medical, police—responding to an emergency situation within the jurisdiction of the [City/County], Fire Department, or Police Department.

The [City/County] will plow private property only if emergency vehicles require access.

[Insert [City/County] policy for responding to snow emergencies, or cross reference the [City/County] policy for responding to snow emergencies.]

3. Damage to Personal Property. *[Insert [City/County] policy for responding to damage to personal or private property. This may cross reference the [City/County] policy for damage replacement.]*

Model statement:

The [City/County] will consider for repair or replacement at [City/County] expense property that is (1) properly installed, (2) permitted by [City/County] ordinance to be located adjacent to the street, and (3) damaged by contact with city equipment. The [City/County] will not repair or replace damaged trees, shrubs, or landscaping.]

4. Deviation from Policy. If a person with delegated authority determines deviation from this Policy to be in the best interest of the [City/County], or that a change is needed, the deviation will be documented. Documentation includes identifying: the cause, why the response was necessary, and how long the deviation will be in effect.

5. Review and Modification of Policy. *[Insert jurisdiction's annual review or other review policy.]*

F. Assuming Responsibility for Private Roadways, Parking Areas, Sidewalks, and Trails

The [City/County] is not responsible for snow and ice management on any roadway or parking area not owned by or dedicated to the [City/County], except as may be provided in a legally binding, written acceptance of that responsibility in the context of a development approval or otherwise. *[Insert further [City/County] policy statement here.]*

G. Coordination with Other Jurisdictions

The table below lists the jurisdiction responsible for each [City/County] facility.

Maintenance Area	Responsibility	Telephone No.
	[City, County, State]	

The following streets owned by the **[City/County]** are maintained and managed for snow and ice by the Minnesota Department of Transportation:

[List streets and other areas in the jurisdiction that are maintained by MNDOT].

The **[City/County]** will coordinate with neighboring or regional jurisdictions as warranted to realize better management outcomes, cost savings or environmental benefits.

No Rights Created

This policy is for internal use only in order to specify the policies and distribution of authority for snow and ice management. The policy is for the benefit of serving the general public and not for the benefit of any individual or specific group of individuals. It is not intended to and does not create any right or expectation in any third party. The **[City Council/Board of Commissioners]** may amend this policy or make exceptions to it as it deems appropriate.

Disclaimer

The **[City/County]** will begin snow and ice management as soon as reasonably possible. Cold, wind, visibility, equipment failure or disability, rapid snow and ice accumulation, and/or other unforeseen conditions or emergencies may prevent safe or effective management and cause delays in management operations.

Distribution

This policy will be distributed to the following:

[Include neighborhood call-out or coordination list, or cross-reference the list.]

This document was prepared by Smith Partners PLLP, 400 Second Avenue South, Suite 1200, Minneapolis, MN 55401. 612-344-1400. For further information, contact Elizabeth Henley, Henley@smithpartners.com

MODEL SNOW AND ICE POLICY ADVISORY COMMITTEE
MINNESOTA MODEL SNOW AND ICE MANAGEMENT POLICY

August 26, 2016

A. Introduction

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[Insert City/County “level of service” chart, or use default chart below. modeled on MNDOT’s Bare Lane Indicator Guidelines (Table 2-3.02A).]

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The [City/County] is not responsible for managing snow and ice on streets, sidewalks, or other areas not within [City/County] jurisdiction.

C. Training

It is important that personnel involved in snow and ice management receive appropriate training to inform their operational capacities and the judgment that they must exercise in performing their responsibilities. The [City/County] Administrator is delegated the authority to determine and provide for appropriate training and tasked to inform the [Council/Board] of training funding needs during budgeting. The Administrator will consider training for police, emergency response and other [City/County] personnel who may not have specific responsibilities for snow and ice management but whose awareness and coordination is important to the [City/County]'s efforts.

The [City/County] will document, or require documentation of, all training that it requires or conducts.

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The Administrator or delegated authority will establish procedures for reports on snow and ice conditions from [City/County] personnel or the public to be documented and routed to appropriate [City/County] personnel so that such reports inform snow and ice management activities. Operators will consider how best respond to snow and ice management complaints, pursuant to the following [City/County] policy:

[Insert individual [City/County] complaint documentation and response policy here. Include how the [City/County] response is management in terms of priority of services.]

The Administrator or delegated authority may enter into contracts for snow and ice management services or may recommend such contracts to the [Council/Board], in accordance with [City/County] policy. All contracts will provide the following:

a. *[Cities and Counties should insert one of the following model paragraphs, or their own training policy, indicating the training required of personnel performing the contract on behalf of the contracting party:*

All personnel performing the contract on behalf of the contracting party are trained to the same extent as would be [City/County] personnel performing the same work.

All personnel performing the contract on behalf of the contracting party are trained to Smart Salting Level 1 certification, and the performer of the contract is responsible for managing the training of these personnel.

All personnel performing the contract on any public maintenance area on behalf of the contracting party are trained to a minimum level approved by the [City/County]]

b. The contracting party will perform the work in accordance with all applicable [City/County] policies and directives, copies of which will be provided to the contracting party.

c. The contracting party will be insured for general and automotive liability to the same limits and under the same standard conditions as in other [City/County] contracts, or to such other limits and under such other conditions as the [City/County] Attorney may advise.

d. The contracting party will perform all work with due care, and will indemnify the [City/County] and hold it harmless for its negligent and willful acts and omissions.

2. [City/County] Engineer or delegated authority. The [City/County] Engineer or delegated authority is authorized to establish subordinate policies and directives with respect to the following:

a. Adjustments to snow and ice management priorities as indicated in Section B, above.

b. Protocols and directives concerning the initiation and cessation of snow and ice management activities. Cessation protocols and directives will consider conditions that endanger employee or equipment safety, or that cause management activities to be ineffective.

c. Protocols and practices for snow plowing and other operations, including snow storage. In determining snow storage locations and conditions, the Engineer or delegated authority will consider the debris and pollutant load held within stored

snow and the potential water pollution impact of snowmelt within surface runoff.
[Insert more specific [City/County] policy here.]

d. Protocols for application of sand, salt and other means to preserve/reestablish traction. The Engineer or delegated authority will give particular consideration to safety, environmental, and cost concerns, will maintain **[City/County]** awareness of best practices and innovations, and in his or her judgment will adjust protocols in accordance with such practices and innovations.

In making the judgments underlying these actions, the **[City/County]** Engineer or delegated authority will give due attention to the considerations listed in Section A, above. The **[City/County]** Engineer or delegated authority should consider providing for awareness of best practices, including those contained in the Winter Parking Lot and Sidewalk Maintenance Manual (MPCA, 2015) and the Minnesota Snow and Ice Control Field Handbook for Snowplow Operators (Minnesota Local Road Research Board, 2012), as they may be updated, and to provide for incorporation of best practices as appropriate.

Until such time as applicable policies and directives are established, the **[City/County]** Engineer or delegated authority will direct operations in his or her best judgment and with attention to the considerations listed in Section A, above.

3. Operators. **[City/County]** personnel engaged in snow and ice management operations are authorized to adjust activities in accordance with Section B, above. Such personnel, in their judgment, also may adjust plowing and other operational methods and may implement hazard warnings, consistent with the policies and directives set by the **[City/County]** Engineer or delegated authority. Operators are to use professional judgment and discretion to determine the best course of action to complete snow and ice management responsibilities under the circumstances, considering public and driver safety.

E. Operational Framework

1. Documentation. ***[Insert [City/County] policy for documentation of control practices, decisions, and written or printed records.]***

Model statement:

The **[City/County]** and its operators will document control practices and decisions and keep written or printed records of application and other decisions in carrying out this Policy. A storm record will be completed by the **[City/County]** for each storm event and should include operating times, weather conditions, material used, and personnel and equipment resources committed.]

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The [City/County] will plow private property only if emergency vehicles require access.

[Insert [City/County] policy for responding to snow emergencies, or cross reference the [City/County] policy for responding to snow emergencies.]

3. Damage to Personal Property. *[Insert [City/County] policy for responding to damage to personal or private property. This may cross reference the [City/County] policy for damage replacement.]*

Model statement:

The [City/County] will consider for repair or replacement at [City/County] expense property that is (1) properly installed, (2) permitted by [City/County] ordinance to be located adjacent to the street, and (3) damaged by contact with city equipment. The [City/County] will not repair or replace damaged trees, shrubs, or landscaping.]

4. Deviation from Policy. If a person with delegated authority determines deviation from this Policy to be in the best interest of the [City/County], or that a change is needed, the deviation will be documented. Documentation includes identifying: the cause, why the response was necessary, and how long the deviation will be in effect.

5. Review and Modification of Policy. *[Insert jurisdiction's annual review or other review policy.]*

F. Assuming Responsibility for Private Roadways, Parking Areas, Sidewalks, and Trails

The [City/County] is not responsible for snow and ice management on any roadway or parking area not owned by or dedicated to the [City/County], except as may be provided in a legally binding, written acceptance of that responsibility in the context of a development approval or otherwise. *[Insert further [City/County] policy statement here.]*

G. Coordination with Other Jurisdictions

The table below lists the jurisdiction responsible for each [City/County] facility.

Maintenance Area	Responsibility	Telephone No.
	[City, County, State]	

The following streets owned by the **[City/County]** are maintained and managed for snow and ice by the Minnesota Department of Transportation:

[List streets and other areas in the jurisdiction that are maintained by MNDOT].

The **[City/County]** will coordinate with neighboring or regional jurisdictions as warranted to realize better management outcomes, cost savings or environmental benefits.

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Distribution

This policy will be distributed to the following:

[Include neighborhood call-out or coordination list, or cross-reference the list.]

This document was prepared by Smith Partners PLLP, 400 Second Avenue South, Suite 1200, Minneapolis, MN 55401. 612-344-1400. For further information, contact Elizabeth Henley, Henley@smithpartners.com

DATE

ADDRESS

Re: Minnesota Model Snow and Ice Management Policy

Dear Snow & Ice Management Professional:

We are pleased to provide the attached Minnesota Model Snow and Ice Management Policy and related Guidance Document.

These documents were prepared by Smith Partners PLLP and are the product of coordination among diverse snow and ice management professionals from cities and counties in diverse areas of Minnesota, watershed districts, the Minnesota Pollution Control Agency, the Minnesota Nursery and Landscape Association, and other stakeholders. The Model Policy and Guidance Document are intended to serve as the foundation for city and county snow and ice management policies.

The Model Policy is a framework that: (a) identifies the competing public considerations that are weighed in setting specific policy and (b) allocates roles in setting and carrying out these policies as between the policymaking body (city council or county board of commissioners) and the administrative and field employees of the local government unit. The administrative and technical details of snow and ice management as developed by the city or county are intended to integrate into this framework.

Snow and ice management requires balancing interests, including safety, equipment, and material cost, environmental impact, and other concerns. Judgments must be made based on weather and ground circumstances as they develop. The purpose of this framework is both to offer a tool for cities and counties to prepare clear and complete snow and ice management policies and to help them limit the potential liability risk from these activities.

We encourage cities, counties, and other users of this Model Policy to adapt and modify the Policy as appropriate to local circumstances with counsel from their respective attorneys.

Sincerely,

Name	Affiliation
Jeff Davies	City of Grand Rapids
Mark Maloney	City of Shoreview
Dan Plizga	City of Rochester
Steven Lawrence	City of St. Cloud

John Wickenhauser	Carver County
Matt Morreim	City of Saint Paul
Craig Eldred	City of Waconia
Becky Christopher	Minnehaha Creek Watershed District
Erica Sniegowski	Nine Mile Creek Watershed District
Claire Bleser	Riley Purgatory Bluff Creek Watershed District
Doug Snyder	Mississippi River Watershed Management Organization
Cassie Larson	Minnesota Nursery and Landscape Association
Brooke Asleson	Minnesota Pollution Control Agency
Rachel Olmanson	Minnesota Pollution Control Agency
Steve Woods	Freshwater Society
Connie Fortin	Fortin Consulting