

# Rio Blanco County Road and Bridge Department



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## PRIVATE SNOW PLOWING OF COUNTY ROADS PERMIT APPLICATION

The Private Snow Plowing of County Roads Permit Application is required prior to Rio Blanco County considering requests presented to perform private snow removal on public road(s) under the County's jurisdiction.

**PERMITTEE:** \_\_\_\_\_ **CONTRACTOR:** \_\_\_\_\_ **RBCContractor #:** \_\_\_\_\_

Name \_\_\_\_\_

Company \_\_\_\_\_

Company \_\_\_\_\_ Phone \_\_\_\_\_

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**LOCATION/DESCRIPTION OF SNOW REMOVAL:** County Road #: \_\_\_\_\_ Beg. Mile Post \_\_\_\_\_ Ending Mile Post \_\_\_\_\_

County Road #: \_\_\_\_\_ Beg. Mile Post \_\_\_\_\_ End. Mile Post \_\_\_\_\_ County Road #: \_\_\_\_\_ Beg. Mile Post \_\_\_\_\_ End. Mile Post \_\_\_\_\_

County Road #: \_\_\_\_\_ Beg. Mile Post \_\_\_\_\_ End. Mile Post \_\_\_\_\_ County Road #: \_\_\_\_\_ Beg. Mile Post \_\_\_\_\_ End. Mile Post \_\_\_\_\_

Total Miles to be plowed by permittee: \_\_\_\_\_

List of Equipment to be used: \_\_\_\_\_ Name of person(s) responsible for Snow Removal: \_\_\_\_\_

Names, Addresses and Phone Numbers of Property Owners along proposed snow removal routes: \_\_\_\_\_

Reason Snow Plowing is needed: \_\_\_\_\_

The undersigned Permittee agrees:

**INDEMNIFICATION:** To the fullest extent permitted by law, Permittee agrees to defend, hold harmless, and unconditionally indemnify Rio Blanco County and all of its Affiliates (defined below), and all of their respective officers, directors and employees, against and for all liabilities, costs and expenses including attorney's fees and expenses of investigation, claims and damages which Rio Blanco County may at any time suffer or sustain or become liable for by reason of any accidents, damages or injuries (including injuries resulting in death) either to the persons or property, or to any other parties, in any manner caused by or resulting from Permittee's breach of this Permit or acts or failures to act by Permittee or its employees or agents in the performance of the Permit; provided, however, that such indemnification and hold harmless shall not apply to claims for loss, damage, injury, or death to the extent caused by the negligence of Rio Blanco County.

That the Permittee has read and understands all of the foregoing requirements, restrictions and conditions; That, for valuable and sufficient consideration, the Permittee is contractually obligated to the Rio Blanco County Board of County Commissioners to fully and faithfully abide by and perform all of the foregoing requirements, restrictions and conditions; and in its sole discretion Rio Blanco County reserves the right to terminate this permit at anytime upon written notice to Permittee mailed regular mail, postage prepaid to Permittee at the address shown here in. Said notice shall be effective upon mailing. Rio Blanco County may also serve said notice on Permittee personally or by leaving a copy of said notice at Permittee's place of business or home.

That the Rio Blanco County Board of County Commissioners may legally and specifically enforce each of the foregoing requirements, restrictions and conditions by any action as it deems appropriate.

Permittee Signature \_\_\_\_\_ Permittee Printed Name \_\_\_\_\_ Date \_\_\_\_\_

### COUNTY REPRESENTATIVE EVALUATION REPORT (Attach additional sheet if needed)

Assessment of Road Conditions (width, base, drainage, fencing, etc.) \_\_\_\_\_

Evaluation/Estimate of cost to bring road(s) to a standard suitable for winter maintenance/plowing \_\_\_\_\_

Applicant Equipment Evaluation: \_\_\_\_\_ Equipped w/runners or shoes(req'd)?  Yes  No

\$250 Permit Fee Paid (Required)?  Yes  No Cert. of Insurance Attached?  Yes  No

Is a map attached designating the portions of road(s) to be plowed (required)?  Yes  No Time Period (Winter) permit will cover : \_\_\_\_\_

Frequency/Extent/Duration of Snow Plowing: \_\_\_\_\_

Manpower/Time/Est. Cost Required: \_\_\_\_\_

Safety Considerations: \_\_\_\_\_

Public Benefit/ Negative Impact of snow plowing approval: \_\_\_\_\_

On-site Meeting w/Permittee:  Yes  No

Are improvements by Permittee required prior to winter season?  No  Yes: \_\_\_\_\_ Bond Required:  Yes  No Amount? \_\_\_\_\_

Approved with the following Special Requirements \_\_\_\_\_ DIST: M or R \_\_\_\_\_

County Rep. Assigned to permit: \_\_\_\_\_

County Rep. Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**RIO BLANCO COUNTY POLICIES AND PROCEDURES**  
**FOR**  
**SNOWPLOWING COUNTY ROADS**  
Adopted By Rio Blanco County Commissioners April 8, 2002, Resolution #2002-7

**1. REQUEST TO ADD COUNTY ROADS TO COUNTY WINTER-MAINTENANCE SCHEDULE PROCEDURE**

**1.1 Snowplowing**

A. Rio Blanco County shall not snowplow any road unless and until such road has been dedicated to the public use and accepted for County Maintenance by the Board of County Commissioners, except that it shall be in the sole discretion of the Board of County Commissioners to determine from time to time which such roads so dedicated and accepted will be plowed by the County.

**B. Rio Blanco County Policy and Procedures for Requests for Rio Blanco County to Provide Snow Removal Services on County Roads.**

A request to the County to provide snow removal services on a County Road to an area not currently being served shall be submitted in written form to the Rio Blanco Public Facilities Department. The written request shall include at a minimum:

1. The name and number of the road requested to be plowed.
2. If necessary, a map designating the portion of the road to be plowed.
3. The distance to be plowed.
4. If required, evidence that the road is a public road.
5. Other information that may be required by the Public Facilities Department.
6. A list of property owners benefiting from the proposed service.
7. The reason the plowing is being requested.

All such requests shall be submitted to the Rio Blanco County Public Facilities Department before September 1. Requests received after September 1 will be considered as requests for the following winter season. Exceptions to the September 1 date may be allowed by the Public Facilities Department and the Board of County Commissioners to accommodate confirmed hardship or emergency situations.

Upon receipt of the request, the County Public Facilities Department shall conduct a site visit and prepare an evaluation report for the Board of County Commissioners. The report shall address the following:

1. An assessment of the condition of the road including width, base drainage, fencing, etc.
2. An evaluation and estimate of cost to bring the road up to a standard suitable for winter maintenance and plowing.
3. A recommendation of the type of equipment that would be required to remove snow: the frequency, duration and extent of snowplowing, the amount of manpower and time involved and an estimate of cost.
4. An assessment of safety considerations involved with the request.
5. A statement as to whether the road is a natural extension of an existing snow plow route.
6. A statement of any general public benefit served by providing snow removal service.
7. An assessment of any negative impact that might result from providing snow removal service.

The written request to provide snow removal service together with the evaluation prepared by the Public Facilities Department shall be submitted to the Board of County Commissioners. All requests shall be considered in a public meeting of the Board.

At its discretion, the Board of County Commissioners may approve or deny the request for the County to plow the road. The Board may conditionally approve the request based on, but not limited to, the following conditions:

- a. The frequency, duration and extent of snow plowing services to be provided.
- b. Property owners' financial participation in preparing the road for snow removal.
- c. A time limit with periodic review for continuation of the service.

The County will exercise its appropriate, lawful authority to ensure compliance with the Snow Removal Policy.

## 2. PRIVATE ENTITY REQUEST TO PLOW PUBLIC ROAD PROCEDURES

### Rio Blanco County Policy and Procedures for Requests by Private entities to Plow a Public/County Road

The purpose of this policy is to outline the procedures and criteria by which the Rio Blanco County Board of County Commissioners will consider requests presented to perform private snow removal on a Public Road under the County's jurisdiction.

The requirements and procedures set forth herein and in the permit should be considered the minimum and additional information or criteria may be applied.

In order to facilitate the plowing of a road that might not otherwise be plowed, the Rio Blanco County Board of County Commissioners may allow a private individual or company to remove snow from all or part of a County Road.

No person shall remove snow from a County road without first receiving permission from the Rio Blanco County Board of County Commissioners and a Snow Removal Permit issued by the Rio Blanco County Public Facilities Department.

A request to plow a County road shall be made in writing to the Rio Blanco County Public Facilities Department. The written request will include at a minimum:

1. The name and/or number of the road to be plowed.
2. If necessary, a map designating the portion of the road to be plowed.
3. The distance in miles to be plowed privately.
4. The type of equipment to be used to remove the snow.
5. The name of the person(s) responsible for snow removal.
6. The names and mailing addresses of property owners located along the proposed snow removal route.
7. The reason the plowing is being requested.
8. The time period for which the permit is being requested.
9. Permit fee of \$250.00

Requests to provide snow removal should be submitted to the County Public Facilities Department no later than September 1. Exceptions to the September 1 date may be allowed by the Public Facilities Department and the Board of County Commissioners to accommodate confirmed hardship or emergency situations.

Upon receipt of the request, the County Public Facilities Department shall conduct a site visit and prepare an evaluation report for the Board of County Commissioners. The report shall address the following:

1. An assessment of the condition of the road including width, base drainage, fencing, etc.
2. An evaluation and estimate of cost to bring the road up to a standard suitable for winter maintenance and plowing.
3. A recommendation of the type of equipment that would be required to remove snows; the frequency of plowing; and the duration of plowing.
4. An assessment of safety considerations involved with the request.
5. A statement of any general public benefit served by providing snow removal service.
6. An assessment of any negative impact that might result from providing snow removal service.

If the plowing is authorized by the Board of County Commissioners a authorized representative from the Public Facilities Department and the person requesting permission to remove snow shall meet on-site to evaluate the condition of the road before plowing begins.

The County may require that reasonable improvements and repairs be made to the road that is necessary for public safety and to protect and preserve the road. Such improvements or repairs shall be made at the expense of the private entity unless otherwise agreed to by the County.

For the purposes of this policy, snow removal work shall include: (1) removal of snow from all the traveled way, including sufficient turnouts for safe and efficient use of all users, and (2) leaving culvert inlets in a natural condition without snow or other material plowed into them so that the drainage system will function normally.

Upon review of the plow request, Rio Blanco County may request a bond or a cash deposit to secure performance according to this policy. The amount of security required will be relative to the distance being plowed, and the surface of the road.

The person requesting permission to remove snow from a County road indicates that he/she has read, understands and agrees to comply with the conditions set forth in this policy and with the conditions of a permit if one is issued.

The County shall exercise its' appropriate, lawful authority to ensure compliance with this Snow Removal Policy. Nothing in this policy is, or shall be construed to be, an obligation of the Board of County Commissioners to permit the private snowplowing of any particular road.

# Private Snow Plowing Permit Requirements and Provisions

In order to facilitate the plowing of a road that might not otherwise be plowed, Rio Blanco County may allow a private individual or company to remove snow from all or part of a County road.

Such snow removal shall be done in a manner to preserve and protect roads during the term of the agreement and to the extent necessary to insure safe and efficient transportation and to prevent excessive erosion damage to roads or streams.

Snow removal work shall include: (1) Removal of snow from all the traveled way, including sufficient turnouts for safe and efficient use for transportation and (2) leaving culvert inlets in a natural condition without snow or other material plowed into them so that the drainage system will function normally.

Permittee shall perform snow removal work as follows:

1. No one shall remove snow from County roads without first receiving written permission from the Rio Blanco Public Facilities Department.
2. The Rio Blanco County Public Facilities Director, or his representative, and the Permittee shall meet on site to evaluate road conditions before plowing begins. At the discretion of the County, the Permittee may be required to make improvements and repairs to the road, which are deemed necessary to protect and preserve the road from winter use. The Permittee shall pay for the improvements and work shall be completed and inspected by the County prior to the approval of a snow-plowing permit.
3. All debris except snow and ice, that is removed from the road surface and ditches shall be deposited away from stream channels at agreed upon locations.
4. The back slope bank shall not be undercut nor shall gravel or other surfacing material be bladed off the road.
5. Ditches and culverts shall be kept functional during and upon completion of snow plowing operations. Any damage done to ditches and culverts which impair their proper use shall be immediately repaired or replaced by the permittee at the sole cost and expense of the permittee.
6. "Snow Berm" is herein defined as a dike of snow resulting from the Permittee's snow removal operations which extends above the surface of the traveled way. Permittee shall space, construct, and maintain drainage holes in the Snow Berms as necessary to obtain surface drainage and without discharge on erodible fills. In any event, Permittee shall remove Snow Berms or construct drainage holes at the end of winter operations, or before the spring breakup, whichever is sooner.
7. Equipment used to plow snow shall be equipped with shoes or runners to keep the blade a minimum of two inches above the road surface, unless agreed otherwise by both parties. Rio Blanco County may reserve the right to inspect equipment that will be used for plowing before plowing begins, and anytime during the plowing interval.
8. The Permittee must purchase and install a warning sign from the Public Facilities Department that notifies the public that there is "PRIVATE PLOWING BEYOND THIS POINT". The permittee shall sign the road just off the intersection so the sign is visible to traffic entering road. The sign must be mounted on a steel signpost or a wooden post not to exceed 4 inches square in size. The Permittee is responsible for obtaining utility location information before installing the sign. The near edge of the sign must be a minimum of 12 feet from the edge of traveled portion of the road. The sign must be installed so that the height distance from the level edge of the road to the bottom edge of the sign is 7 feet.
9. The Permittee shall plow a trailhead at the location designated and approved by the County that is large enough to park 2-3 pickups and trailers belonging to others who might be using the area. It must be plowed to facilitate turning a pick-up and trailer around if needed.
10. With written approval of the Rio Blanco County Public Facilities Department, dozers may be used to plow snow on roads that do not have an asphalt surface.
11. The Permittee must give the Rio Blanco County Public Facilities Department at least five working days advance notice before ceasing plowing.
12. A bond may be required to mitigate any damage caused by snow removal operation.
13. Vehicles and equipment used to plow must be licensed and insured pursuant to the following: The Permittee shall purchase and maintain such insurance as will protect him from claims set forth below which may arise out of or result from the PERMITTEE'S operations under the Permit, whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable:
  - a. Claims under Workman's Compensation, disability benefits, and other similar employee benefit acts;
  - b. Claims for damage because of bodily injury, occupational sickness, disease, or death of his employees, and claims insured by usual personal injury liability coverage;
  - c. Claims for damage because of bodily injury, sickness or disease, or death of any person other than his employees, and claims insured by usual personal injury liability coverage; and
  - d. Claims for damages because of injury to or destruction of tangible property, including loss of use resulting therefrom.

PERMITTEE INITIALS: \_\_\_\_\_

Insurance covering claims for damages to persons or property required by the proceeding paragraph shall be in the following amounts:

Bodily Injury Liability:	Each Person:	\$1,000,000
	Each Accident	
	Or Occurrence:	\$1,000,000
Property Damage Liability:	Each Accident	
	Or Occurrence:	\$1,000,000
	Aggregate:	\$1,000,000

And shall be furnished in types specified, as follows:

- a. PERMITTEE'S Liability Insurance issued to and covering the liability for damage imposed by law upon the Permittee and each subcontractor with respect to all work performed by them under the Agreement (Snow Removal Permit).
- b. PERMITTEE'S Protective Liability Insurance issued to and covering the liability for damages imposed by law upon the Permittee with respect to all work under the Agreement (Snow Removal Permit) performed for the Permittee by subcontractors.
- c. Completed Operations Liability Insurance issued to and covering the liability for damages imposed by law upon the Permittee and each subcontractor arising between the date of final cessation of the work and the date of final acceptance thereof out of that part of the work performed by each.
- d. Comprehensive Automobile Insurance shall be carried in the amount of \$500,000/\$1,000,000 for bodily injury and \$500,000 for property damage, each occurrence. All liability and property damage insurance required hereunder shall be Comprehensive General and Automobile Bodily Injury and Property Damage form of policy.
- e. The Permittee shall in addition, and in the amounts required above, obtain protective Liability Insurance to and covering the liability for damages imposed by law upon Rio Blanco County with respect to all operations under the Permit by the Permittee or his subcontractors.

COMPREHENSIVE RISK POLICY OPTION: In lieu of the several policies specified for PERMITTEE'S Liability Insurance, a comprehensive liability and property damage insurance policy inclusive of all the insurance's and requirements hereinafter set forth, with an umbrella covering of \$1,000,000, subject to the approval of the Rio Blanco County Public Facilities Department, will be permissible.

SUBCONTRACTOR'S INSURANCE: Before permitting any of his subcontractors to perform any work under the permit, Permittee shall either (1) require each of his subcontractors to procure and maintain, during the life of his subcontracts, Subcontractor's Public Liability and Property Damage Insurance of the types and in amounts as may be applicable to his work, which types and amounts shall be subject to the approval of the Rio Blanco County Public Facilities Department, or (2) insure the activities of his subcontractors in his own policy.

CERTIFICATES OF INSURANCE: Certificates of Insurance acceptable to the Rio Blanco County Public Facilities Department shall be filed with the Rio Blanco County Public Facilities Department prior to commencement of the work. These Certificates shall contain a provision that coverage's afforded under the policies will not be cancelled until at least fifteen days prior written notice has been given the Rio Blanco County Public Facilities Department. Permittee shall not permit any of his subcontractors to start work until all required insurances have been obtained and certificates with the proper endorsements have been filed with the Permittee.

Failure of the Permittee to comply with the foregoing insurance requirements shall in no way waive RIO BLANCO COUNTY'S rights hereunder.

RIO BLANCO COUNTY'S LIABILITY INSURANCE: Rio Blanco County, at their option, may purchase and, maintain such liability insurance as will protect the County against claims which may arise from operations under this Permit. Purchasing and maintaining such insurance, however, will not relieve the Permittee from purchasing and maintaining the insurance's hereinbefore specified.

- 14. Once plowing begins Permittee must plow each time there is a storm that deposits enough snow to cause the road to be impassable to the types of vehicles normally using the road.
- 15. Permittee must coordinate with the designated county representative.
- 16. To assure that a designated snowmobile route is not plowed so that it can be groomed for winter recreational use.
- 17. The term of a permit for snow removal shall be for one winter season.
- 18. The County may impose other requirements and restrictions as required and is at the sole discretion of the Rio Blanco County Director of Public Facilities.
- 19. An inspection will be conducted at the end of the plowing season when the snow is off the road.
- 20. The Permittee shall be liable for any damage to the road surface caused by Permittee's snow removal operation.

The Rio Blanco County Public Facilities Department shall notify the Permittee in writing if surfacing material has been bladed off the road. The notice shall state the number of road miles (rounded up to the next 0.1 mile), and the cubic yard equivalent of surfacing bladed off. The calculations of the cubic yards will be available for review. In the event the Permittee is plowing a road with an asphalt surface, any damage done to that surface will be evaluated and a clearly documented bill will be sent to the Permittee. The Permittee will also be advised of damage to any culverts or other structures.

Upon such notice, at the sole cost of the Permittee, the Permittee shall replace the surfacing material in kind, or make the necessary repairs, within 30 days. Planned repairs should be approved by the Public Facilities Director or his representative. If additional time is needed, the extension must be approved in writing by the Public Facilities Director.

**PERMITTEE MUST NOTIFY THE RIO BLANCO COUNTY PUBLIC FACILITIES DEPARTMENT BEFORE SNOW PLOWING COMMENCES.**

PERMITTEE INITIALS: \_\_\_\_\_