



Fall Greetings to All Ideal Township Residents and Property Owners

For many years we have dealt with snow removal without making any demands on you as residents or property owners. During COVID we saw a large influx of new residents and property owners who may not be aware of their responsibilities when it comes to handling the snow that falls on their property. The rules listed below have been around for decades. This resulted in a decision at the annual Town meeting to begin enforcing the state standards. This was not anyone's first choice, but it is the only choice left to us if we want to efficiently and safely plow our roads and reduce damage to the snowplows that we, as taxpayers, must pay for. We want to keep what has been a relatively small problem in the past from becoming a larger problem.

You are receiving this letter informing you of a new policy passed by the Town electors at the last annual meeting, March 14, 2023, as authorized by Minn. Stat. § 366.016. The resolution requires property owners or occupants of real estate that adjoins a town road to remove snow or ice, or both, that has been caused to be deposited by the property owner or occupant upon the town road right-of-way adjacent to their land. Additionally, the Town Board Passed Resolution 2023-01 on April 10, 2023, establishing the policies and procedures to be followed regarding enforcement.

You may be asking the question: Why was this resolution necessary?

The past several years, but especially last year which set a record for snow fall in the Brainerd area, more and more property owners were not properly handling the snow that fell on their property.

1. We find many owners pushing the snow from their driveways into the road right-of-way (ROW) ditches which are reserved for town snow storage.
2. Some will push it across the road leaving windrows that freeze and leave ridges that can cause damage to equipment. These need to be removed.
3. While pushing it across the road, they still leave it in the ROW. A typical ROW is 50-66 feet wide and is maintained by the Township.
4. Some people are storing their snow on someone else's property. That's not allowed either.

The basic rule is: Snow that falls on your property, stays on your property.

Notification and enforcement procedure.

1. The town board shall publish, in a local newspaper, an annual notice indicating the prohibition of placing snow or ice in town road rights-of-way and the obligation of owners and occupants to remove snow or ice if they do place either or both within a town road right-of-way. Failure of the board to publish the annual notice does not relieve an owner or occupant from the necessity to fully comply with the removal obligation or in any way prevent the town board from enforcing the obligation or exercising any other right available to it under law.
2. A person that places snow or ice in a town road right-of-way and does not immediately remove it is in violation of state law and the obligation enacted under Minn. Stat. § 366.016 and is subject to both criminal prosecution and a lien being placed against the property they own or occupy for the expenses the town incurs to remove the snow or ice.
3. If the town determines the snow or ice placed in the town road right-of-way does not interfere with the safety or maintenance of the road, the owner and/or occupant of the property will receive mailed notice, along with an affidavit of service, of the violation and the obligation to remove the

snow or ice, or both. If the snow or ice is not removed within 10 days of the date of the notice or the date indicated in the notice as the deadline for removal, whichever is later, the expense the town incurs to remove the snow or ice will be certified to the county auditor as a lien on the real estate. The amount is a tax upon the land and will be collected in the same manner as other real estate taxes.

4. If the town determines the snow or ice placed in the town road right-of-way does interfere with the safety or maintenance of the road, the town will provide for the removal of the snow or ice. The town board may then send notice, accompanied by an affidavit of service, to the occupant or owner of the parcel as stated in the records of the county auditor, stating the failure to remove snow or ice from the town road right-of-way adjacent to their land. If the owner or occupant thereafter fails to immediately remove snow or ice, or both they place in a town road right-of-way, the expenses the town incurs to remove the snow or ice will be certified to the county auditor as a lien on the real estate. The amount will be a tax upon the land and will be collected in the same manner as other real estate taxes.

Possible areas of concern:

- **Contractor snow removal** – The property owner is responsible for insuring the contractor complies with state laws and Ideal Township’s resolution. The township will not contact any contractor to correct deficiencies.
- **I’m a snowbird and live on a township road but have my driveway plowed** – You could have difficulty complying with the 10-day compliance window as the notification is mailed to the taxable address of record. This makes it even more important that your contractor understands these standards. These shouldn’t be new to them; they just aren’t being followed or enforced.

This policy is effective this 2023-24 snow season. This letter regarding the policy will not be repeated but is sent this year to highlight the new policy. Our intent is to comply with the procedure in step #1 and publish notice in a local newspaper.

As mentioned earlier, an overwhelming majority of property owners are doing a good job of handling their snow removal and the Town Board thanks you for that. This policy will help us keep our roads safe for driving and safe for our road crews to maintain.

Thank you for your attention to this matter,

Dave Peterson
Chairman

John Bilek
Supervisor

Ron Ommen
Supervisor

Craig Wallace
Clerk/Treasurer