

**STAFF REPORT:      ENGINEERING AND PUBLIC WORKS DEPARTMENT**

**REPORT TO:**                    Infrastructure and Recreation  
Committee

**MEETING DATE:**            October 8<sup>th</sup> 2013

**REPORT NO.:**                EPW.13.055

**SUBJECT:**                    Town Winter Minimum  
Maintenance Standards

**PREPARED BY:**             Jim McCannell, Manager of Roads  
and Drainage

**A.      Recommendations**

THAT Council receive Staff Report EPW.13.055, "Town Winter Minimum Maintenance Standards";

AND THAT Council adopt Town Minimum Winter Maintenance Standards and Level of Service POL.COR.13.XX for implementation by Town Staff.

**B.      Background**

The Town has an obligation to maintain its road network to a safe level of service. To that end, the Town has utilised the Province's Minimum Maintenance Standards (MMS) as set out under the *Municipal Act, 2001* in Ontario Regulation 239/02 as amended as a framework and comparator in determining the Town's maintenance standards. At the meeting of November 19, 2012, Council approved Staff Report EPW.12.093, "Winter Minimum Maintenance Standards" for roads under the Town's jurisdiction (Attachment 1).

The Province of Ontario released a revised MMS on January 27, 2013 which came into effect on January 29, 2013. The new MMS have left the level of service open to some interpretation. Under the revised MMS, the recommended level of service appears to have been increased. It was previously considered that the crews had 16 hours to clear a road once the snow depth reached 8 centimetres (cm) for a Class 4 road (a typical Town road). It is now recommended that roads will be cleared within 16 hours **or before** snow reaches a depth of 8 cm. Depending on the time of day when a storm event occurs, Town crews will not consistently be able to meet the revised MMS with the current compliment of Staff and equipment.

The Provincial MMS were designed to give Municipalities a "due diligence" defense in the event of a vehicle accident. Although the regulation is not mandatory, the Town should follow the Provincial MMS to be able to use it as a defense. If the Town cannot meet the Provincial MMS, it can still use Section 44 (1) of the Municipal Act to demonstrate that the service provided was reasonable in the circumstances for both weather and road conditions. The Town does not need to adhere to the Provincial MMS but should set a prescribed level of service for Staff to follow and maintain. The purpose of this Report is to outline and establish a policy for Winter Minimum Maintenance Standard and level of service specific for the Town.

In the past, the Town's level of service has met the expectations of the residents and allowed the Roads and Drainage Division to operate within the approved budget. Therefore, the proposed "Winter Minimum Maintenance Standards and Level of Service Policy" (Attachment 2) continues the same level of service as approved by Council on November 19, 2012. In addition, the policy has been expanded to now include winter minimum maintenance standards for sidewalks and municipal parking lots. It should be noted the proposed Town MMS do **not** meet the Provincial MMS. Non-compliance with the Provincial MMS has been used as reason for litigation involving vehicular accidents in the past. While the Town is not compelled to adhere to the Provincial MMS, a defined level of service should be established for Staff to follow and maintain. The risk of not meeting the Provincial MMS is that the Town is reducing its level of defence for liability by due diligence.

A copy of the proposed winter maintenance Policy was forwarded to our insurance provider for review and comments. The Cowan's Risk Management Department recommended: *"that the MMS be incorporated into all winter maintenance policies. The Town has named their own council approved standards the 'minimum maintenance standards' which is confusing and not recommended."* They did not provide any suggestions or comments other than to adhere to the Provincial MMS.

Should Council desire the Town to comply with the Provincial MMS, additional Staff will be required to enable equipment to operate for additional hours over the winter season. It would involve the creation of an afternoon or second shift for each route, or sufficient on-call contracted positions to field a full crew within the time limits prescribed. The Town operates 7 winter control vehicles; the patrol truck operates with 2 shifts currently. To provide a second shift would require 6 additional contract drivers for the winter control period. With the additional drivers, additional supervision is required. Winter control cost would increase due to fuel usage, winter material costs, additional repairs to equipment and a reduced life cycle of equipment. The Town would also need to negotiate a revised service contract with the contracted winter service provider.

Due to the significant budget implications of expanding the Town's winter control operations to meet the revised Provincial MMS, Staff recommend Council approve the "Winter Minimum Maintenance Standards and Level of Service Policy as a Corporate Policy for application on roads, sidewalks and parking lots under the Town's jurisdiction.

Management will monitor the timing of storm events and track events when crews are not able to meet the Provincial MMS.

As part of a comprehensive winter minimum maintenance standards consideration, Staff have also developed the following Departmental Operating Policies:

- Preparing For, Initiating and Decommissioning Winter Operations
- No Winter Maintenance Signage
- Winter Patrol Standards
- Winter Weather Monitoring

### **C. The Blue Mountains' Strategic Plan**

Goal 2: Addressing the Town's municipal infrastructure needs.

Goal 6: Providing a strong, well-managed municipal government.

### **D. Environmental Impacts**

Typical environmental impacts related to winter maintenance such as greenhouse gas generation and spreading of road salt and sand will continue as in the past.

### **E. Financial Impact**

No Budget impact is expected with the implementation of the proposed Policy.

The Town may experience an increase in insurance premiums should the insurance providers attach a surcharge if they feel non-compliance with the Provincial MMS warrants. An updated new Winter Minimum Maintenance Standards and Level of Service Policy, together with the four new winter minimum maintenance operating Policies, should mitigate liability concerns.

### **F. In Consultation With**

Ontario Good Roads Association resource documents were also reviewed and considered during the drafting of the Town Policies.

Jessica Jaremchuk - Manager of Risk Management Consulting Services at Cowan Insurance

Rob Cummings – Director of Finance & IT Services

### **G. Attached**

1. Staff Report EPW.12.093 Winter Minimum Maintenance Standards
2. Winter Minimum Maintenance Standards and Level of Service Policy, 2013

Respectfully submitted,

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**STAFF REPORT:           ENGINEERING AND PUBLIC WORKS DEPARTMENT**



**REPORT TO:**           **Infrastructure and Recreation  
Committee**

**MEETING DATE:**   **November 13<sup>th</sup> 2012**

**REPORT NO.:**       **EPW.12.093**

**SUBJECT:**           **Winter Minimum Maintenance  
Standards**

**PREPARED BY:**     **Jim McCannell, Manager of Roads and  
Drainage**

**A.    Recommendations**

THAT Council receive Report EPW.12.093 entitled "Winter Minimum Maintenance Standards";

AND THAT Council adopt the minimum winter maintenance standards described within Report EPW.12.093 for each class of road as defined.

**B.    Background**

The Town has an obligation to maintain its road network to a safe level of service. To that end, the Town has utilised the Province's Minimum Maintenance Standards as set under the Municipal Act, 2001 in O.Reg 239/02 as amended.

In a recent court case, a municipality was unsuccessful in its defense of a claim using the Provincial Minimum Maintenance Standards. The province is considering regulatory changes to address this problem however no action is expected before the coming winter season. As a result of this situation, Grey County has established a winter maintenance minimum level of service for the County road system. The County's proposed winter maintenance level of service is very similar to the provincial winter minimum maintenance standards previously used and is consistent with the service historically provided in Grey County. Similarly, Town Staff has developed minimum maintenance standards for the Town and have forwarded it on to the Town's insurers to vet and review. The comments of the Town insurers have been incorporated into the service standards

Prior though to the Town's adoption of minimum maintenance standards, Town Staff want to execute an agreement with the County of Grey for winter maintenance on the Highway 26 connecting link in Thornbury from approximately Peel Street to 100m east of Grey Street. Within the Agreement, the proposed level of service must be specified. The County has asked that the Town implement a level of service for the roadway. Since the connecting link is classified as a Class 3 Road, Staff propose that the Town adopt the same minimum maintenance standard as the County has for Class 3 Roads.

Therefore Staff recommend that Council approve the objective of the minimum maintenance standard for each Class of road as set out in Attachment 1 appended to this Report.

#### **D. Environmental Impacts**

Typical environmental impacts related to winter maintenance such as greenhouse gas generation and spreading of road salt and sand will occur.

#### **E. Financial Impact**

By adopting the minimum maintenance standard for winter maintenance, the Town has mitigated liability concerns on the behalf of Town and County Staff with regards to the Connecting Link.

#### **F. In Consultation With**

Town's Insurers

#### **G. Attached**

1. Town Winter Minimum Maintenance Standards - Draft

Respectfully submitted,

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Director, Engineering and Public  
Works



THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS  
**Draft**  
**“WINTER” MINIMUM MAINTENANCE STANDARDS**

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*The Corporation of the Town of The Blue Mountains will strive to meet the Minimum Maintenance Standards as identified in Ontario Regulation 239/02 (The “Regulation”) and the Common Law test of reasonableness .*

**WINTER MAINTENANCE- Spreading and Plowing Times**

**Objective:**

**CLASS 3 (1000 to 5000 AADT)** *The objective will be to make best efforts to achieve center bare or track bare pavement.*

**Spreading Materials** -- Class 3 roads will have materials spread within 8 hours after becoming aware that such treatment is required.

**Snow Plowing** - Class 3 roads will have both sides of the road plowed one time within 12 hours after it has been determined that there is 8 cm of snow accumulated on the road surface.

**CLASS 4 (250 to 1000 AADT)** *The objective will be to make best efforts achieve center bare or track bare pavement.*

**Spreading Materials** - Class 4 roads will have materials spread within 12 hours after becoming aware that such treatment is required.

**Snow Plowing** - Class 4 roads will have both sides of the road plowed one time within 16 hours after it has been determined that there is 8 cm of snow accumulated on the road surface.

**CLASS 5 (50 to 1000 AADT on 50Km/ hr highways )** *The objective is to make best efforts to provide a smooth snow covered surface.*

**Spreading Materials** - Class 5 roads will have materials spread within 16 hours after becoming aware that such treatment is required. Bituminous roads in the category should not be bared after the storm by applying salt.

**Snow Plowing** - Class 5 roads will have one lane 5m in width plowed one time within 24 hours after it has been determined that there is 10 cm of snow accumulated on the road surface.

**CLASS 6 (under 50 AADT )** *The objective will be to make best efforts to provide a smooth snow covered surface. Gravel roads in this category may be spot sanded only on hills, curves and intersections.*

**Spreading Materials** - Class 6 roads may have materials spread within 24 hours after becoming aware that such treatment is required.

**Snow Plowing** - Class 6 roads will have one lane 5m in width plowed one time within 24 hours after it has been determined that there is 10 cm of snow accumulated on the road surface.

**Seasonal Roads CLASS 6 (under 50 AADT)** *the Objective will be to close these roads and not perform any winter maintenance as signed.*

**Spreading Materials** – Not applicable- Seasonal Class 6 roads will not have materials spread .

**Snow Plowing** - Not applicable - Seasonal Class 6 roads will not have snow plowed or removed .

**This Level of Service Policy :**

- 1)
  - a. Only applies to one through lane in each direction and does not apply to auxiliary lanes such as parking, passing or turning lanes, and
  - b. Only applies to a municipality during the season when the municipality performs winter highway maintenance.
  
- 2) In this section, “snow accumulation” means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:
  - a. New fallen snow.
  - b. Wind-blown snow
  - c. Slush.

The following table is a guideline for The Blue Mountains Winter operations. Once it has been determined by the Roads and Drainage Division staff that conditions warrant spreading materials and /or snow clearing efforts, the following timelines will be followed.

Table “B”

| Class of Highway | AADT       | Spreading Time | Plowing Depth | Plowing Time |
|------------------|------------|----------------|---------------|--------------|
| 2                | Over 5000  | 4 hours        | 5cm           | 6 hours      |
| 3                | Over 1000  | 8 hours        | 8cm           | 12 hours     |
| 4                | Under 1000 | 12 hours       | 8cm           | 16 hours     |
| 5                | Under 1000 | 16 Hours       | 10 cm         | 24 hours     |
| 6                | Under 50   | 24 Hours       | 10cm          | 24 hours     |
| Seasonal 6       | NA         | NA             | NA            | NA           |

NA: Not Applicable

*The objective of The Blue Mountains Roads and Drainage Division will be to provide winter maintenance given the resources available for winter control purposes and given the weather conditions. It is also recognized that conditions do occur that will preclude the defined Winter Level of Service from being achieved.*

*The Blue Mountains will make best efforts to monitor road conditions and weather information.*



This document can be made available in other accessible formats as soon as practicable and upon request

## TOWN OF THE BLUE MOUNTAINS

### POLICY & PROCEDURES

**Subject Title:** Minimum Winter Maintenance Standards and Level of Service

Corporate Policy (Approved by Council)

Policy Ref. No.: POL.COR.13.XX

Administrative Policy (Approved by CAO)

By-law No.: N/A

Department Policy: (Approved by Mgr.)

Name of Dept.: Engineering & Public Works

Date Approved:

Staff Report: EPW.13.055

#### Policy Statement

This Policy is intended to ensure that appropriate winter minimum maintenance standards are developed and implemented to meet the Common Law test of reasonableness.

#### Purpose

This Policy is intended to provide a guideline for winter minimum maintenance standards and level of service.

#### Application

This Policy applies to employees of the Roads and Drainage Division of Engineering and Public Works

#### Definitions

**MMS:** means the Council approved Town Winter Minimum Maintenance Standards and Level of Service Policy

#### Procedures

#### Background

The Town has an obligation to maintain its road and sidewalk network to a safe level of service. To that end, the Town has developed a Winter Minimum Maintenance Standards and Level of Service Policy.

## **Winter Minimum Maintenance Standards- Roads**

### **Spreading and Plowing Times**

Objectives for Class 3, 4, 5 and 6 roads based on the following Average Annual Daily Traffic (AADT) volumes:

**CLASS 3 (1000 to 5000 AADT) (80 km/hr) The objective is to make best efforts to achieve center bare or track bare pavement.**

**Spreading Materials** - Class 3 roads will have materials spread within 8 hours after becoming aware that such treatment is required.

**Snow Plowing** - Class 3 roads will have both sides of the road plowed one time within 12 hours after it has been determined that there is 8 cm of snow accumulated on the road surface.

**CLASS 4 (250 to 1000 AADT) (80 km/hr) The objective is to make best efforts achieve center bare or track bare pavement.**

**Spreading Materials** - Class 4 roads will have materials spread within 12 hours after becoming aware that such treatment is required.

**Snow Plowing** - Class 4 roads will have both sides of the road plowed one time within 16 hours after it has been determined that there is 8 cm of snow accumulated on the road surface.

**CLASS 5 (50 to 1000 AADT on 50km/ hr highways ) The objective is to make best efforts to provide a smooth snow covered surface.**

**Spreading Materials** - Class 5 roads will have materials spread within 16 hours after becoming aware that such treatment is required. Bituminous roads in the category should not be bared after the storm by applying salt.

**Snow Plowing** - Class 5 roads will have one lane 5m in width plowed one time within 24 hours after it has been determined that there is 10 cm of snow accumulated on the road surface.

**CLASS 6 (under 50 AADT ) The objective is to make best efforts to provide a smooth snow covered surface.**

**Spreading Materials** - Class 6 roads may have materials spread within 24 hours after becoming aware that such treatment is required. Gravel roads in this category may be spot sanded only on hills, curves and intersections.

**Snow Plowing** - Class 6 roads will have one lane 5m in width plowed one time within 24 hours after it has been determined that there is 10 cm of snow accumulated on the road surface.

This document can be made available in other accessible formats as soon as practicable and upon request

**Seasonal Roads CLASS 6 (under 50 AADT)** The objective is to close these roads and not perform any winter maintenance as signed.

**Spreading Materials** – N/A- Seasonal Class 6 roads will not have materials spread.

**Snow Plowing** - N/A- Seasonal Class 6 roads will not have snow plowed or removed.

**This Level of Service Policy :**

- 1)
  - a. Only applies to one through lane in each direction and does not apply to auxiliary lanes such as parking, passing or turning lanes, and;
  - b. Only applies during the season when the winter highway maintenance is performed.

In this section, “snow accumulation” means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:

- a. New fallen snow
- b. Wind-blown snow
- c. Slush

The following table is a guideline for the Town’s Winter operations. Once it has been determined by the Roads and Drainage Division Staff that conditions warrant spreading materials and /or snow clearing efforts, the following timelines will be followed.

| <b>Class of Highway</b> | <b>AADT</b>       | <b>Spreading Time</b> | <b>Plowing Depth</b> | <b>Plowing Time</b> |
|-------------------------|-------------------|-----------------------|----------------------|---------------------|
| <b>2</b>                | <b>Over 5000</b>  | <b>4 hours</b>        | <b>5cm</b>           | <b>6 hours</b>      |
| <b>3</b>                | <b>Over 1000</b>  | <b>8 hours</b>        | <b>8cm</b>           | <b>12 hours</b>     |
| <b>4</b>                | <b>Under 1000</b> | <b>12 hours</b>       | <b>8cm</b>           | <b>16 hours</b>     |
| <b>5</b>                | <b>Under 1000</b> | <b>16 Hours</b>       | <b>10 cm</b>         | <b>24 hours</b>     |
| <b>6</b>                | <b>Under 50</b>   | <b>24 Hours</b>       | <b>10cm</b>          | <b>24 hours</b>     |
| <b>Seasonal 6</b>       | <b>NA</b>         | <b>NA</b>             | <b>NA</b>            | <b>NA</b>           |

This document can be made available in other accessible formats as soon as practicable and upon request

The objective of the Town's Roads and Drainage Division is to provide winter maintenance given the resources available for winter control purposes and the weather conditions. It is also recognized that conditions do occur that will preclude the defined Winter Level of Service from being achieved.

The Town will make best efforts to monitor road conditions and weather information.

### **Winter Minimum Maintenance Standards- Sidewalks**

The Town's practice is to clear priority sidewalks in Thornbury, Clarksburg and the Village Commercial Core plus secondary sidewalks in Thornbury and Clarksburg.

Winter sidewalk maintenance are as follows:

- i Priority Routes: Following a winter storm event, plow equipment will be dispatched to priority routes upon the accumulation of: five (5) centimeters of new snow. Plowing operations will remove snow down to a smooth snow packed surface. Priority sidewalks will be cleared within sixteen (16) hours of being dispatched. Sand/salt mix will be added at the same time to increase traction for pedestrians on icy/slippery areas.
- ii Secondary Routes: Following a winter storm event, plow equipment will be dispatched to secondary routes after the Priority routes are completed and upon the accumulation of: five (5) centimeters of new snow. Plowing operations will remove snow down to a smooth snow packed surface. Secondary sidewalks will be cleared within twenty-four (24) hours of being dispatched. Sand/salt mix will be added at the same time to increase traction for pedestrians on icy/slippery areas.
- iii The Contractor will undertake daily patrol to monitor sidewalk conditions. Town staff will monitor the Contractor's activities and conduct random inspections
- iv Apply sand/salt mix within sixteen hours to increase traction for pedestrians as the operator becomes aware of slippery conditions during non-snow events. (This is the same MMS as a Class 4 road.)
- v Winter maintenance will begin on November 1 in any year to April 15 in the following year.
- vi Sidewalks not included in the defined areas shall not be maintained from November 1 in any year to April 15 in the following year and shall be considered closed during this period.

### **Winter Minimum Maintenance Standards- Municipal Parking Lots**

For the purpose of this Policy, municipal parking lots are those maintained by the Roads and Drainage Division. The Level of Service for municipal parking lots be the same as that prescribed for secondary sidewalks.

Following a winter storm event, equipment will be dispatched to parking lots upon the accumulation of: five (5) centimeters of new snow. Plowing operations will remove snow down to a smooth snow packed surface. Sand/salt mix will be added at the same time to increase traction for pedestrians on icy/slippery areas.

### **Level of Service Summary – Sidewalks and Municipal Parking Lots**

1. The service area will remain those sidewalks currently cleaned on a priority and secondary basis;
2. Priority routes will be cleared upon the accumulation of 5 cm of snow within 16 hours, secondary routes will be cleared upon the accumulation of 5 cm of snow within 24 hours, and sand/salt mix will be applied as necessary for traction;
3. Snow removal will be undertaken as a contracted service achieving the Town's MMS criteria at the sole discretion of the Manager of Roads and Drainage or his or her designate;
4. The liability for injury claims will be the sole responsibility of the Contractor;
5. The contracted service will be bid on an annual lump sum basis .

Furthermore, Staff recommend that the same level of service be adopted for municipal parking lots maintained by the Roads and Drainage Division as that used for secondary sidewalks.

### **Exclusions**

Town road sections and sidewalks that do not receive maintenance on a year-round basis.

### **References and Related Policies**

1. Road Needs Study – 2009 to 2013 – Town of The Blue Mountains
2. The *Municipal Act, 2001*, S.O. 2001, c. 25, Regulation 239/02 and Regulation 23/10.

### **Consequences of Non-Compliance**

Liability in the case of an action brought against the Town as a result of an accident caused by non-compliance with the Winter Minimum Maintenance Standards and Level of Service Policy.

## **Review Cycle**

This Policy will be reviewed annually by the Manager of the Roads and Drainage Division and the Roads Foreman.

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Manager, Roads and Drainage

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