

Coping with stormy days

By Carlene Brown

Snow and ice may be arriving soon in many parts of Washington, making something as simple as a neighborhood walk treacherous, and it also means challenging winter driving conditions. Liability claims for bodily injury or property damage suffered by motorists and/or pedestrians may occur because of snow and ice removal on sidewalks and roadways.

Some of the allegations by a claimant may include failure to plow or sand streets, allowing unnatural conditions to exist because of sand or ice left in the roadway or refreezing of plowed roads. Additionally, operators of snow and ice removal equipment may cause damage to parked cars and other stationary objects while performing operations.

What can Washington municipalities do to help keep sidewalks and roads safe for the public even after the winter weather arrives?

Members should encourage property owners to keep sidewalks and roadways clear and have a plan for clearing snow and ice especially around the holidays when traffic is sure to pick up.

Many municipalities detail their snow removal priorities in their local policies, assigning different priorities to different types of streets. The city/town should monitor weather forecasts and mobilize road crews based upon the severity of a snow and ice event.

In order to improve public safety and reduce the risk of liability for the member, it is important to develop an Ice and Snow Removal Policy. See [PWK.11.01 Sample Ice Snow Removal Policy](#) in the WCIA Liability Resource Manual which provides for the following:

1. Designation of staff members responsible for monitoring and reporting to management weather forecasts that trigger the need to prepare for adverse road conditions.
2. The plowing, sanding, and de-icing of public roads during winter conditions. (De-icers should be used according to the manufacturer's recommendations.)
3. Establish routes: first, second, and third priority, for ice and snow removal.
4. If another jurisdiction has responsibility for roads within the member's boundaries, establish who will be responsible for sanding and de-icing those roadways.
5. Establish protocols and arrangements with local towing companies to remove and store abandoned or stalled vehicles that impede or threaten the safe use of public roads.

6. Establish procedures for snow/ice removal or application of de-icing products at member facilities kept open and used by the public. Reasonably safe walkways and parking lots are the goal. This involves inspection, removal, treatment, and/or placement of signs warning of danger if the danger cannot be removed, and/or closure of facility if resources cannot resolve the problem. (Refer to: [PWK.09 Sidewalks.](#))
7. Establish procedures to examine and remove heavy snow build up from roofs of member buildings/garages where collapse could endanger the public and/or employees.
8. Outline an inclement weather chain of command that fits within the member's individual organization.

In addition, the WCIA Liability Resource Manual has a sample Ice and Snow Vehicle Inspection Checklist: [PWK.11.02 Sample Ice Snow Vehicle Inspection Check List.](#)

If you would like to discuss this issue in further detail, please contact your assigned WCIA Risk Management Representative.