

**RESOLUTION 2015-3: REQUEST FOR AMENDMENT TO MINNESOTA STATUTE
160.21 SNOW REMOVAL SUBD. 6**

Whereas, Minnesota Statute 160.21, Subd. 6 only allows a road authority to remove snow from unopened or private roads in uncompleted subdivisions containing five or more lots, upon adoption of an annual resolution finding that the subdivision developer, due to general insolvency or pending foreclosure, is unable to maintain the roads as defined in section 169.011, subd. 3; and

Whereas, township and other road authorities may have many solvent subdivisions in their jurisdictions which have not been fully built out and where the second wear course has not been applied due to continued construction (at the instruction of the road authority); and

Whereas, the road authorities do not accept the subdivision roads until the second wear course is applied, and therefore they are still considered private roads; and

Whereas, the homes in the subdivisions are generating very significant amounts of tax base for the townships, are open and used by the general public, and should be entitled to road authority services at no additional cost to the development; and

Whereas, the townships can have a written agreement with the subdivision owner that by plowing the roads it does not mean that the roads have been accepted;

Now, therefore, be it resolved that the Benton County Association of Townships requests that the Minnesota State Legislature amend Minnesota Statute 160.21 Snow Removal Subd. 6 to allow road authorities to plow snow within all uncompleted subdivisions.

Passed this 19th day of February 2015 by the Benton County Association of Townships.

Board Chair: _____ Joe Scapanski _____

Board Secretary: _____ Pat Spence _____