

Resolution # ~~2-10-2020~~ A  
Tama County  
Dust Control Policy

WHEREAS, vehicle traffic on rock roads stirs up dust that is undesirable to many individuals, and

WHEREAS, the Tama County Board of Supervisors desires to allow individuals and certain businesses to apply dust control for themselves or customers on rock roads in the county,

WHEREAS, Chapter 318 of the Code of Iowa specifies a permit issued by the appropriate jurisdiction is required before work is performed by parties other than the jurisdiction, and

WHEREAS, Tama County's responsibility to the motorist takes priority over an individual's desire to reduce dust,

THEREFORE, BE IT RESOLVED that the Tama County Board of Supervisors establish the following rules for dust control. These rules shall hereinafter be referred to as the Tama County Dust Control Policy.

TAMA COUNTY DUST CONTROL POLICY  
February 10<sup>th</sup>, 2020

- The interest of motorists to have a well-maintained road takes priority over the interest to suppress dust.
- Chapter 318 of the Code of Iowa specifies a permit must be issued by the appropriate jurisdiction before work is performed by parties other than the jurisdiction. A permit to place dust control (obtainable from the County Engineer's Office) will be required each year. There will be no deadline to acquire the permit, but the permit will expire October 15<sup>th</sup> each year.
- The permit will state the method of dust control. Specifically allowed methods include calcium chloride, magnesium chloride, lignosulfonates and a bituminous chip seal. Other methods require specific approval. Note that the use of used motor oil is specifically banned by federal regulations.
- All applicants (companies and individuals doing work for themselves) will supply Tama County a certificate of insurance naming Tama County as an additional insured. The correct certificate must be provided before the permit will be approved. The required limits are as follows:

General Liability	
• Each Occurrence	\$1,000,000
• Personal & Adv Injury	\$1,000,000
Automobile Liability	
• Combined Single Limit	\$1,000,000
Umbrella Liability	
• Each Occurrence	\$1,000,000

- Dust control will not be placed prior to May 15<sup>th</sup>, unless authorized by Tama County. Soft road conditions in the spring may cause Tama County to restrict placement to a later date.
- Most dust control products are placed twice in a season. A separate permit is not required for the second application in the season, but the same three (3) weeks' notice must be provided for the second application to allow Tama County to prepare the road.
- A permit obtained by a company may cover all of their customers. A typed list with their customers will be supplied to the County Engineer. The list may be provided after the application is received, as-long-as it is received at least three (3) weeks prior to the first application. After the dust control list is received, there will not be any add-ons. However, we will accept add-ons for the second or third application. Prior to each additional application, three (3) weeks' notice and an updated list is required to be provided to the County Engineer. The list will show:
  - Name of the individual/company the dust control is serving

- Location (township, section and E911 address)
  - Length of application
- Each dust control section shall be measured and marked by the individual or company. The location shall be marked with four visible flags at all corners of the dust control area. The flags shall be placed at least three (3) weeks prior to application of dust control. Flags will be supplied by the company or individual (companies may place a supply of flags at the Tama County Engineer's office or shops to aid in distribution). Flags must be left in place for the duration of the dust control to help the blade operator identify the section. Failure to keep the flags up may result in the dust control section being bladed in a way that makes it significantly less effective.
  - If given proper notice, Tama County will review the sections and determine the need for blading or additional rock prior to placement of the dust control. Failure to provide ample notice may result in poor performance of the dust control section and will likely require the dust control section to be obliterated.
  - Dust control sections must be kept free of potholes. Individuals may collect granular material from the surface of the surrounding road to place in the potholes.
  - Tama County reserves the right to blade through improperly performing sections or those not maintained by the individual. Tama County will try to schedule blading of dust control sections to coincide with fresh moisture, which helps preserve the effectiveness of the product.
  - Dust control sections may be bladed through starting October 15<sup>th</sup> each year. Tama County may leave well-maintained sections intact until November 1<sup>st</sup> if fall weather conditions are favorable.
  - The applicant shall assume full responsibility for any and all liability resulting from dust control material placed upon the public highway.
  - Bituminous seal coats provide some specific concerns. Cars driving through fresh oil can pick it up with their tires, causing it to cover the vehicle or splash on private property. Individuals using bituminous seal coats are often seeking a product that will work for more than one year. The following rules shall apply specifically to bituminous seal coats:
    - Bituminous seal coats shall use MC-70 for oil and 3/8" rock chips (or pea gravel). Other types of oil will require specific approval prior to application.
    - Signs warning of fresh oil must be posted in advance of the dust control section and must remain in place for at least 24 hours after placement.
    - The section must be covered with sufficient chips and within 15 minutes of oil placement to reduce the occurrence of oil being picked up onto vehicles.
    - The applicant shall be responsible for damage to vehicles or private property.
    - Potholes must be filled. The individual may use rock or a cold mix asphaltic product.
    - Bituminous seal coat sections will be reviewed in the fall and may be left in place if they still have proper shape and performance.

- No more than four (4) applications of bituminous seal coat will be placed at any location. Two (2) applications in one year will count as two (2) applications.
- Tama County will place and pay for dust control in the following instances:
  - Establishment of a detour for the paved road system expected to last more than 2 weeks.
  - Improperly blading through an existing dust control section.
  - A mandate by federal or state regulation.
  - Specific roads deemed necessary by the County Engineer.
- Tama County will not pay for dust control in the following instances:
  - Detours for road work on the rock road system.
  - Blading through an existing dust control that is improperly flagged or for which proper notification was not received.
  - Blading through a section improperly placed that is creating a hazard or causing damage to traffic.
  - Blading through a section that is not properly maintained.
  - Blading through a section at the end of the season.

Companies shall issue the following statement to each of their customers:

*"Tama County allows the placement of dust control on rock roads. The interest of motorist to have a well-maintained road takes priority over the interest to suppress dust. Dust control sections may be bladed through starting October 15<sup>th</sup> and may be bladed through at any time if the condition of the road impedes traffic. Preserve your dust control by keeping it properly marked and by filling potholes with rock. Tama County's Dust Control Policy can be found at [www.tamacounty.org/engineer.html](http://www.tamacounty.org/engineer.html)"*

APPROVED

Attest:

  
 Laura Kopsa, Tama County Auditor

  
 Dan Anderson, Chair  
 Tama County Board of Supervisors

2-10-2020  
 Date

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 Date