

ENGINEERING POLICY: 200-2014

Snow Shedding Policy

Date: February 27, 2014

Background

Drainage Law in the State of Colorado generally follows the modified civil law rule. The key elements of this rule are:

- A natural easement or servitude is placed upon the lower land for the drainage of surface water in its natural course;
- The natural flow of surface water cannot be obstructed by the servient owner to the detriment of the dominate owner: and
- Waters and natural drainage conditions can be altered by an upper proprietor provided the water is not sent down in a manner or quantity to do more harm than formerly.

Additionally the building code states the following:

2009 IRC (t) Section R903.6 Snow shed design. Roofs shall be designed so that they do not shed ice and snow onto potentially occupied areas such as a walkway, stairway, alley, deck, pedestrian and vehicular exit from buildings or areas where there is potential for personal injury or property damage and areas directly above or in front of gas utility or electric utility meters.

Exception: Mechanical barriers installed to roof framing members or solid blocking secured to framing in accordance to manufacturer's installation instructions.

2009 IBC (s) Section 1504.9 Snow shed design. Roofs shall be designed so that they do not shed ice and snow onto potentially occupied areas such as a walkway, stairway, alley, deck, pedestrian and vehicular exit from buildings or areas where there is potential for personal injury or property damage and areas directly above or in front of gas utility or electric utility meters.

Exception: Mechanical barriers installed to roof framing members or solid blocking secured to framing in accordance to manufacturer's installation instructions.

Case Law:

Cobai v. Young (1984). Based upon the theory of continuing trespass, the court ordered an injunction against the defendants, prohibiting them from allowing snow and related materials to slide or be propelled from their roof in such a manner that strikes the plaintiff's house.

Policy:

Given drainage law, building code requirements and case law, properties will not be allowed to shed snow from their roofs onto adjacent properties. This includes prohibiting properties from shedding into the ROW.

Exception: Properties that have an easement that allows the snow shed on adjacent properties.

Approved by: Trish Aragon, P.E., City Engineer