

Contact information

County Offices

Planning and Zoning	751.8200
Commissioners	758.5503
Environmental Health	751.8130
Weed and Parks	758.5800
Clerk and Recorder	758.5526
Plat Room	758.5510
Treasurer	758.5680
Road and Bridge	758.5790
GIS and maps	758.5540
Sheriff	758.5585
Emergency Services	758.5561

Other helpful numbers and sites

Flathead Conservation District	752.4220
www.flatheadcd.org	
Montana Fish, Wildlife & Parks	752.5501
www.fwp.mt.gov	
DNRC/Water Resources	752.2288
www.dnrc.mt.gov/wrd	
DNRC/Northwest Land Office	751.2240
www.dnrc.mt.gov/Forestry/Personnel/NWLO.asp	
Natural Resources Conservation Service	752.4242
www.nrcs.usda.gov	
USDA, Flathead National Forest	758.5204
www.fs.fed.us/r1/flathead	
U.S. Geological Survey	www.usgs.gov
Firewise Communities	www.firewise.org
Floodmap Information	www.msc.fema.gov

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RURAL LIVING IN FLATHEAD COUNTY



A GUIDE FOR NATIVES AND NEWCOMERS



About This Publication

Throughout the Rocky Mountain West, many versions of this document have been created by local planning jurisdictions in an attempt to provide guidelines for residential development in rural areas far removed from public services. This guide borrows freely from previous versions. As the saying goes...

"If it ain't broke, don't fix it!"

Special acknowledgment goes to John Clarke, Commissioner of Larimer County, Colorado, who created the model for these rural living guides. Mr. Clarke fashioned his after the historic "Code of the West" documented by novelist Zane Grey in the early 20th century.

In that same spirit, this pamphlet is intended as a guide for those who wish to reside in rural Flathead County and live in harmony with their neighbors and their surroundings. You will find valuable information about County services and gain a greater understanding of what to expect if you choose to live in a rural area.

Resources

Information for this guide has been culled from a number of sources, including the multitude of versions from other counties. Most jurisdictions mirror one another, but all deserve a mention here, providing additional resources for the interested reader.

The following documents were consulted in the creation of this guide:

- ◆ *Code of the West* by John Clarke, former Larimer County, Colorado Commissioner
- ◆ *Code of the New West*, Madison County, Montana
- ◆ *Welcome to the West, A Guide for People Considering the Purchase of Real Estate in the Northern Rockies, the Corporation for the Northern Rockies*
- ◆ *Huerfano County Code of the West*, Huerfano County, Colorado
- ◆ *Code of the West as it applies to Gallatin County*, Montana
- ◆ *The Code of the West*, Lincoln County, Wyoming
- ◆ *Spokane County Code of the West*, Spokane County, Washington
- ◆ *Rural Neighbors, Living and Working Together*, Barbara H. James, MA, CFCS, Ohio State University

tana. Be mindful that your newly purchased property might be part of an area historically used by hunters who may be unaware that ownership has changed.



- ◆ If your property is adjacent to public lands, you will likely see an increase in traffic during hunting season. Contact Fish, Wildlife and Parks to learn about your rights and responsibilities.
- ◆ Wildlife is more mobile during calving season, hunting season, and the “rut.” Always keep a close watch when driving in rural areas, and pay particularly close attention during these important times.

In closing

Even though rural property owners pay taxes like everyone else, the amount of tax collected does not always cover the cost of services provided to rural residents. In general, those living in urban areas subsidize the lifestyle of those who live in the country by making up the shortfall between the cost of services and the revenues received from

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Welcome

It is important to be aware of the realities of living in rural Montana. It is also important to remember that living in the country is very different than living in the city.

When you run out of milk, you may have to drive 30 minutes to get to a store, or might not get out at all if the weather doesn't cooperate. When your child takes piano lessons, plays soccer, and wants to compete in team penning, you may find yourself secretly more irritated than proud when you have to drive to town five or six nights a week. When you have a late meeting at the office, you could end up driving home at midnight in the middle of a snowstorm on an icy road.

You need to know what to expect before you make the move.

If you are choosing to purchase land or a home in rural Flathead County, or if you are a current resident, you will also want to consider the impact your decisions have on your neighbors.

To that end, we encourage you to spend 20 minutes or so reviewing the information that follows. We believe it will help you make an educated and informed decision about living in a rural area.

lions, and a host of small creatures that share that habitat.

- ◆ The Montana Department of Fish, Wildlife, and Parks is an excellent source for information on safely living near wildlife. Contact them early if you are planning a move to a rural area to determine if your land is located near critical habitat such as feeding or calving areas.
- ◆ It is never a good idea to feed wildlife, as they quickly become dependent on you as a food provider. Also, feeding seemingly harmless animals attracts those that prey on them such as bears and mountain lions, which can threaten your family's safety.
- ◆ Managing trash is essential, as nothing tempts a



bear
like
last

night's leftovers. FWP has extensive information on bear-proofing your waste receptacles.

- ◆ Hunting is a time-honored tradition in Mon-

Wildlife



Flathead County is home to some of the nation's most spectacular wildlife, including elk, moose, grizzly and black bear, and white-tailed and mule deer. Living in a rural area will allow you to encounter these magnificent creatures on a regular basis. It's easy to harm things we value without realizing it, so consider the following:

- ◆ Many people are attracted to rural areas for the wildlife and do not realize the negative impacts they can have on the very creatures that drew them to rural living in the first place. Development encroaches on the habitat of white-tailed and mule deer, grizzly and black bear, elk, moose, coyotes, wolves, mountain

Your piece of paradise

It's said good fences make good neighbors. Good manners make friends of those neighbors. Friends come in awful handy in rural areas.

- ◆ If you take one piece of information from this document, remember this: ALWAYS verify information you are given by a real estate agent, surveyor, government representative, or other professional. You will be glad you did.
- ◆ Stewardship of rural land requires dedication and commitment. Many factors can impact use of your property. Research potential issues carefully.
- ◆ Not all lots are buildable. Steep slopes, floodplain, or other environmental constraints can limit your use of the site.



- ◆ You may be provided with a plat of your property, but unless the land has been surveyed by a licensed surveyor, you cannot assume the plat is accurate.
- ◆ Fences that separate properties do not always follow the actual property lines. See above.
- ◆ Many subdivision and planned unit developments have covenants that limit use of the property. Obtain a copy of any covenants, conditions, and restrictions if you are purchasing subdivided land. Be sure you can live with them!
- ◆ Unzoned areas are not governed by County zoning regulations. If you have unzoned property and are pleased to know you are not restricted by zoning, remember your neighbor likely isn't either.
- ◆ The surrounding open land may not remain as it is indefinitely. Contact the Planning and Zoning office to determine if the area is zoned or if any development may be proposed for the area.
- ◆ Recent arrivals often build their homes on the highest ridge or hilltop. Remember, the farther you can see, the farther you can be seen by others. You probably didn't move to a rural area to gaze upon a bunch of houses; neither did your neighbors.

- ◆ Steep slopes are often unstable and can slide in wet weather, releasing mud, rocks, and vegetation in the process.
- ◆ North facing slopes or canyons rarely receive direct sunlight in winter. It is likely that snow accumulation will last until late spring.
- ◆ Topography will tell you where water will go in the case of heavy precipitation. When that topography is changed, water that used to drain into a ravine or depression may end up draining into your house (or even your neighbor's!) instead. Exercise caution and consult a professional and the county planning office, particularly if you are located in a flood-prone area.
- ◆ Portions of the county have delineated floodplains or flood-prone areas where home construction is either prohibited or strictly regulated. Contact the planning and zoning office to discuss your property prior to commencing any work in these areas.
- ◆ Multiple active fault lines in Flathead County will result in earthquakes, it's just a matter of time. Be mindful of this in construction and site planning.



Mother nature

Residents of rural areas experience more problems when the elements and earth turn unfriendly. Remember the following and be prepared.

- ◆ The physical characteristics of your property are likely a big part of your decision to purchase in a rural area. Trees are spectacular, but can increase the threat of forest fire. Building at the top of a forested draw is as dangerous as locating in a flood-prone area.
- ◆ Determine if you are in a high, very high, or extreme high fire hazard area by accessing the county mapping website at <http://maps.co.flathead.mt.us>.
- ◆ Incorporating defensible space standards can be very helpful in protecting your home and outbuildings from forest fire and can, in turn, protect the forest from your house fire. Remember, if you start the fire, you are responsible for paying the cost to extinguish it. The planning and zoning office or DNRC can provide you with information on incorporating these standards into your land management. Visit www.firewise.org for more information.
- ◆ Contact the Flathead County Office of Emergency Services to determine if you are in a rural fire district. These fire districts rely on volunteers, so consider joining yours!

- ◆ If you have an irrigation ditch running across your property, there is a good chance the owners of the ditch have the right to come on your property to maintain the ditch.
- ◆ Water rights that are sold with the property may not give you the right to use the water from any ditches crossing your land without coordinating with a neighbor who also uses the water. Other users may have senior rights to the water that can limit your use.
- ◆ It is important to ensure that any water rights you purchase with the land will provide enough water to suit your needs. This may include maintaining pastures, livestock, landscaping, or gardens.
- ◆ Flowing water can be hazardous, particularly to children and pets. Before you decide to locate your home near an active ditch or natural water source, consider the possible risk to your family.
- ◆ Many creeks, streams, rivers, and wetlands are regulated by the Flathead County Conservation District. Regulations establish setbacks and buffer zones adjacent to these various bodies of water. Natural vegetation must remain undisturbed in these areas. If you are thinking of developing near water or wetlands, contact the Conservation District and the Planning and Zoning Office prior to beginning any work.

- ◆ Understand your soil and its limitations. Sites suitable for buildings, roads, septic systems, landscaping, and crop production can be determined from soil characteristics. The Flathead County Extension Agent or Natural Resources Conservation Service can provide valuable information.

- ◆ Noxious weeds destroy healthy vegetation, valuable agricultural land, and wildlife habitat. They also lower property values. Early detection and treatment are essential to controlling the proliferation of these pesky nuisances, which can completely eradicate grasslands and other vegetation if left unchecked. Montana State Law **requires** property owners to control the noxious weeds on their property. The Flathead County Weed Department can assist you in identification and management. Your neighbors will thank you, particularly the farmer with the beautiful field of alfalfa you love to look at out your kitchen window.



- ◆ If you choose to live among the farms and ranches of Flathead County, do not expect the county to intervene in the normal daily operations of your agricultural neighbors. Right to Farm laws protect them from nuisance and liability lawsuits, enabling them to continue producing food and fiber for us all.

- ◆ Animals can be dangerous. Bulls and stallions can attack human beings. No livestock should be approached, particularly by children. It is not wise or safe to enter pens or pastures where animals are kept or offer them food or treats, even over a fence line.



- ◆ A dog's natural tendency is to chase things that run from it. This type of "play" can mean injury to both pet and livestock, for which you will be held financially accountable. It is your responsibility to keep your dog out of your neighbor's pastures and livestock enclosures.

- ◆ Land preparation and other operations can cause dust, especially during windy and dry weather.
- ◆ Farmers occasionally burn their fields and ditches to keep them clean of debris, weeds, and other obstructions. This burning creates smoke you may find objectionable.
- ◆ Chemicals such as fertilizers and pesticides are often used in growing crops. You may be sensitive to these substances or have an allergic reaction.
- ◆ Animals and their waste can cause objectionable odors. Enough said.



- ◆ Areas of the county are in open range. This means if you do not want cattle or other livestock on your property, the burden is on you to fence them out. It is not the farmer or rancher's job to keep them off your land.

Access



The fact that you can drive to your property today doesn't necessarily mean that you, your guests, and emergency service providers will be able to reach you in February. Just another reason to make friends with the logger down the road with the heavy equipment. In the meantime, please remember:

- ◆ Emergency response times cannot be guaranteed. Under some extreme conditions, response may be extremely slow or not at all if weather or conditions render your access impassable.
- ◆ Legal access is not the same as physical access. If your access crosses the property of others, consult a legal professional to clearly understand what your easement authorizes.

- ◆ It is wise to determine whether or not your road was properly engineered and constructed. Even with proper construction, annual road maintenance will be needed, which can require renting or owning special equipment.



- ◆ In extreme weather even county-maintained roads can become impassable. You may need a four-wheel drive vehicle with chains on all four wheels to travel during these occasions. Don't expect to see the county snowplow on your road first thing every morning!
- ◆ You can expect to experience maintenance problems with your road, even if it is county-maintained. Flathead County encompasses 5,098 square miles. Within that area are 1,200 miles of county-maintained roads.
- ◆ Dust is an unpleasant fact of life for most rural residents. If you want to make enemies quickly, move to the country off an unpaved road, then call the Road and Bridge Department after the first dry, dusty day and demand to know when your road will be paved.

Agriculture and the right to farm

Agriculture is still an important part of the Flathead County economy, even as subdivisions appear more often than hay or mint and houses dot more fields than cow-calf pairs.

The folks who homesteaded this valley knew how to take care of their land and many of their descendants continue to feed their families (and yours!) by raising similar crops.

Here's a few things you should know about your farming and ranching neighbors:

- ◆ Farmers often work around the clock, especially during planting and harvest. Dairy operators sometimes milk without stopping and hay is often baled at night. It is possible that adjoining agricultural uses may disturb your idea of peace and quiet.



- ◆ Electric service is not available to all locations in Flathead County. It is important to determine proximity to electrical power, unless you intend to live off the grid. Extension of power lines can quickly turn that great deal into a cost-prohibitive undertaking.
- ◆ It may be necessary to cross land owned by others to extend electrical service to your property in the most cost efficient manner. It is important to make sure proper easements are in place to ensure service to your property.
- ◆ Power outages can occur in outlying areas with more frequency than in developed areas. A loss of electrical power also interrupts your well pressure tank, which means no water. It's important to be able to survive for a week in severe cold without utilities if you live in a rural area.
- ◆ Solid waste management usually means taking your garbage to the closest "green box" site, which may be miles from your home. **Creating your own dump is prohibited.** Improper storage of solid waste will find you waking up to bears in your garbage cans. This is not considered a positive human-wildlife interaction.

- ◆ If your road is unpaved, it is unlikely Flathead County will pave it in the near future. Check carefully with the Road and Bridge Department when any statement is made by the seller or seller's representative that indicates paving is planned.
- ◆ Flathead County will repair and maintain county roads, however subdivision or private roads are the responsibility of the homeowner's or road user's association. This can be particularly costly after flooding or other natural disasters.
- ◆ Don't expect your neighbors to join a petition asking for improved service or paving of a rural road. Rural people cherish their independence and willingness to go it alone. They may not jump at the chance to pave the road and make it easier for more folks to move in.
- ◆ School buses travel only on maintained county roads that are designated school bus routes by the school district. You may need to drive your children to the nearest county road or even all the way to school.



Service delivery

Living in a rural area requires willingness to do without services city dwellers take for granted, like pizza delivery or a quick run to the video store. If you're seriously interested in rural living, this is likely no big deal. What's more important to remember are the vital things, like rapid emergency response or utility outages on a cold winter night. It's easy to take that 24-hour plumber for granted in the city. And while you may be able to get DVDs by mail, a backed up toilet waits for no one (or vice versa as the case may be).

- ◆ No matter how well you maintain the road, it's a simple fact that if you live 25 miles from medical services, treatment will be delayed. This goes for you, your children, and your pets and livestock. You may have to go for help instead of waiting for it to come to you. This is an important consideration if any member of your family requires emergency treatment or ongoing care.
- ◆ Mail, newspaper, standard parcel, and overnight package delivery is not available in all areas of the county. Confirm with service providers sooner rather than later.
- ◆ Telephone communication may be an issue, as many rural areas do not provide reliable cellular service.

- ◆ You will likely be drilling a water well. The cost for drilling and pumping can be considerable.
- ◆ Some portions of the county do not have sufficient water available for domestic purposes, no matter how deep you have the well drilled.
- ◆ It is strongly advised you research the issue of water quantity and quality very carefully when considering the purchase of rural land. The Montana Department of Natural Resources Conservation is a good place to start.
- ◆ Not all wells can be used for watering landscaping, pastures, or livestock. Water use may be restricted to domestic use, requiring you to locate an alternate source to maintain your property.

- ◆ Public sewer service is generally available only in highly developed areas. Your septic system must be approved by Environmental Health Services. Soil type will be critical in determining the location, cost, and function of this system.

