

LIVING IN RAVALLI COUNTY, MONTANA.....A CHECKLIST

ACCESS:

- Document a legal access to the property_____
- Will fire trucks and heavy equipment have adequate road and turnaround?___
- Will you need an approach permit to the public road system?_____
- Who maintains and plows the right of way to your property?___
- Can you get there during bad weather or floods?_____
- Will you get mail, package delivery and school bus service?_____

UTILITIES:

- FIRST PRIORITY:** Determine sewage or septic service before starting anything._____
- How will you get household water and secure needed permits?_____
- Are you certain that water sources exist?_____
- Can you get cell or land line telephone service?_____
- Can you get satellite and internet service?_____
- How will you get electrical service?_____
- Is there natural gas or propane services available?_____
- What are the exact irrigation rights?_____

WHAT CAN I DO ON MY PROPERTY?

- Do you have all needed easements?_____
- Do others have easements over your property?_____
- Do you understand the laws about streams and canals on your property?_____
- Who owns the mineral rights under your property?_____
- Do you have an exact and up-to-date survey, well marked, before you buy?_____
- Does the Title Company show old rights-of-way and easements on the property?___
- Have you checked out all needed permits with the County Planning Department?___
- Have you checked and agree to Homeowner Association and local zoning rules, if any?_____
- If the land is in a conservation easement, do you understand all details and rules?___
- Are you informed about what what may happen on adjacent properties?_____
- Do you understand rules and limits concerning pets, livestock and wildlife?_____
- Have you checked out management of the property with Extension and State Forester?___
- Are you informed about weed control, junk laws, flooding, erosion and fire?_____
- Do you understand that doing anything near water may require a 310 permit?_____

OTHER CONSIDERATIONS:

- Forests, grasslands and ditches are fire hazards, you may have to plan for it on your own._____
- You need to understand wildlife issues and dangers, hunting, shooting and traditional uses._____
- This county has open range, you may have to fence livestock out._____
- You understand that there are a lot of agricultural activities, be patient, farmers feed you._____
- If you see something you do not like, move on..don't buy and then complain._____

Before committing to anything, be sure you understand and can live with what you want._____

LIVING IN RAVALLI COUNTY, MONTANA

Updated by the Right to Farm and Ranch Board of Ravalli County, based on several local publications.

Welcome to the Bitterroot Valley of Montana: Life in the country is rich and rewarding, treasured by both Bitterroot Valley residents who have been here for generations, and those who have recently moved here. It's important that new property owners and homeowners know that life in "non-urban" parts of the County is different from life in town. The County government cannot provide the same level of service that city and town governments provide. The information included in this Bitterroot Valley publication is designed to help you make an educated and informed decision as you consider purchasing or developing land in the unincorporated areas of the Valley. Only Stevensville, Pinesdale, Hamilton and Darby are incorporated. Corvallis, Victor and Florence have no government and develop improvements through their civic clubs.

What kind of ACCESS is available outside of town? The fact that you can drive to your property does not necessarily guarantee that you, your guests or an emergency service vehicle (the Sheriff, an ambulance, a fire truck) can get there easily, or during all seasons. Please consider:

- Response times for emergency services could be lengthy.
- There can be problems with the legal aspects of access, especially if you have access across someone else's property. Make sure you have legal easements if you need them (i.e. deeded, not just verbal). You may want to get legal advice regarding your own access to a County road, or federal highway.
- Ravalli County maintains hundreds of miles of roads, but many private properties are served by private roads, which are not County maintained. Some roads that have been used for many years by the public, but aren't maintained by the County (no snow plowing, grading in the summer, or repair of damages resulting from natural disasters.) Learn what maintenance is available and who pays for it.
- Many large construction vehicles cannot navigate small, narrow and primitive roads. If you plan to build, check out construction access. Private driveways should be wide and sturdy enough to support either emergency or construction vehicles. Fire chiefs can refuse to send fire trucks into hazardous situations.
- If your driveway or private road accesses a County road, you may need an Approach Permit. Call the Ravalli County Road Dept. (363-2733) to find out. If your access is directly onto a State highway, check with the Montana Hwy Department of Transportation about getting a Highway Access Permit.
- In general, school buses travel only on county, State, or federal roads and not on subdivision roads. In some outlying areas, school bus transportation is not provided at all. Call the Administration Office of the School District in which your children will be attending school to find out the school bus boarding area closest to your property.
- In extreme weather, some roads may become impassable. You may need a four-wheel drive vehicle, snow tires and/or chains, and perhaps even another mode of transportation to travel during those circumstances. Forest Service roads may be closed, or if open, are extremely hazardous for travel.

- Gravel roads generate dust. If you mind that, you may not want to be in an area which is accessible only by gravel roads, and for which no paving is planned. If you want to know which roads are scheduled for improvement, check with the subdivision property owners' association, or Road Department.
- Unpaved roads are not always smooth and are often slippery when they are wet. You may experience an increase in vehicle maintenance costs when you regularly travel on rural county roads.
- Newspaper, parcel and overnight package delivery, and U.S. mail delivery may not always be available to rural areas. Check with the agencies that provide these services before assuming you can get delivery. It may be more expensive and time consuming to build a rural residence due to delivery fees and the time required for inspectors to reach your site.

How About Sewer, Water, Electricity, Telephone, Cable T.V. and Natural Gas?

The utilities that you may be used to having when you live in a town or city may not be available in rural areas. Please think about these situations:

- The availability of telephone communication can be a problem. It may be difficult to obtain a separate line for FAX or computer modem uses, and in some areas, cellular telephones don't operate. Check with the local telephone service provider to find out what lines and services are available.
- If central sewage treatment is available to your property, find who provides the service, and the costs to hook into, and maintain it. Flood areas and high-water tables will restrict use of septic systems.
- If city wastewater treatment is not available, you will need an individual sewage disposal system (ISDS). If there is an existing individual system, have the septic tank pumped and inspected by a reliable service, and call the Ravalli County Environmental Health Office to get information about obtaining a permit or an inspection (375-6268). **Do not start construction before obtaining the necessary permits.**
- Be sure you know what water rights are available with your property. If city water is not available to your property, find out what domestic water options are available to you. Is there a decree to a spring on or off the property? If water is provided by a well or spring located off your property, do you have an easement allowing you to access and repair it? If you have deeded water rights (for agricultural or domestic use) do you understand what you are getting? The DNRC (Department of Natural Resources) can explain what the information on your water right certificate means and if the rights have been "adjudicated" through the water court yet. You may not be able to drill a well or have "real" access to a water supply without getting approval from the Water Court; you'll need to know what kind of time and expense that may entail. **Do not assume that the owner or real estate agent know all the details.**
- In Ravalli County, a well that yields less than 35 gallons per minute, or less than ten acre-feet per year, can be permitted. Since the basin is closed, larger amounts would not be possible. Call the Department of Natural Resources in Missoula for details. The DNRC information officer in Helena, at 406-444-0465 can provide a packet of information, before you take any action.

- None of this can guarantee that there will be water where you drill. Some areas of rural Ravalli County produce no water at all or have wells that are more than 400 feet deep. Consider those potential drilling and installation costs in your development planning. Carefully check the public well records or talk to well drillers who can point out the dry holes around property you may be considering..
- You may not own the water that runs through your property in an irrigation ditch and cannot own a stream. Unless you have actually purchased water rights, the water can't be legally taken out of the stream or ditch. Check with your attorney, or the DNRC to make sure you have, legal water rights with your property, and if they are adequate for your intentions with the property.
- Electric and natural gas service may not be available in the more remote areas of Ravalli County. Check with each of these service providers to make sure you have the services you want before you commit to a construction project. Propane, oil or wood may be available, but bad roads may make delivery a problem. If you have trees which threaten power lines, they can be trimmed without your permission.
- Some of your utility service lines may have to cross properties owned by other people in order for service to be extended to your property. Make sure the proper legal easements are in place to allow lines to be installed to your property. If this fails, some landowners have installed solar panels.
- Electric power may not be available in three phase service configurations. If you have special power requirements, check with the service provider.
- The cost of electrical service usually includes both a fee to hook into the system (which may require expensive line installation if none exists), and a monthly charge for energy consumed. Check with the service provider about costs in your area.
- Power outages can occur in outlying areas more often than in more developed areas. Some people have a generator to provide standby power for lights, freezers, computers and pumps. As with any engine, keep it out in the open, away from the garage or any doors and windows since carbon monoxide is deadly.
- Rural areas of the county are not usually wired for cable television. Satellite TV and Internet are available from several sources for rural areas.

What Can I Do On My Property?

Many issues can affect your property in addition to those concerning utilities and access. It's important to research them before purchasing land.

- Other property owners may have easements which require you to allow construction of roads, power lines, water lines, sewer lines and other utilities, as well as maintenance of irrigation ditches across your land, which may restrict your own development and building options. There may be easements that haven't been recorded, but are "historic." Title abstract and title insurance companies, or an attorney can help you track this information.

- Rivers, perennial streams and creeks are not to be disturbed inside the high water mark. All work within the high water mark requires a 310 permit. Contact the Bitter Root Conservation District at 1709 North First in Hamilton (363-1444) to apply and arrange for an inspection, before attempting any work.

The property may have a conservation easement on it placed by a previous owner. Such easements are perpetual, and cannot be ended, nor easily changed. They are inspected yearly by a land steward, who will contact you make an appointment to visit to assure that provisions of the agreement are followed.

- Mineral rights under the surface of the land will not usually belong to you. Find out if any minerals may be located under your land, who owns them and has the right to come unto your place to mine or drill for them. Check your deed, and if you don't understand it, you need to contact your attorney or the title company you are working with. There is no oil, few minerals, but some gravel sources in the county.
- You may be provided with a plat for your property by your Realtor, or other seller. You may wish to obtain the services of a licensed Montana surveyor to ensure the accuracy of your survey.
- Fences that separate properties may or may not be on legal boundary lines. The "Apple Boom" of the early 1900's created a large number of 10-acre orchard tracts, which are still legal subdivision plats. However, boundaries were drawn by a draftsman in New York more than a hundred years ago, so a survey of such land is the only way to confirm the location of your property lines. The long-distance draft maps from 1905 also designated 30 or 40 foot rights of way, "deeded to the public forever". Check carefully with the title company to assure you have no such easement in the middle of your property, since someone can bulldoze a road right through the plot you are considering.
- Whether you want to construct a single family home, a guest house, to subdivide, or open a store, your plans may require a permit, as well as a driveway access permit, an individual sewage disposal system permit, a building permit, electric permit, or must meet other requirements. Check with the Ravalli County Planning Office to find out what you need, and when you'll need it.
- Many subdivisions and planned developments have covenants and design guidelines that limit the use of the property. Find out if there are covenants (either ask your Realtor or check in the Ravalli County Clerk and Recorder's Office). Make sure that you can live with such covenants. There are a number of voluntary zoning districts in the county, be sure to find out how this would affect any use of the property.
- Homeowners and property owners associations often are responsible for the maintenance of roads, utilities and other common elements in subdivisions. Check the subdivision's covenants to learn if an association has that responsibility; check with your Realtor (or some of your future neighbors) to learn if the association is functioning. A dysfunctional or non-performing association can cause problems for you and involve you in expensive litigation. The county will not enforce covenants, it is up to owners.
- Dues are almost always a requirement for those subdivisions that have a homeowners association. The by-laws of the association should outline how the organization operates and how dues are set, collected and spent. If you are considering such a property, check with the association Board or Officers.

- The property that is an open meadow today may not be forever. Check the recorded plat of your subdivision to see what uses are platted within it. In addition, check in the Ravalli County Assessor's Office to determine if those uses may have been changed since the plat was recorded. You can also talk with the Ravalli County Planning Department about the process that properties currently undergo for land use change permits, and how you would be notified if changes are proposed next to you.
- The County has a dog ordinance and you are responsible for keeping your dog on your own property. Montana law allows the shooting of dogs when they are harassing livestock or wildlife. Avoid a real tragedy and do the neighborly thing at the same time: Keep your best friend at home.
- Your children, or visitors should be aware of boundaries and not trespass on neighbors, nor bother crops or livestock. No one is allowed to travel on irrigation ditch roads except irrigation company personnel.
- Be aware of noxious weeds on your property. You are expected to control weeds and if there is a complaint, the County Weed District could treat your weed problem and charge you for the work. Lists of noxious weeds and pictures to help identify them are available at the MSU Extension office. The Weed District office (777-5842) is located on Airport Road northeast of Stevensville.,
- Children are welcome to join 4-H clubs or the FFA Chapters in Stevensville, Victor and Corvallis.
- Farm, garden and household information is available from the County Extension office in the County Administration office in Hamilton and USDA agencies are on north Highway 93, also in Hamilton.
- Private forest information and technical assistance is available from the State Forester,(375-0412) located in the U.S. Forest Service office on north Highway 93 in Hamilton.

You Can't Mess With Mother Nature (and expect to get off easily) Rural residents usually can expect challenges when weather, wildfire, landslides, floods and other events occur.

- Trees are a wonderful environmental amenity, but can also endanger your home in a forest fire. The State Forest Service offers a practical list of recommendations to help you protect your home from fire as well as protect the trees from igniting if your house catches on fire. If you start a forest fire, you could be found legally responsible for paying the costs of putting it out. There are months when no burning is allowed. You must sign up for a permit on the internet and notify the office before lighting a fire, and only when burning is allowed. Helping to prevent the catastrophe before it happens benefits you as well as your neighbors and the forest. You can sign up for a free evaluation of your fire danger by a forester from the Bitter Root RC&D (363-5450). This program will list the approved logging contractors to do "Fire wise" work, or you can do it yourself. You may receive up to a 50% cost share. Some companies will not insure property in forested areas and agencies may require you to evacuate and not fight the fire.
- **Wildfire has destroyed many homes in the county and creates smoke pollution. This will continue into the future and each property owner needs to have to means to prevent and fight fire.**
- You may be required to have a geotechnical study conducted before you can obtain an individual sewage disposal system permit, a building permit, or a driveway permit. Geologic hazards such as mudslides, rockfall, avalanche and unstable slopes can occur in Ravalli County. Collapsing and expansive soils can buckle concrete foundations. Flood zones and high water tables can restrict construction.

- Be cautious about placing any improvements on north-facing slopes. North facing slopes or canyons rarely see direct sunlight in the winter. Snow may accumulate there and not melt throughout the winter.
- Building designs which avoid “valleys” over outside entrances and have roof slope direction which prevent “dumps” of snow and ice accumulations on sidewalks and garage entrances will help prevent dangerous conditions and headaches during our long winters. Heavy snow can collapse buildings.

A property owner who builds his home in a ravine finds that the water that drained through the ravine now drains through his house. The topography of the land can tell you where the water will go when rain and spring runoff from snowmelt occur. Ice jams can form during the winter, which can flood houses and property above the flood plain. Check to find if there is a history of overland flooding.

Wildlife:

Nature can provide you with some wonderful neighbors. However, some may be of concern to you and require extra care when you build and live in a rural or remote area.

- Coyotes, skunks, marmots, bears, deer, elk, raccoons, and mosquitoes can be simply annoying, destructive or dangerous, and you need to know how to deal with them. Some developments require that “bear-proof” trash containers be used. Gardens, orchards and haystacks are often damaged by deer and elk and will require appropriate fencing. Predators can dig into buildings, cages and fences to kill poultry or pets, or attack livestock in the open. Eagles and hawks will carry away kittens and poultry. Threatened and endangered species of wildlife may be present in certain areas. Check with the Montana Fish, Wildlife and Parks about concerns related to the area in which your property is located. Hunting has been part of a way of life in the Bitterroot Valley for centuries. Neighbors may allow legal hunting activities on their property. Inform yourself about hunting districts around you and be aware of shooting ranges. Neighbors may shoot on their property for target practice or hunting. Elk and deer on private lands can damage fences, pastures and other personal property. Checking with Fish, Wildlife and Parks about how to deal these potential problems before they occur will help both you and the wildlife.

Agriculture: Our Heritage and a Key To Our Future

The families who settled Ravalli County constructed an ingenious system of diversions and ditches for irrigation, which has allowed agriculture to become an important part of our environment. The ranchers here were truly the first environmentalists, and it is their irrigated properties which create and maintain the beautiful green open spaces of our valleys. Minimizing the undesirable impacts of growth on ranching operations will help keep Ravalli County a beautiful place in which to live.

- **Montana has an “open range” law.** This means if you do not want cattle or horses coming onto your property, you must fence them out. The Extension Office has information about fencing.
- Agriculture is a major economic contributor to Ravalli County. If you choose to live among and next to ranching operations, you may be affected by them; you have the opportunity to help keep the ranching operation viable by learning how you can be a good neighbor to this important part of our community.

- Ranchers often work around the clock, especially during calving season in the spring and hay harvesting time in middle to late summer. Occasionally, adjoining agricultural operations may disturb your otherwise quiet surroundings. **Be patient, farmers provide your groceries and were here first.**
- If you're traveling on dirt and graveled roads adjacent to ranch lands, drive slowly and with care: An excess of dust can affect both the health of the cattle and the quality of hay in the fields. Occasionally cattle may get out on the road and at night, are hard to see. Slow down for livestock and wildlife.

Ranchers occasionally burn their ditches to keep them clean of debris, weeds and other obstructions. This burning may bother you momentarily, but it is not a regular occurrence.

- Chemicals are one tool which may be used to control weeds and remove vegetation that impedes the flow of irrigation ditches or may be harmful to livestock. Ranchers, just as all others, must operate within the constraints of public health and safety laws which affect the use of those chemicals.
- Livestock may cause odors and noise, which are objectionable to some people. If you find them annoying, you may want to find a parcel in another area of the county **There is little sympathy for someone who buys next to a livestock operation and then complains about it.**

Livestock are occasionally moved on public roads. When you encounter a livestock drive, please pull over to the side of the road and allow the drive to pass. Or, if a rider directs you to move forward, do so slowly. The delay will cost you only a few minutes. Enjoy the scene; this is the "real west," and is a critical part of your neighbors' ability to make a living.

- **There will be slow-moving machinery on roads, observe the warning signals and be patient, these are the people who are feeding you.**
- Please take the time and effort to study the history of the Bitterroot Valley. This will give you an understanding and appreciation for the pioneers who tamed this land and, in many cases, spent a hundred years and four generations of a family completing what might be called our first "land use change." It is our hope that through this understanding, you will approach your acquisition of property, as well as construction and development in a thoughtful and sensitive manner, to protect our unique community, our natural resources and our historic way of life.