

A Philosophical Guideline

Code of the West

The Code of the West was first chronicled by the famous western writer, Zane Grey. The men and women were bound by an unwritten code of conduct. The values of integrity and self-reliance guided their decisions, actions and interactions. In keeping with that spirit, we offer this information to help the citizens of The Municipal District of Fairview No. 136 who wish to follow in the footsteps of those rugged individualists by living outside city limits.

Introduction

It is important for you to know that life in the country is different from life in urban areas. Rural Municipalities are not able to provide the same level of service the urban governments provide. To that end, we are providing you with the following information to help you make an educated and informed decision when purchasing or developing rural land.

Agriculture

The Alberta Operation Practices Act, Revised Statutes of Alberta 2000, Chapter A-7, is legislation designed to protect agriculture operations from nuisance liability claims where the operators are using generally accepted practices are following and any regulations under the Act. Owning agricultural land means knowing how to care for it.

There are a few things you need to know:

1.1 - Farmers often work around the clock, especially during planting and harvest time. Dairy operators sometimes milk without stopping and hay is often swathed or baled at night. It is possible that adjoining agricultural uses can disturb your peace and quiet.

1.2 - Land preparation and other operations can cause dust, especially during windy and dry weather.

1.3 - Farmers occasionally burn their properties to keep them clean of debris, weeds and other obstructions. This burning creates smoke that you may find objectionable. Please contact the Municipal District Office for information before burning.

1.4 - Chemicals (mainly fertilizers and herbicides) are often used in growing crops. You may be sensitive to these substances and many people actually have severe allergic reactions. These chemicals may be applied by airplanes that fly early in the morning and late in the evening.

1.5 - Animals and their manure can cause objectionable odors. What else can we say?

1.6 - Agriculture is an important business in the Municipal District. If you choose to live among the farms and ranches of our rural countryside, do not expect the municipal government to intervene in the normal day-to-day operations of your agri-business neighbors.

1.7 - Before buying land, you should know if it has noxious or restricted weeds that may be expensive to control and that you will be required to control. Some plants are poisonous to horses and other livestock, even though they are not classified as "noxious" or "restricted." Contact the municipal Agriculture Service Board [ASB] for further information.

1.8 - Animals can be dangerous. Cattle, stallions, rams, boars, etc. can attack humans. You need to know that it is not safe to enter pens or fields where animals are kept.

1.9 - Dogs harassing livestock can be legally shot. You are responsible to keep your animals/pets on your property or under your direct control.

1.10 - If you own livestock, it is your responsibility to fence them in, not your neighbor's responsibility to fence them out.

Utility Services

2.1 - Water, sewer, electric, telephone, and other services may be unavailable or may not operate at urban standards. Repairs can often take much longer than in towns and cities.

2.2 - Telephone communications can be a problem. It may be difficult to obtain another line for fax or computer modem uses. Cellular phones will not work in all areas.

2.3 - Sewer service is not available in the municipality, excluding the hamlets. You will need to use an approved septic system or other treatment process. The type of soil you have available for a leach field will be very important in determining the cost and function of your system. Standards are controlled and enforced by the Safety Codes Act. Percolation tests may be necessary. Check with an authorized agency. The list is provided at the Municipal District Office.

2.4 - In most cases, you do not have access to a supply of treated domestic water and you will have to locate an alternative supply. The cost for building a dugout, drilling a well and pumping or hauling water can be considerable. The quality and quantity of water can vary considerably from location to location and from season to season. It is strongly advised that you research this issue very carefully through Alberta Environment.

2.5 - Not all water sources can be used for watering of landscaping and/or livestock. Licenses from Alberta Environment may be required. If you have needs other than household, make certain that you have the proper approvals before you invest. It is strongly advised that you research this issue very carefully through Alberta Environment.

2.6 - Electric service is generally available to every area of the municipality. It is important to determine the proximity to electrical power. It can be very expensive to extend power lines to your property.

2.7 - It may be necessary to cross property owned by others in order to extend electric service to your property in the most efficient manner. It is important to make sure that the proper easements are in place to allow lines to be built to your property.

2.8 - Electric power may be not available in three phase service configuration. If you have special power requirements, it is important to know what level of service can be provided to your property.

2.9 - Power outages can occur. A loss of electric power can also interrupt your supply of water. You may also lose food in freezers or refrigerators and power outages can cause problems with computers as well. It is advisable to be self sufficient for several days if you live in the country.

2.10 - Trash removal can be much more expensive in rural areas than in a urban areas. In some cases, your trash may have to be transported several miles from your home. In most cases, your only option will be to haul your trash to the regional landfill yourself. Recycling is available within the boundaries of the municipality.

2.11 - It is the responsibility of pipeline owners to ensure existing lines crossing or on municipal rights-of-way are signed to warn of their presence. The Municipal District will not assume any liability or responsibility for damages.

2.12 - BEFORE you dig, build, tear down, demolish or otherwise disturb existing improvements or ground, call Alberta 1 call (1-800-242-3447) to locate all utilities and, in the case of demolition or relocation, make certain all utilities have been disconnected. Even burning debris on the ground surface may result in serious utility line damage, such as melting an undetected underground gas line.

The Property

There are many issues that can affect your property. It is important to research these items before purchasing land.

3.1 – Not all lands are buildable. You must check with the Municipal District Development Department to know if a piece of land may be built upon. Development permits are required.

3.2 – Existing easements may require you to allow construction of roads, power lines, water lines, sewer lines, etc. across your land. Check these issues carefully. Make sure easements are in place to allow utilities and access to be installed to your property as well.

3.3 – Fences that separate properties are often misaligned with the property lines. A legal survey of the land is the only way to confirm the location of your property lines.

3.4 – Hamlets and grouped country residential areas may have restrictive covenants that limit the use of the property. It is important to obtain a copy of the covenants (or confirm that there are none) and make sure that you can live with those rules.

3.5 – The surrounding properties will probably not remain as they are indefinitely. The view from your property may change.

3.6 – You cannot assume that because the water flows across your property, you can use it. Check with Water Resources, Alberta Environment.

Mother Nature

Residents of the country usually experience more problems when the elements and earth turn unfriendly. Here are some thoughts for you to consider.

4.1 – It is your responsibility to prevent fires. Fire Bans are routinely imposed and enforced. If a fire starts on your property, you are responsible for paying for the cost of extinguishing that fire. Investigate the impact of this service on your insurance. For further information, you can contact the Municipal District Office and your insurance company.

4.2 – Steep slopes can slide in unusually wet weather. Large rocks can also roll down steep slopes and present a great danger to people and property.

4.3 - The topography of the land can tell you where the water will go in the case of heavy precipitation. Property owners may not interfere with a natural drainage course. When property owners fill in ravines, they have found that the water that drained through that ravine now drains through their house. You may be required to have a geotechnical study conducted before you can obtain a development permit and a plumbing permit for a septic system.

4.4 - Nature can provide you with some wonderful neighbors. Most, such as deer and hawks, are positive additions to the environment. However, even "harmless" animals like deer can cross the road unexpectedly and cause traffic accidents. Rural development encroaches on traditional wildlife habitat. In general, it is best to enjoy wildlife from a distance and know that if you do not handle your pets and trash properly, it could cause problems for you and the wildlife.

Access

The fact that you can drive to your property does not necessarily guarantee that you, your guests, and emergency service vehicles can achieve that same level of access at all times. Please consider:

5.1 - Emergency response times (police, fire suppression, medical care, etc.) cannot be guaranteed.

5.2 - There can be problems with the legal aspects of access, especially if you gain access across property belonging to others. It is wise to obtain legal advice and understand the easements that may be necessary when these types of questions arise.

5.3 - You can experience problems with the maintenance and cost of maintenance of your road. The municipality maintains 880 kilometres (547 miles) of roads, but some rural properties may be served by private and/or public roads. There are even some municipal roads that are not maintained by the municipality - no grading or snow plowing. There are even some municipal roads that are not maintained by anyone! Make sure you know what type of maintenance to expect and who will provide that maintenance.

5.4 - Extreme weather conditions can destroy roads. It is wise to determine the impact of weather on your road.

5.5 - Many roads are considered heavy haul routes. Please be aware that large transport vehicles regularly travel many of our roads.

5.6 - Many large construction/transport vehicles cannot navigate small, narrow roads and bridges. They are also subject to bridge restrictions. If you plan to build, it is prudent to check out construction access.

5.7 - School buses travel on maintained municipal roads that have been designated as school bus routes by the school district. It is prudent to check with the Peace River School Division to determine what bus route services your property.

5.8 - In extreme weather, even municipally-maintained roads can become impassable. You may need a four wheel drive vehicle to travel during those episodes, which could last for several days. If roads are impassable, stay home.

5.9 - Natural disasters, especially floods, can destroy roads. The municipality will repair and maintain municipal roads; however, private roads and private bridges are the responsibility of the landowners who use those roads. A dry creek bed can become a raging torrent and wash out roads, bridges, and culverts. Residents could be isolated for several days. Residents served by private roads and/or bridges have been hit with large costs for repairs and/or reconstruction after floods.

5.10 - Unpaved roads generate dust. When requested, the municipality will provide dust suppression at the expense of those making the request, but dust is still a fact of life for most rural residents.

5.11 - If your road is unpaved, it is highly unlikely that the municipality will pave it in the foreseeable future. Check carefully with the Department of Public Works when any statement is made by the seller of any property that indicates any unpaved roads will be paved!

5.12 - Any request for road development shall be in accordance with municipal road access policy. Call the Municipal District Office for more information.

5.13 - Unpaved roads are not always smooth and are often slippery when they are wet or icy. You will experience an increase in vehicle maintenance costs when you regularly travel on rural roads.

5.14 - Maintenance of dust control may be the responsibility of the landowner. Please check with the Municipal District Office.

5.15 - Mail delivery is not available to most areas of the municipality. Ask the local postmaster to describe the system for your area.

5.16 - Newspaper delivery is similarly not available to most rural areas. Check with the newspaper of your choice before assuming you can get delivery.

5.17 - Standard parcel and overnight package delivery can be a problem for those who live in the country. Confirm with the service providers as to your status.

In Conclusion

Even though you pay property taxes to the municipality, the amount of tax collected does not cover the cost of the services provided to rural residents.

The amount of taxes an individual landowner pays does not indicate that you should expect a higher level of individual service. The municipality attempts to provide consistent service levels to all.

This information is by no means exhaustive. There are other issues that you may encounter that we have overlooked and we encourage you to be vigilant in your duties to explore and examine those things that could cause your move to be less than you expect.

We have offered these comments in the sincere hope that it can help you enjoy your decision to reside in the country. It is not our intent to dissuade you, only inform you.

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