

SPOKANE COUNTY CODE OF THE WEST



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SPOKANE COUNTY CODE OF THE WEST

The Code of the West was first chronicled by famous western writer Zane Grey. The men and women who came to this part of the country during the United States' westward expansion 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 same spirit, we offer this information to help citizens of Spokane County who wish to follow in the footsteps of those rugged individualists and live outside the metropolitan area. The body of this document and most of the original wording was taken from a work by John Clarke, Commissioner of Larimer County, Colorado.





INTRODUCTION

This document is not intended to dissuade you from living in the country, but it is important for you to know that life in the country is very different from life in the metropolitan area. County governments are not always able to provide the same level of service in undeveloped, rural and remote areas as they do inside urban or developed areas adjacent to the city. To that end, we are providing you with the following information to help you make an educated and informed decision when choosing to purchase or develop land outside the boundaries of incorporated cities or towns or the developed metropolitan areas in Spokane County.

COUNTY COMMISSIONERS

JOHN ROSKELLEY, DISTRICT 1
KATE McCASLIN, DISTRICT 2
PHILLIP D. HARRIS, DISTRICT 3

ACCESS

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



1.1 - Emergency response times for sheriff, fire suppression, medical care, etc., cannot be guaranteed. Under some extreme conditions, you may find that emergency response is extremely slow and expensive.

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

1.3 - You can experience problems with the maintenance and cost of maintaining your road. Spokane County maintains 2963 miles/4767 kilometers of roads, but many rural properties are served by privately owned access roads which are maintained by homeowners' associations, private parties, or other landowners. There are some county roads not maintained by the county year round - no grading or snow plowing - called Summer roads. There are some public roads and right of ways that are not maintained by anyone. Make sure you know what type of maintenance to expect and who will provide that maintenance.

1.4 - Extreme weather conditions can destroy roads. Some public and private roads may not be built to current standards and may not be sufficient to withstand the test of time.

1.5 - Many large construction vehicles cannot navigate small, narrow roads. If you plan to build, it is prudent to check out construction access.

1.6 - School buses travel only on maintained county roads designated as school bus routes by the school district. If you live on a private road, you may need to drive your children to the nearest county road or bus stop so they can get to school. Even so, buses travel on so many miles of roads that it is impossible to assign a higher priority to one school bus route than another. Be sure to check with your local school district.

1.7 - In extreme weather, even county maintained roads can become impassable. You

may need at least a four wheel drive vehicle with chains for all four wheels to travel during these episodes, which could last for several days. School buses and other types of vehicles may not be able to travel during these times.

1.8 - Natural disasters, especially floods, can destroy roads. Spokane County will repair and maintain county roads. Private roads, including private subdivision roads, 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 served by private roads and/or bridges have had large bills for repairs and/or reconstruction after floods.

1.9 - Unpaved roads generate dust. Spokane County does not treat roads to suppress dust. If you reside near an unpaved road, you may want to have the road treated for dust suppression by one of the contractors authorized to do road oiling by the County.

1.10 - If your road is unpaved, it is highly unlikely that Spokane County will pave it without financing by the adjoining property owners through a Road Improvement District. Check carefully with the [County Division of Roads and Engineering](#) when the seller of any property indicates any unpaved roads will be paved.

1.11 - Unpaved roads are not always smooth, are often slippery when they are wet, and muddy during the spring thaw. You may experience an increase in vehicle maintenance costs when you regularly travel on rural, unpaved county roads. Also, be aware that speeds in excess of 35 mph can affect unpaved roads and cause damage to your vehicle. Potholes and washboards usually are created by traffic traveling too fast on unpaved roads.

1.12 - Mail delivery may not be available to all areas of the county. Ask the postmaster to describe the system for your area.

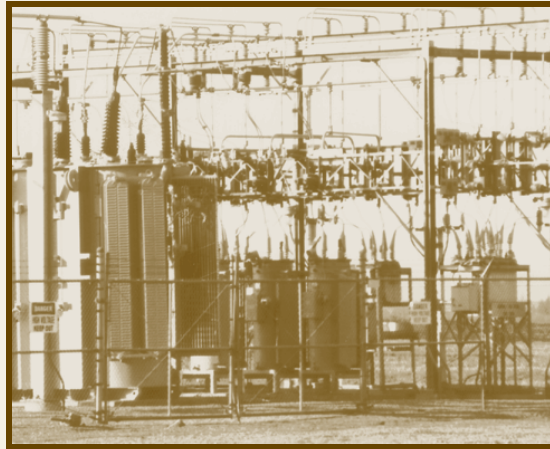
1.13 - Newspaper delivery is not always available to rural areas. Check with the newspaper of your choice before assuming you can get delivery.

1.14 - 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.



UTILITY SERVICES

Water, sewer, electrical, 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. Please review your options from the non-exhaustive list below.



2.1 - Telephone communications can be a problem, especially in the mountainous areas of Spokane County. If you have a private line, it may be difficult to obtain another line for fax or computer modem uses. Even cellular phones may not work in all areas.

2.2 - If sewer service is available to your property, it may be expensive to hook into the system. It may be expensive to maintain the onsite system you use.

2.3 - If sewer service is not available, as is generally the case in rural areas, you will need to use an approved on-site 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. Have the system checked by a reliable sanitation firm and ask for assistance from the [Environmental Health Division of the Spokane Regional Health District \(SRHD\)](#).

2.4 - If you have access to a supply of treated domestic water, the tap fees can be expensive. You may also find that your monthly cost of service can be costly when compared to municipal systems.

2.5 - If you do not have access to a supply of treated domestic water, you will have to locate an alternative supply. The most common sources of water in rural areas are private wells. Private wells are regulated by the [Washington State Department of Health, Division of Engineering \(WSDOH\)](#). The cost for drilling and pumping can be considerable. The quality and quantity of well water can vary considerably from location to location and from season to season. It is strongly advised that you research this issue very carefully. Contacts should be made with both the SRHD and the WSDOH, Division of Engineering. The Department of Ecology also has a role in the permitting and regulation of private wells. You may want to consider contacting them for additional input.

2.6 - Not all wells can be used for watering landscaping and/or livestock. If you have other needs, make certain that you have the proper approvals before you invest. It

may also be difficult to find enough water to provide for your needs even if you can secure the proper permit. Contacts should be made with both the [Washington State Department of Health \(WSDOH\)](#) and the [Washington Dept. of Ecology \(WDOE\)](#).

2.7 - Electric service may not be readily available in every area of Spokane County. It is important to determine the proximity of electrical power, as it can be very expensive to extend power lines to remote areas.

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

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

2.10 - If you are purchasing land with the plan to build at a future date, there is a possibility that electric lines (and other utilities) may not be large enough to accommodate you if others connect during the time you wait to build.

2.11 - The cost of electric service is usually divided into a fee to hook up to the system and a monthly charge for energy consumed. It is important to know both costs before making a decision to purchase a specific piece of property.

2.12 - Power outages can occur in outlying areas with more frequency than in more developed areas, particularly if power lines are difficult to access. A loss of electric power can interrupt your supply of water from a well. Interruptions in power may cause you to lose the food in your freezer or refrigerator and may cause problems with computers as well. If you live in the country it is important to be able to survive a week or longer in severe cold with no utilities.

2.13 - Trash removal is available everywhere in Spokane County, but some removal can be more expensive in rural areas than in metropolitan areas. In some cases, your trash dumpster may be several miles from your home. Your only option may be to haul your trash to the disposal site yourself. Recycling is more difficult because pick-up is not available in most rural areas. Check with [Spokane County Air Pollution and Control Authority, SCAPCA](#), to see if you can burn trash in your area.



THE PROPERTY

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



3.1 - Permits and Approvals: Construction of dwellings and most buildings in Spokane require county-issued building permits and inspections prior to use or occupancy. The permitting process not only helps assure you that your proposed project is in conformance with applicable state construction codes, but also that it is consistent with other requirements regulating property divisions and uses such as setbacks, minimum frontage, potable water supply, and sewage disposal systems. Before commencing construction, be sure you have obtained the appropriate permits for grading, flood plain development, and other activities that may require a permit.

3.2 - Not all lots are buildable. The Spokane County Assessor has many parcels that are separate for the purpose of taxation but are not legal lots in the sense that a building permit can be issued. You must check with the Spokane County Building and Code Enforcement to verify that a piece of land can be built on.

3.3 - Easements may require you to allow construction of roads, power lines, water lines, sewer lines, etc., across your land. Check these issues carefully.

3.4 - Many property owners do not own the mineral rights under their property. Owners of mineral rights have the ability to change the surface characteristics in order to extract their minerals. It is very important to know what minerals may be located under the land and who owns them. Much of the rural land in Spokane County can be used for mining, subject to current land use zoning standards. Be aware that adjacent mining uses can expand and cause negative impacts.

3.5 - You may be provided with a plat of your property, but unless the land has been surveyed and pins placed by a licensed surveyor, you cannot assume that the plat is accurate.

3.6 - Fences that separate properties can be misaligned with the property lines. A survey of the land is the only way to confirm the location of your property lines. Spokane County does not verify the location of property lines or become involved in property line disputes.

3.7 - Many subdivisions and planned unit developments have 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. Also, a lack of covenants can cause problems between neighbors. Spokane County does not become involved in the enforcement of covenants.

3.8 - Homeowners associations are often formed to take care of common elements such as roads, open spaces, etc. A dysfunctional homeowners association or poor covenants can cause problems for you and even involve you in expensive litigation.

3.9 - Dues are almost always a requirement of a homeowners association. The by-laws of the homeowners association will tell you how the organization operates and how the dues are set.

3.10 - Stormwater flows through most low areas at some time or another. If you build in these low areas you may be flooded. If you fill in the low areas you may be unintentionally relocating the flood waters that could cause problems for others. This type of action could lead to private civil actions in court.

3.11 - If undeveloped, surrounding properties will probably not remain as they are today. You can check with the Spokane County Building and Code Enforcement to find out what the comprehensive plan designation for the area is, how neighboring properties are currently zoned, and what future developments may be in the planning stages.

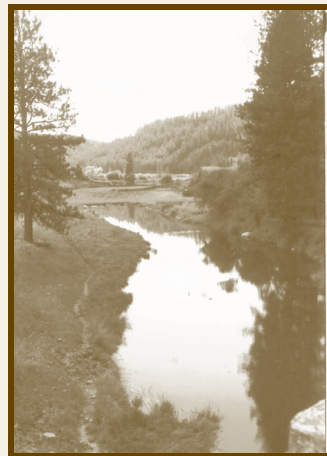
3.12 - Water rights that are sold with the property may not give you the right to use the water from any streams or other sources crossing your land without coordinating with the water district, a neighbor who also uses the water, or Department of Health & Department of Ecology. Other users may have senior rights to the water that may limit your use or require you to pay for the oversizing or other improvements to the source.

3.13 - It is important to make sure that any water rights you purchase with the land will provide enough water to maintain fruit trees, pastures, gardens or livestock.

3.14 - The water flowing in creeks or streams may belong to someone else. You cannot assume that because the water flows across your property, you can use it.

3.15 - Flowing and standing water can be a hazard, especially to young children. Before you decide to locate your home near an active creek or stream, consider the possible danger to your family.

3.16 - Many creeks, streams, rivers, and wetlands are regulated by either the Spokane County Shorelines Ordinance and/or the Spokane County Critical Areas Ordinance. These regulations establish setbacks and buffer zones adjacent to these various bodies of water. Natural vegetation cannot be disturbed in these areas. If you are contemplating development on property near water, marsh, or other wet areas be sure to check with Spokane County Building and Code Enforcement before commencing any work.



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 - The physical characteristics of your property can be positive and negative. Trees are a wonderful environmental amenity, but can also involve your home in a forest fire. Homes built in forested areas face the very real potential of being damaged or destroyed by wildland fires. Here are a few simple things a property owner can do to reduce the danger:

- A. Clear land around the house of excess trees and ground vegetation; a minimum 30 foot clear or "defensible space" around structures, consisting of maintained and watered lawn, pruned shrubs and trees can help mitigate the spread of wildland fires to buildings.
- B. Replace combustible roofs and other building materials with non-combustibles; store other combustible materials such as firewood away from your house.
- C. Maintain adequate access roads and driveways and remove overgrowth and flammable vegetation immediately adjacent to the traveled roadway.
- D. Have your address posted and visible at the intersection of your driveway and the county road.
- E. Provide a reliable water supply.
- F. Develop a fire safety plan for your home and your family.
- G. Respect the danger of fire in wildland areas by learning more about wildland fires and BE PREPARED.

If you start a wildland fire, you may be responsible for paying for the cost of extinguishing that fire. For further information on fire safety, you can contact the Spokane County Division of Building and Planning, Public Works Department, and the Washington State Department of Natural Resources.

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 - Expansive soils can buckle concrete foundations and twist steel I-beams. You can determine the soil conditions on your property if you have a soil test performed or consult a soil classification map.

4.4 - North facing slopes or canyons rarely see direct sunlight in the winter. There is a possibility that snow will accumulate and not melt throughout the winter.

4.5 - The topography of the land will tell you where water will go in the case of heavy precipitation. Pay close attention to these areas in order to determine how water will flow on your land and develop your land accordingly.

4.6 - A flash flood may occur, especially during the summer months, and turn a dry gully into a river. It is wise to take this possibility into consideration when building. You need to ask if your property is in a flood zone. If it is, construct your home and outbuildings above the flooded areas. Construction in frequently flooded areas is regulated by the County Division of Roads and Engineering.

4.7 - Winter and spring run-off can cause a very small creek to become a major river. Many residents use sand bags to protect their homes. The county does not provide sand, sandbags, equipment, or people to protect private property from flooding.

4.8 - Nature can provide you with some wonderful neighbors. Most, such as deer and eagles, are positive additions to the environment. However, even "harmless" animals like deer can cross the road unexpectedly and cause traffic accidents. Rural development often encroaches on the traditional habitat of coyotes, bobcats, cougar, bears, rattlesnakes, raccoons, skunks, porcupines, mice, mosquitoes, ticks and other animals that can be dangerous or become a nuisance. You need to know how to deal with them safely and effectively. In general, it is best to enjoy wildlife from a distance. Let the animals be themselves, watch them, but avoid chasing them or allowing your pets to do so. Also know that if you do not handle your pet refuse and trash properly, it could cause problems for you and the wildlife. The Washington State Department of Fish and Wildlife and the Spokane Regional Health District are two good resources for information. They have many free publications to help educate you about rural living.

4.9 - Many areas in the County are open for hunting. Hunting, while providing recreational opportunities, is a tool for managing wildlife populations. It also involves individuals who may trespass, litter, and fire guns. Don't automatically assume that your property is in a shooting or no shooting zone. No shooting zones are designated by the Sheriff's Department.

AGRICULTURE

Spokane County is largely an agricultural area. Much of the rural land is actively used for growing crops, feeding livestock, and providing lumber and mineral resources. Owning rural land means knowing how to care for it. There are a few things you need to know:



5.1 - 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. Low-flying planes crop duster plains may fly overhead during irregular hours. It is possible that adjoining agricultural uses may disturb your peace and quiet.

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

5.3 - Farmers occasionally burn their fields and ditches to keep them clean of debris, weeds and other obstructions; logging operations burn slash piles; grain growers burn stubble to help generate next year's crops. This burning creates smoke that you may find objectionable.

5.4 - 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. Many of these chemicals are applied by airplanes that fly early in the morning.

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

5.6 - Agriculture is an important business in Spokane County. If you choose to live among the farms and ranches of our rural countryside, do not expect county government to intervene in the normal day-to-day operations of your agri-business neighbors. In fact, Washington State protects farmers and ranchers from nuisance and liability lawsuits. This enables them to continue producing food and fiber.

5.7 - Washington State has a closed range law except for specific roads. This means that your neighbor's cattle, sheep or other livestock should not be on your property. It is the responsibility of the rancher or farmer to keep his/her livestock off your property.

5.8 - Before buying land you should know if it has noxious weeds that may be expensive to control and you may be required to control. Some plants are poisonous to horses and other livestock.

5.9 - Animals can be dangerous. Bulls, stallions, pigs, rams, etc., can attack human beings. Children need to know that it is not safe to enter pens where animals are kept.

5.10 - Much of Spokane County receives less than 17 inches (38 cm) of precipitation per year. As a result, we have a problem with overgrazing, and fugitive dust. Without irrigation, grass does not grow very well. There is a limit to the amount of grazing the land can handle. The Spokane County Cooperative Extension Office can help you with these issues.



CONCLUSION

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

Even though rural property owners pay property taxes to the county, the amount of tax collected does not cover the cost of the services provided to rural residents. In general, those living in the metropolitan 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 rural dwellers.

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 at Spokane County Public Works Department will be happy to answer any questions you may have. We have offered these comments in the sincere hope that it can help you enjoy your decision to reside in the country.



HELPFUL TELEPHONE NUMBERS:

[Spokane County Public Works Department](#)

1. [Building and Planning](#) (509) 477-3675
2. [Engineering and Roads](#) (509) 477-3600
3. [Utilities and Stormwater](#) (509) 477-3604
4. [Spokane County Assessor](#) (509) 477-3696
5. [Spokane Regional Health District](#) (509) 324-1500
6. [Spokane County Air Pollution Control Authority](#) (509) 477-4727

Washington State:

1. [Department of Health](#) (360) 586-5846
2. [Department of Ecology](#) (509) 456-2926
3. [Department of Fish/Wildlife](#) (509) 456-4082

[Spokane County Cooperative Extension](#) (509) 533-2048