



## Clearwater County Code

Box 550, 4340-47 Avenue

Rocky Mountain House, AB T4T 1A4

403-845-4444



# Introduction

Settlement history in Clearwater County extends back over 200 years and includes a long history of ingenuity and growth. Explorers and traders, such as David Thompson, had an entrepreneurial spirit which set the mold for our modern day community.

Although much has changed in the past century – with the addition of roads, buildings and industries - this area still retains its natural attractions and cultural treasures, offering opportunity to various industries and a wide ranging community demographic.

Along with those early settlers travelling west, came a “Cowboy” value and lifestyle which has been chronicled for well over a century, has inspired literature and film and has provided generation after generation with a timeless moral code to aspire to. The unwritten “Code of the West” or cowboy code provides a set of rules or principles that guided our predecessors in their lives and journey west.

While there are numerous interpretations of what the Code of the West entails, the general spirit of comradery, ethics and community behaviour encompass the essence of this unwritten code.

The *Clearwater County Code* that follows depicts this same spirit, along with providing helpful information and tips on what to expect when living, purchasing property and/or building in Clearwater County. We are a rural community and our residents understand that country life is different from that of a city or urban area.

Understanding and respect are critical aspects of rural living. Different segments of our community have differing needs and wants - from agriculture to industry and from the small to the large land owners – and we all need to live in harmony, respecting each other and coexisting peacefully alongside one another.

The information presented in the *Clearwater County Code* is not intended to discourage anyone from rural living; rather it is intended to provide an accurate picture of rural life – and the expectation of mutual respect for all stakeholders in our community that comes with it.



# The Property

There are many issues that can affect your property. It is important to research these items before purchasing land. Not all land can be built on. You must check with the Clearwater County Planning Department to confirm that a piece of land can be built on.

**BUILDING PERMITS** - Provincial legislation requires that construction of residences and buildings requires a building permit. The County also requires, in most cases, a development permit as well.

These permitting processes help assure you that your proposed project conforms to applicable bylaws and statutory plans and is consistent with provincial requirements regulating property and uses such as setbacks, minimum frontage, potable water supply and sewage disposal systems. As well, permits are often required from other agencies, such as Alberta Transportation or Alberta Environment. Before commencing construction, be sure you have obtained the appropriate permits.

**EASEMENTS** - Easements may require you to allow construction and maintenance of roads, power lines, water lines, sewer lines, etc. across your land. There may be easements that are not on record. Check these issues carefully.

**PROPERTY LINES / SURVEY** - Fences that separate properties are often misaligned with the property line. You can confirm the location of your property lines through a survey of the land. Verification of the location of property lines is the responsibility of the property owner. Property lines disputes are a civil matter that the County does not become involved in.

**CONDITIONS / RESTRICTIONS** - 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.

**DUST** - Traffic on unpaved roads generate dust. When traffic reaches specific levels, Clearwater County treats some roads to suppress the dust, in other cases residents can enter into a cost share agreement to reduce dust in front of their property, but "road dust" is still part of life for most rural residents.

**VEHICLE WEAR AND TEAR** - Because unpaved roads are typically rough and slippery in wet weather, vehicle maintenance costs may increase when you regularly travel on these roads.

**FUTURE OF ADJACENT PROPERTY** - The surrounding properties may not remain as they are indefinitely. As property ownership changes; so might the owner's plans for that property. Provincial and municipal legislation set out processes and requirements that are to be followed on how property might be developed and while there are limitations on what types of land uses may occur on property and where that development might be situated on the property, it is important to respect the landowner's right to explore these options. You can check with the Clearwater County Planning Department to find out how the properties are designated and to see what future developments may be in the planning stages.





# Access to your Property

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.

**EMERGENCY RESPONSE** - Response times (RCMP, fire suppression, medical care, etc.) cannot be guaranteed. Under some extreme conditions, you may find that emergency response is slow and/or costly.

**LEGAL ACCESS** - There can be problems with the legal aspects of access, especially if you gain access across property belonging to others. Obtain legal advice and understand the easements that may be necessary when these types of questions arise, and remember that easements are not legal access for purpose of subdivision and development approval.

**ROAD MAINTENANCE** - You may experience problems with the maintenance and cost of maintenance of your road. Clearwater County repairs and maintains nearly 3300 kilometres of road, approximately 300 kilometres of which are paved. There are also some roads in the County that are not maintained by the County – which means no grading or snow plowing. Make sure you know what type of maintenance to expect and who will provide that maintenance. Private internal roads and driveways are the responsibility of the landowner. Determine if you will be responsible for your road before purchasing a property. Residents served by private roads and/or bridges may be responsible for the cost of repairs and/or reconstruction after floods or for required maintenance over time.

**EXTREME WEATHER DRIVING** - Extreme weather conditions can impact roads. You may want to determine whether the road on your property was properly engineered and constructed. In extreme weather, even County maintained roads can become difficult to travel or even impassable. You may need a four wheel drive vehicle to travel during these times.

**PERSONAL EMERGENCY PREPAREDNESS** - In the event of an emergency - extreme weather (wind, rain, and snow), fire, flooding etc. - some services may be delayed, like snow plowing or ambulance for example. If you require in home care, please understand immediate service is not going to be available in all instances. Always be prepared to be self-sufficient for at least 72 hours. All residents are encouraged to have a basic emergency kit. For more information on how to prepare your emergency kit, visit [www.getprepared.ca](http://www.getprepared.ca).

**SCHOOL BUSES** - School buses travel only on maintained County roads that have been designated as school bus routes by the school district. You may need to drive your children to the nearest County road so they can get to school. Information on school bus service may be obtained from the Wildrose School Division or Red Deer Catholic Regional School Division.

**PAVING** - If your road is unpaved, it is unlikely that Clearwater County will pave it in the foreseeable future.

**MAIL, NEWSPAPER AND PARCEL DELIVERY** - Check availability with Canada Post, your newspaper of choice, and/or standard parcel and overnight parcel delivery services, as these services may not be available to all areas of the County.

**CONSTRUCTION COSTS/DELAYS** - It may be more costly and time consuming to build a rural residence due to delivery fees and time to reach your site. Many large construction vehicles cannot navigate small, narrow roads or may be limited in the amount of material they can haul due to road bans. If you plan to build, it is a good idea to check out construction access, particularly if you plan to build during spring break-up (early March to mid-May).



# Utility Services

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. Check with local service providers for more information and be sure to call Alberta One Call (1-800-242-3447) and Alberta 2<sup>nd</sup> Call (1-888-632-2122) to locate all utilities BEFORE you dig, build, tear down, demolish or disturb existing improvements or ground.



**ELECTRIC SERVICE** - Electric service is generally available to most areas of Clearwater County, but it is important to determine the proximity of electrical power. It can be expensive to extend power lines to remote areas. 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 be built to your property. If you have special power requirements, it is important to know what level of service can be provided to your property.

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. Make sure you inquire as to the potential future of the area with this in mind.

**POWER OUTAGES** - Power outages can occur in all areas in the County. A loss of electric power can interrupt your supply of water from a well. You may also lose food in freezers or refrigerators and power outages or fluctuations can cause problems with computers as well. It is a good idea to be equipt to survive for up to a week in the cold, with no utilities, if you live in the country.

**TELEPHONE / INTERNET SERVICE** - Rural telephone and internet services range from full service to no service at all. Due to mountainous areas and tree coverage, cellular phones will not work in all areas.

**SEWER / SEPTIC SERVICE** - Municipal sewer service is not available in most rural areas. If sewer service is not available, you will need to use an approved septic system or other treatment process. Recent changes in Provincial regulations may affect the type of system you will have to install and whether you may have to upgrade or change your private septic system in the future. Check the Alberta Private Sewage Systems Standards of Practice for guidelines or discuss with an agency approved by Alberta Municipal Affairs. Contact information is available through the Clearwater County Planning Department.

**WATER** - Similarly, municipal water service is not available in most areas of the County so you will have to locate an alternative supply, most commonly a water well. Wells come with drilling and pumping costs. The quality and quantity of well water can vary considerably from location to location and from season to season.

Not all wells can be used for irrigation and/or watering livestock. Licenses from Alberta Environment may be required. If you have needs other than for your household, make certain that you have the proper approvals before you invest. It is advised that you review water issues for your property very carefully, through Alberta Environment.

**WASTE REMOVAL** - Clearwater County does not provide household waste removal. You will need to haul your household waste and recyclables to the landfill or one of several transfer sites within Clearwater County. It is illegal to create your own trash dump, even on your own land.





# Mother Nature

Clearwater County is an eastern slopes community, meaning it is located close to the Rocky Mountains. Therefore there can be extremes in weather and topography. Here are some thoughts for you to consider:

**CHARACTERISTIC OF PROPERTY** - 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. If you start a forest fire, you are responsible for paying for the cost of extinguishing that fire.

**STEEP SLOPES** - Steep slopes can slide in unusually wet weather or due to groundwater springs. Large rocks can also roll down steep slopes and present a great danger to people and property.

**SOILS** - Expansive soils, such as Bentonite Clay, can buckle concrete foundations and twist steel I- beams. You can find out the soil conditions on your property if you have a soil test performed.

**TOPOGRAPHY** - The topography of the land can tell you where the water will go in the case of heavy precipitation. Take this into consideration when deciding where to build.

**WILDLIFE** - Nature can provide you with some wonderful neighbors. However, even harmless animals like deer can cross the road unexpectedly and cause traffic accidents. Much of Clearwater County is the traditional habitat of coyotes, cougars, bears and other animals that can be dangerous and you need to know how to deal with them. 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.



# Agriculture

Owning rural land means knowing how to care for it and how your neighbours use it. There are a few things you need to know:



**AGRICULTURE OR LIVESTOCK BUSINESSES** - Agriculture is an important industry in Clearwater 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, Alberta has "Right to Farm" legislation that protects farmers and ranchers from nuisance and liability lawsuits. It enables them to continue producing food and fiber.

Farmers often work around the clock, especially during planting and harvest time. Crops are often sprayed, swathed or harvested early in the morning or through the night. It is possible that adjoining agricultural uses may disturb your peace and quiet.

Land preparation and other operations can cause dust, especially during windy and dry weather. Chemicals (mainly fertilizers and herbicides) are often used in growing crops.

**NOXIOUS WEEDS** - 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. The Agricultural Services staff will be able to provide some information with regard to weeds on properties located in the County.

**ANIMALS** - Animals, including farm animals can be dangerous - bulls, stallions, pigs, rams, etc. can attack human beings. It is not safe to enter pens where animals are kept and persons should not access lands without the consent of the landowner. Livestock will eat loose garbage which can harm them. Keep your garbage enclosed and on your own property.

Your neighbour'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, as it is your responsibility to ensure that your pets, and/or livestock remain on your own land. Provincial legislation allows a farmer/rancher to shoot dogs that are harassing or "worrying" livestock.

**THE RURAL AROMA** - Animals and their manure can cause objectionable odors. Living in rural areas means living with the smells inherent in rural life. Development of new residential areas is not grounds for shutting down existing permitted agricultural uses.





## Industry

County governments are not able to provide the same level of service that city governments provide. Clearwater County is home to a wide range of industries including timber, oil and gas, agriculture, sand and gravel, technology, manufacturing and tourism. Even though you pay property taxes to the County, the amount of tax collected does not necessarily cover the cost of the services provided to rural residents. We are all fortunate to share in services that are funded in no small part, by the taxes paid by industry.

## Conclusion

Clearwater County is an area of vast and rugged splendor. Our landscape along with our community is what draws people and businesses to locate and remain in our region. The *Clearwater County Code*, an accurate picture of modern day rural life, although not exhaustive, is intended to provide information to foster understanding and enhance mutual respect for existing and future residents, so we may all fully enjoy our life in the County.

*“Even though cowboy life has changed over the past 150 years, cowboys still honor and live by their code. They are a source of inspiration that reaches back into our history, yet still speaks to us today...But remember, you don't have to do extraordinary deeds to be a hero. Cowboys are heroic — not just because they do a dangerous job, but because they stand for something. Principles like honor, loyalty and courage are at the heart of the Cowboy Way.”* James P. Owen

## References

*Clearwater County's Code* brochure was adapted from the *Code of the West* written originally by John Clarke, former County Commissioner of Larimer County, Colorado.

The *Code of the West* was first chronicled by well-known western writer Zane Grey.

