

Douglas County Code of the West

*Preserving the Past
While
Building the Future*



Douglas County Board of Commissioners
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The Code of the West was first chronicled by the famous western writer, Zane Grey. The men and women who came to this part of the country during the westward expansion of the United States were bound by an unwritten code of conduct. The values of integrity and self-reliance guided their decision, actions and interactions. In keeping with that spirit, we offer this information to help the citizens of Douglas County who wish to follow in the footsteps of those rugged individualists by living outside city limits. Much of the original wording was taken from a work by John Clark, a Commissioner for Larimer County, Colorado.

INTRODUCTION

This booklet is intended to provide information to help you make an educated and informed decision when choosing to purchase or develop land outside the boundaries of incorporated cities in Douglas County. It will also serve to clarify the county's position in terms of services and resources available. It is important to understand that 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 a city. You will most surely encounter differences in terms of roads and utilities as well as our positions concerning the right to farm, wild animals, weather conditions and more.

At the back of this booklet you will find helpful telephone numbers. Please call if we can be of further assistance! Thank you.

BOARD OF DOUGLAS COUNTY COMMISSIONERS 2011

*Ken Stanton, District 1
Dale Snyder, District 2
Steve Jenkins, District 3*

Utilities:

Douglas County Public Utility District	884-7191
Douglas County Sewer District	884-2484
East Wenatchee Water District	884-3569

Irrigation:

Wenatchee Reclamation District	663-0002
Greater Wenatchee Irrigation District	884-4042

Garbage:

Waste Management	662-4591
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Washington State:

Department of Labor & Industries	886-6500
Department of Ecology	509-454-7660
Department of Transportation (WSDOT)	667-3000

Other:

Metropolitan Parks District	884-8015
Regional Support Network (RSN)	886-6318
Vehicle Licensing	884-1551
Chelan Douglas Health District	886-6450
Douglas County Fire Marshal	884-6671

Cities & Towns:

Bridgeport	686-4041
Coulee Dam	633-8182
East Wenatchee	884-9515
Mansfield	683-1114
Rock Island	884-1261
Waterville	745-8871

County Offices:

Assessor	745-8521
Auditor	745-8527
Clerk	745-8529
Commissioners	745-8537
Juvenile Probation	884-3545
Information Services (IS)	745-8533
NCW Fair	745-8480
Prosecuting Attorney	745-8535
Sheriff	745-8564
Sheriff Administration	884-0941
Superior Court	745-9063
Treasurer	745-8525
Transportation & Land Services (TLS)	884-7173
WSU Extension	745-8531

Fire Protection Districts

Fire Emergency: 9-1-1

	Business
Douglas County Fire District #1 - Waterville, WA	None
Douglas County Fire Dist. 2 East Wenatchee, WA	884-6671
Douglas County Fire District #4 Orondo, WA	784-2941
Douglas County Fire District #5 Mansfield, WA	683-1114
Douglas County Fire District #7 Bridgeport, WA	686-8255

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Where to go.....

The historic 1905 Courthouse in Waterville is still the home of most Douglas County Offices including, Auditor, Assessor, Clerk, Commissioners, Information Services, Prosecuting Attorney, Superior Court, Treasurer and WSU Extension Office.



Douglas County Public Services Building is located at 140 19th Street NW in East Wenatchee. Residing in this building is the Douglas County Transportation and Land Services Department, Countywide Solid Waste Programs, Douglas County Assessor's Field Office and personnel from the Douglas County Auditor's office.

Douglas County Law and Justice Building located at 110 NE 2nd Street in East Wenatchee houses the Douglas County Sheriff's Office, Probation Services and District Court.



- ◆ Washington State has an open range law. If your property is located in an open range and you do not want livestock on your property, it is your responsibility to fence them out. It is not the responsibility of the rancher.
- ◆ As a property owner, you are responsible for preventing problem noxious weed infestations on your land.

In conclusion:

Even though you pay property taxes to Douglas County the amount of tax collected does not cover the cost of the services provided to rural residents. The tax revenues derived from commercial and industrial activities in the County subsidize the lifestyle of all those who live in the country by making up the shortfall between the cost of services and the revenues received from rural dwellers.

The information included in this booklet is meant only to be a guide to rural living. It by no means covers everything you could run into when moving to the rural areas of Douglas County.

The pioneers who settled this great land of ours were farmers and Douglas County residents still benefit from the legacy they left behind. While moving Douglas County into the future, it is the goal of the Board of County Commissioners to preserve the past. Being a property owner in the rural area of Douglas County means that you are a caretaker of the heritage left by the brave men and women who settled the west.



We sincerely hope this booklet will help you make an informed decision regarding where you choose to develop and build your home.

Hunting

- ◆ Many areas in Douglas 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 Board of County Commissioners.

Agriculture

It is imperative that if you choose to own property in the rural area of Douglas County then you need to know how to care for it. There are a few things you need to know:

- ◆ Orchardists often work long hours, especially during growing and harvest time. Orchards are often sprayed and wind machines typically are used at night and in the early morning. It is possible that adjoining agriculture uses can disturb your peace and quiet.
- ◆ Land preparation and other operations can cause dust, especially during windy and dry weather.
- ◆ Farms and orchards may burn their ditches and fence rows to keep them clean of debris, weeds and other obstructions. This burning creates smoke that you may find objectionable.
- ◆ Chemicals are a necessary part of most orchards and growing crops. You may experience drift or overspray. It is possible these chemicals will be applied by airplanes that fly early in the morning.
- ◆ Animals and their waste do cause objectionable odors; a fact of life in the country.
- ◆ If you choose to live among the orchards, farms and ranches of our great countryside do not expect county government to intervene in the normal day to day operations of your agri-business neighbors. Washington's "Right to Farm" legislation protects farms and ranchers from nuisance and liability lawsuits. This enables them to continue producing the food our economy depends on.



County History:

Douglas County was created in 1883 and named after U.S. Senator Steven Douglas of Illinois who was the chairman of the U.S. Commission on Territories when the Territory of Washington was created. Waterville was designated the County Seat in 1886 and the current Courthouse was initially constructed in 1905.

Douglas County is located near the geographic center of Washington State. The Columbia River binds it on the north, the west and the south. Grant County, formerly a part of Douglas County, is on the east. Douglas County is geographically diverse with elevations ranging from 600 feet above sea level near the Columbia River to more than 4,000 feet on Badger Mountain. Basalt rock outcrops and glacial erratics can be found in close proximity to fertile farmland. Irrigated orchard lands are located primarily in the lower elevations while dryland farming dominates the upland areas. Forested areas and areas with steppe shrub vegetation provide diverse wildlife habitat in the County.

County residents enjoy four distinct seasons. Even so, the weather conditions are noticeably different throughout the county due to the geographic diversity.

The primary industry in Douglas County is agriculture including the raising of crops and associated industries that include packaging, warehousing, shipping and processing. Tree fruit, wheat and livestock are the primary agricultural commodities produced, although there are significant other crop varieties in the county. Approximately 33% of the workforce in Douglas County is employed in agriculture, twice that of retail trade, which is the second highest employment sector.

Additional information on Douglas County is available through the local chambers of commerce, the North Central Regional Library, Washington State data sources, U.S. Bureau of the Census and links on our website.

Access:

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

- ◆ Emergency response times (sheriff, fire suppression, medical care, etc.) cannot be guaranteed. Under some extreme conditions, you may find that emergency response is extremely slow and expensive.
- ◆ 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.
- ◆ You may experience problems with the maintenance and cost of maintenance of your road. Douglas County maintains 1600 miles of roads, but many rural properties are served by private and public roads which are maintained by individuals or by private road associations. Additionally, there are many miles of county roads that are not maintained by the county—this means no grading and no snow plowing. There are even some public roads that are not maintained by anyone. Make sure you know what type of maintenance to expect and who will provide that maintenance.
- ◆ Extreme weather conditions can destroy roads. Many roads were not built to current standards and the combination of the weather and increased loading will result in high maintenance costs.
- ◆ Many large construction vehicles cannot navigate small, steep and/or narrow roads. If you plan to build, make sure to check out the construction access.
- ◆ School buses travel only on maintained county roads that have been designated as school bus routes by the school district. It may be necessary for you to drive your children to the nearest county road so they can get to school.
- ◆ In extreme weather, even county maintained roads can become impassable. You may need a four wheel drive vehicle with chains for all four wheels to travel during these episodes, which could last for several days.
- ◆ Natural disasters, especially floods, can destroy roads. A dry creek bed can become a raging torrent and wash out roads, bridges and culverts. The repair of these private roads are the responsibility of the landowners who use those roads. Douglas County, by law, can repair and maintain only roads in the County Road system.

- ◆ You need to be aware that if you start a forest or range fire you can be held responsible for paying for the cost of extinguishing that fire. For further information you can contact the Douglas County Fire Marshal.
- ◆ 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.
- ◆ Expansive soils can buckle concrete foundations and twist steel I-beams. You can determine the soil conditions by having a soil test performed or consulting a geologist or geotechnical engineer. These tests may be required to obtain a building permit.
- ◆ The topography of the land can tell you where the water will go in the case of heavy rain or snow. When property owners fill in ravines, they find that the water that drained into the ravine now drains through their home. Low areas will collect water when snow melts or large rain storms occur. Consider the topography of your home when siting structures.
- ◆ During the summer months flash floods can turn a dry gully into a river. You will need to consider this possibility when developing your property or siting your buildings.
- ◆ Spring run-off can cause a very small creek to become a major river. Many residents use sand bags to protect their homes.
- ◆ Nature can provide you with wonderful neighbors. Deer and eagles are positive additions to our environment. However, even seemingly harmless animals like deer can cause traffic accidents. Rural development encroaches on the traditional habitat of animals that can be dangerous. It is best to enjoy wildlife from a distance and know that if you do not take care of your pets and trash it could cause problems for you and the wildlife. Washington State Dept. of Fish & Wildlife and the Chelan Douglas Health District are good resources for information.





Water Rights:

- ◆ A water right is a legal authorization to use a predefined quantity of public water for a designated purpose of non-wasteful use, such as irrigation, domestic water supply, or power generation, to name a few. Washington State Department of Ecology is the administrator of water rights and specific questions should be directed to them.
- ◆ 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 or require you to pay for the over sizing or other improving of the ditch.
- ◆ Be sure that any water rights you purchase with the land will provide enough water to maintain fruit trees, pastures, gardens or livestock.
- ◆ The water flowing through the irrigation ditches belongs to someone. You cannot assume that because the ditch crosses your property, you can use the water in it.
- ◆ Irrigation ditches can be a hazard especially to your children. Before you decide to locate your home near an active ditch consider the possible danger to your family.
- ◆ If you have a ditch running across your property more than likely the owners of the ditch have the right to come onto your property with heavy equipment to maintain that ditch.

Mother Nature:

Residents in the rural areas of Douglas County usually experience more problems than the urban areas when Mother Nature kicks up her heels. Here are some things for you to consider.

- ◆ 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 wildland. Building at the top of a heavily forested draw is as dangerous as building at the bottom of a flash flood area. “Defensible perimeters” are very helpful in protecting buildings from fire and can also help protect the surrounding property if your house catches on fire.

- ◆ Unpaved roads generate dust with traffic.
- ◆ Check carefully with the Douglas County Department of Transportation & Land Services when a statement is made by the seller of any property that indicates an unpaved road will be maintained or paved. If your road is not paved now, it is highly unlikely the County will pave it in the foreseeable future.
- ◆ Unpaved roads are not always smooth and are often slippery when they are wet. You will experience an increase in vehicle maintenance costs when you regularly travel on rural roads.
- ◆ Mail delivery is not available to all areas of the County. Check with the post office in your area for delivery status.
- ◆ Newspaper delivery is not always available in rural areas of the County. Check with the newspaper of choice before assuming you can get delivery.
- ◆ Standard parcel and overnight package delivery can be a problem for those who live in rural areas of the County. Confirm with the service providers as to your particular status.



UTILITIES:

Water, sewer, electricity, telephone and other services may not be available or may not operate at urban standards. Repairs can often take much longer than in towns and cities. Please review your options from the following list:

Water:

- ◆ If you do not have access to a supply of treated domestic water you will have to locate an alternative supply. The most common source of water in rural areas are private wells. Private wells are regulated by the Washington State Department of Health Division of Engineering. You should be aware that the cost of drilling and pumping can be considerable. The quality and quantity of well water can vary greatly from location to location and from season to season. We strongly advise that you research this issue carefully. Contact the Chelan/Douglas County Health District, the Washington State Department of Health and the Washington State Department of Ecology.
- ◆ Not all wells can be used for watering of landscaping and/or livestock. If you have other needs make sure 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 limit.

Power:

- ◆ Electric service is not available to every area of Douglas County. Extending power lines to remote areas can be very expensive, therefore it is important to determine if this is feasible.
- ◆ 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. Make sure that the proper easements are in place to allow lines to be built 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.
- ◆ 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.
- ◆ You need to be aware that power outages can occur in outlying areas with more frequency than in more developed areas. A loss of electric power can interrupt your supply of water from a well, as well as cause you to lose the food in your freezer or refrigerator. Be prepared for outages.

- ◆ Many subdivisions and planned unit developments have covenants that restrict the use of the property. It is important to obtain a copy of the covenants, or confirm that there are none. Please make sure that you can live with the rules that may be attached to the property. A lack of covenants can also cause problems with neighbors. Douglas County does not become involved in the enforcement of covenants. Check for covenants with your title insurance company or the County Auditor.
- ◆ The development of lots or portions of lots may be affected by geological hazards, frequent flooding, wetlands, streams, rivers, and lakes. Additionally, priority fish and/or wildlife habitats and species may limit the type and location of development you may perform on your property. Development limitations, extra costs, special studies and/or permits are required for development of lots or portions of lots affected by the above physical characteristics and attributes.
- ◆ Homeowner's Associations (HOA) are required to take care of common elements such as roads, open space, etc. A dysfunctional homeowners association or poor covenants can cause problems for you and even involve you in expensive litigation. Dues are almost always a requirement for those area with a HOA. The by-laws of the HOA will tell you how the organization operates and how the dues are set.
- ◆ Be aware that change is imminent, the surrounding properties will probably not remain as they are forever. Check with Douglas County Department of Transportation & Land Services to find out what is allowed & what may be proposed.

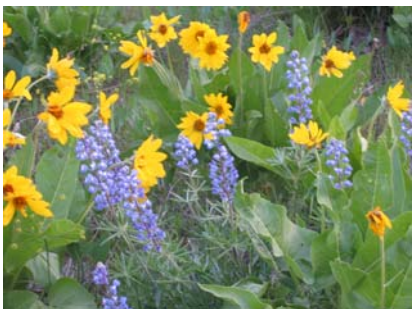


The Property:

It is important for you to research all items affecting the intended use of the property **before** purchasing land.



- ◆ A building permit and subsequent inspections are required for most building construction in Douglas County. Depending on the location and use of the proposed building, other permits and approvals may also be required. These could include conditional use permits, variances, and shoreline substantial development permits. Please verify all permits required by contacting the Douglas County Department of Transportation & Land Services.
- ◆ Not all lots or parcels are buildable. There are many parcels within Douglas County that are separate for the purpose of taxation only and are not legal lots in the sense that building permits will not be issued. Please check with the Douglas County Department of Transportation & Land Services to verify that a piece of land can be built on.
- ◆ Easements may require you to allow construction of roads, power lines, water lines, sewer lines, etc. across your land. There may be easements that are not of record. Please check these issues carefully.
- ◆ You may have obtained a copy of a map for your property, but unless the land has been surveyed and pins placed by a licensed surveyor, you shouldn't assume that the map is accurate.



- ◆ Fences that separate property are often misaligned with the property lines. A survey of the land is the only way to confirm the location of your property lines.

Sewer & Septic Systems

- ◆ If sewer service is available to your property, it may be expensive to hook into the system. Please call the municipal sewer provider in your area for more information on existing and possible future sewer extensions.
- ◆ If sewer service is not available to your property, 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 Chelan/Douglas Health District.

Telephone:

- ◆ Telephone communication can be a problem in the rural areas of Douglas 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. However, affordable power and technology is helping us become more connected all the time.

Trash Removal:

- ◆ Removal of trash can be much more cumbersome and expensive in a rural area than in a city. It is illegal to create your own trash dump—even on your own property. Research your options for trash disposal, it may be necessary to haul your own trash to a solid waste transfer station. Recycling is also more difficult because pickup is not available in most rural areas.
- ◆ Open burning of trash and yard debris may be prohibited or restricted by Washington State. You will need to contact the Douglas County Fire Marshal or Washington State Department of Ecology to determine your ability to burn these types of materials on your property.

Voter Registration:

- ◆ Douglas County is a "vote by mail" County.
- ◆ Information on registration changes and new registrations can be obtained from the Auditor's Office at the Courthouse.



Douglas County

