

Citizens Guide to Rural Living

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Introduction

It is important for you to know life in the country is different from life in the city. County governments are not able to provide the same level of service city governments provide. We are providing you with the following information to help you make an educated and informed decision about purchasing rural land because of those differences*.

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Access

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

- 1.1.** Emergency response times (sheriff, fire suppression, medical care, *etc.*) cannot be guaranteed. Under some extreme conditions, you may find emergency response is extremely slow and expensive.
- 1.2.** Some services are provided by volunteers who respond when paged.
- 1.3.** If you gain access across property belonging to others there can be problems with the legal aspects of access. It is wise to obtain legal advice and understand easements may be necessary when these questions arise.
- 1.4.** You can experience problems with the maintenance and cost of maintenance of your road. Cass County maintains 650 miles of roads, but many rural properties are served by private and public roads which are maintained by private road associations. There are even some public roads not maintained by anyone! Make sure you know what type of maintenance to expect and who will provide that maintenance. The county does not build, pave, or maintain any subdivision roads.
- 1.5.** Extreme weather conditions can destroy roads. It is wise to determine if your road was properly engineered and constructed.
- 1.6.** Many large construction vehicles cannot navigate small, narrow roads. If you plan to build, be prudent. Check out construction access.

- 1.7. School buses may travel only on maintained roads designated as school bus routes by the school district. You may need to drive your children to the nearest school bus stop so they can get to school.
- 1.8. In extreme weather, even county maintained roads can become impassable. You may need a four-wheel drive vehicle to travel during these episodes. This can last for several days.
- 1.9. Subdivision roads snow removal is the responsibility of the homeowners and/or township. With that being said, the township provides this service only on township roads and at their convenience, not at the convenience of the homeowner. The homeowners should be prepared to work together to remove snow or hire a private contractor to remove snow in a more timely manner.
- 1.10. Natural Disasters, especially floods, destroy roads. Cass County will repair and maintain county roads; however, subdivision roads are the responsibility of the subdivision and/or the township. Rivers, drains, and overland flooding can all wash out roads, bridges and culverts. Residents served by private roads and/or bridges have sustained large bills for repairs and/or reconstruction after floods.
 - 1.10.1. Flooding can temporarily block access to your home for weeks
 - 1.10.2. Little can be done until the water recedes
 - 1.10.3. Confirm if your access has previously been blocked and if alternate accesses exist.
- 1.11. Unpaved roads generate dust.
 - 1.11.1. Application of a dust suppression chemical (magnesium chloride) is provided by the county, however the complete cost of material and labor is charged directly to the homeowners requesting the service.
 - 1.11.2. This service is subject to there being enough requests to meet the minimum order and the county having the time, personnel, and equipment available. This can be costly and the county assumes no guarantee on the results.
- 1.12. If your road is unpaved, it is highly unlikely that Cass County will pave it in the foreseeable future. Check carefully with the Cass County Highway Department when any statement is made by a seller or realtor of any property indicating unpaved roads will be paved!
- 1.13. Unpaved roads are not always smooth. They are often slippery when wet.
- 1.14. You will experience an increase in vehicle maintenance costs when you travel on rural roads regularly.
- 1.15. Residential mail delivery may not be available to all areas of the county. Ask the postmaster to describe the system for your area.
- 1.16. Newspaper delivery, similarly, is not always available to rural areas. Check with the newspaper of your choice before assuming you can get delivery.
- 1.17. Standard parcel and overnight package delivery can be a problem for those who live in the country. Confer with service providers about your status.
- 1.18. It may be more expensive and time consuming to build a rural residence because of delivery times and fees.

Utility Services

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

- 2.1. Telephone communications quality and options may differ from urban settings. It may be difficult to obtain another line for fax or computer modem uses without costly upgrades to the system. There are areas where cellular phone will not work.

- 2.2.** If sewer service is available to your property, it may be expensive to attach to the system. It also may be expensive to maintain the system you use.
- 2.3.** If sewer service is not available, you will need to use an approved individual sewage disposal system meeting Fargo Cass Public Health regulations.
 - 2.3.1.** The type of soil you have available for a drain field will be very important in determining the cost and function of your system.
 - 2.3.2.** Have existing systems checked by a reliable sanitation firm and ask for assistance from Fargo Cass Public Health.
 - 2.3.3.** On-site septic systems require continuing maintenance and have limited lifespan even with proper maintenance.
- 2.4.** If you have access to a supply of treated domestic water, the tap fees can be expensive. You may also find your monthly cost of service can be high 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 alternate supply. The most common method is use of a water well.
 - 2.5.1.** Permits for wells may be required by the State Water Commission and North Dakota Department of Health and the cost for drilling and pumping can be considerable.
 - 2.5.2.** A permit does not guarantee that water will be found.
 - 2.5.3.** The quality and quantity of well water can vary considerably from location to location and from season to season. We strongly advise you to research this issue very carefully.
- 2.6.** Not all wells can be used for watering lawns, landscaping and/or livestock. Permits may restrict water use to that which is used inside of a home. 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.
- 2.7.** Electric service is not available to every area of Cass County. It is important to determine the proximity of electrical power. It can be very expensive to extend power lines to remote areas.
- 2.8.** It may be necessary to cross property owned by others 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 extended to your property.
- 2.9.** Electric power may not be available in two phase and three phase service configurations. If you have special power requirements, you need to know what type of service can be provided to your property.
- 2.10.** If you purchase land planning to build at a future date, there is a possibility that electric lines (and other utilities) may not be adequate to accommodate you, if new connections have been made prior to your construction.
- 2.11.** The cost of electric service is usually divided into a fee to hook into the system and then 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 occur in outlying areas more frequently than in more developed areas. A loss of electric power can also interrupt your supply of water from a well. You may also lose food in freezers or refrigerators. Power outages can cause problems with computers as well. It is important to be able to survive for up to a week in severe cold with no utilities if you live in the country.
- 2.13.** Trash removal can be much more expensive in rural areas than in a city. Your trash dumpster may even be some distance from your home. It is good to know the cost for trash removal as you make the decision to move into the country. In some cases, your only option may be to haul you trash to the landfill yourself. Recycling is more difficult because of the distance to pick-up locations.

The Property

There are many issues affecting your property. It is important to research these items before purchasing land and building your home.

- 3.1.** Subdivision of land is regulated by the County Planning Commission. An approved and recorded plat is required prior to most subdivision of land. Contact the County Planner with questions.
- 3.2.** Cass County land use is managed through township or city zoning.
 - 3.2.1.** Prior to subdividing or purchasing of land and constructing a home consult the Zoning Administrator to confirm proposed land use conforms to zoning regulations.
 - 3.2.2.** Before you begin construction a building permit is required by these entities.
- 3.3.** Not all lots can be built on. You must check with the Zoning Administrator, Flood Plain Administrator and County Planner to determine if a lot is buildable and it will meet the zoning, flood plain, and subdivision regulations and ordinances.
- 3.4.** Consult with the water resource board to confirm if your proposed construction plans meet their regulations and requirements.
- 3.5.** Consult with the county to confirm your construction will meet the minimum ditch grade requirements.
 - 3.5.1.** Improper construction of ditches and driveway culverts will result in standing water, mosquitoes, and costly bills to repair the problems.
 - 3.5.2.** Apply for ditch cleaning permits prior to starting work on any county or township ditch.
- 3.6.** 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. Check these issues carefully.
- 3.7.** You may be provided with a plat of your property. Do not assume the plat is accurate unless the land has been surveyed and pins placed by a licensed surveyor.
- 3.8.** Fences separating properties are often not aligned with the property lines. A survey of the land is the only way to confirm the location of your property lines.
- 3.9.** Many subdivisions and planned unit developments have covenants limiting the use of the property. It is important to obtain a copy of the covenants (or confirm none were established) and make sure that you can live with those rules.
 - 3.9.1.** NOTE: A lack of covenants may cause problems between neighbors. Covenants are contracts between property owners and cannot be enforced by Law Enforcement Officers, the county, the township, or other entities.
 - 3.9.2.** The presence of covenants does not always mean they can be easily enforced by land owners.
- 3.10.** The lack of restrictive covenants can result in unappealing structure construction, the accumulation of vehicles and junk, and yard maintenance not to par with your standards.
- 3.11.** The type and number of animals allowed on property is often regulated by township and city ordinances or by restrictive covenants.
 - 3.11.1.** Confirm if your land has the ability to have horses or other animals prior to purchase, even if you have no desire to raise animals.
 - 3.11.2.** If your property allows animals be aware of how this will affect your lifestyle, currently and in the future.
- 3.12.** Homeowner's associations (HOAs) are often established to care for common elements: roads, open space, etc. A dysfunctional homeowner's association or poor covenants can cause problems for you and even involve you in expensive litigation.

- 3.13. Dues are almost always a requirement in those areas with an HOA. The bylaws of the HOA will tell you how the organization operates and how the dues are set.
- 3.14. The surrounding properties will probably not remain as they are indefinitely.
 - 3.14.1. Check with the proper zoning and planning authority to determine the current and planned zoning and to check what future developments may be in the planning stages.
 - 3.14.2. The view from your property may change and what was once isolated rural country side can quickly change in a matter of a few years.
 - 3.14.3. Your rural residents could become incorporated into a city much sooner than you would ever expect.

Mother Nature

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

- 4.1. The topography of the land can tell you where the water will go in the case of heavy precipitation or flooding. When property owners fill in low areas and swales, they have found the water that previously drained through low areas now drains through their house.
- 4.2. Spring runoff and heavy precipitation can cause a very small creek to become a major river.
 - 4.2.1. Many residents use sand bags to protect their homes.
 - 4.2.2. The county does not provide sand bags, equipment or people to protect private property from flooding.
- 4.3. Areas of the county are highly vulnerable to flooding. Contact the appropriate flood plain administrator prior to building or buying land, even areas not near rivers can still be prone to overland flooding.
 - 4.3.1. Purchase flood insurance if your land is vulnerable to flooding
- 4.4. The weak characteristics of much of the valley's soils can result in bank failures near rivers.
 - 4.4.1. It is highly recommended not to build permanent structures near the river banks.
 - 4.4.2. Drain fields and irrigation to these areas only compounds the problem.
 - 4.4.3. Expensive engineering, equipment, and materials (beyond the means of the average homeowner) may only help to slow bank failures once it has started.
- 4.5. Rural residents are more prone to wind, and the dust, erosion, and damage it can cause.
- 4.6. Rural residents and their mobility are more greatly affected by snow storms.
- 4.7. Expect the presence of animals when living in the rural country side.
 - 4.7.1. Deer, moose and raccoons can cross the road unexpectedly causing traffic accidents.
 - 4.7.2. Rural development encroaches on the traditional habitat of animals. These animals can be both a nuisance as well as dangerous. In general, it is best to enjoy wildlife from a distance and understand if you do not handle your pets and trash properly, it can cause problems for you and the wildlife.
 - 4.7.3. Dogs which molest wildlife (or livestock) may be dealt with in the most severe manner.
- 4.8. The County Vector Control applies chemical treatments to reduce mosquitoes; however their efforts are directed more to the higher population areas.
 - 4.8.1. The size of the county does not permit Vector Control to spray rural areas as frequently as the metro area.
 - 4.8.2. Do not expect the same mosquito control efforts throughout the county as those found in the metro area.

Agriculture

Agriculture is an important business in Cass County. If you choose to live among the farms and ranches of our countryside, there are some aspects of your neighbors' activities that may occasionally affect you.

- 5.1.** Farmers often work around the clock, especially during planting and harvest time. It is possible that adjoining agriculture uses can 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 ditches to keep them clean of debris, weeds and other obstructions. 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 some people may have severe allergic reactions. Some of these substances may be applied by loud, low flying airplanes during all hours of the day.
- 5.5.** Animals and manure have odors.
- 5.6.** Agriculture is an important business in Cass 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 agribusiness neighbors.
- 5.7.** North Dakota has "Right to Farm" legislation protecting farmers and ranchers from nuisance and liability lawsuits. It enables them to continue producing food and fiber.
- 5.8.** Before buying land determine if it has noxious weeds that may be expensive to control and your responsibility as the landowner.
- 5.9.** Animals can be dangerous. Bulls, cattle, horses, ostriches, boars, *etc.* can attack and trample human beings. Children need to know it is not safe to enter pens, pastures and meadows where animals are kept.
- 5.10.** Livestock can cross fences and be difficult to see on or near roads.

The Right to Farm

Cass County has intensive agricultural operations within its boundaries. The rural areas of the county may seem open and spacious but they are intensively used for farming and ranching operations. People moving into a rural area must also recognize there are adjustments to be made regarding the availability and timeliness of services. In addition there are long-standing agricultural practices that must be adhered to.

Agricultural users of the land cannot change their long-established agricultural practices to accommodate the relocation of urban residents into a rural area. Agricultural activities will generate off-site impacts. Some of these impacts include: noise, dust, lights from tractors and equipment, long hours during seeding and harvest, odors from cattle confinement, silage and manure. Smoke from burning ditch banks is routine in the spring. Flies and mosquitoes may also be present. The use of herbicides, pesticides and fertilizer in the fields are common. Ditches, ponds, and reservoirs simply cannot be "moved out of the way" of residential development without threatening the efficient drainage of water from fields, which is essential to farm and ranch production.

In rural areas, children may be exposed to different hazards and risks than they would in an urban or suburban environment. Farm and ranch equipment, ponds, lakes, ditches, electrical power for center pivot operations, high speed traffic, weeds, ranch dogs and livestock may present real threats to children. Monitoring children's activities is important, not only for their safety, but for the protection of the farmers' livelihood. Parents and guardians must be responsible for their children.

In Conclusion

Although you pay property taxes to the county, the amount of tax collected does not cover the cost of the services provided to rural residents. Generally, those living in municipalities 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 complete. There are other issues 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 expected. 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.

**The body of this document and most of the original wording was taken from a work by John Clark, former Commissioner of Larimer County, Colorado.*

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Township List available online:

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