

## Fremont County - Code of the West

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 decisions, actions and interactions. In keeping with that spirit, we offer this information to help citizens of Fremont County who wish to follow 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 the city. Because of the difference in the mill levy and wide area we cover, county governments are not able to provide the same level of service that city governments provide. To that end, we are providing you with the following information to help you make an educated and informed decision to purchase rural land.

### 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;

- Emergency response times (sheriff, fire suppression, medical care, etc.) cannot necessarily 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. Our planning department or the Assessor may be able to assist you with access information. It is wise to obtain legal advice when these types of questions arise. You can experience problems with the maintenance and cost of maintenance of your road. Fremont County maintains 604 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 county roads 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.
- Extreme weather conditions can destroy roads. It is wise to see that your road was properly engineered and constructed. Fremont County has specifications for building roads they will accept for maintenance.
- Many large construction vehicles cannot navigate small, narrow roads. If you plan to build, it is prudent to check out construction access.
- School buses travel only on maintained county roads, not inside subdivisions. You may need to drive your children to the nearest county road so they can get to school.
- In extreme weather, even county roads can become impassable. You may need a four wheel drive vehicle with chains for all four wheels to travel during those episodes.
- Natural disasters, especially floods, can destroy roads. Fremont County will repair and maintain county roads; however, 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 been hit with large bills for repair and/or reconstruction after floods.
- If your road is gravel, it isn't likely that Fremont County will pave it in the near future. Check carefully with the county road and bridge department when any statement is made by the seller of any property that indicates any gravel roads will be paved! The county has a Master Plan for road repair and paving. Check with the director or the commissioners for future work on certain roads.

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- Mail delivery is not available to all areas of the county. Ask the postmaster to describe the system for your area.
- Newspaper delivery is similarly not always available to rural areas. Check with the newspaper of your choice before assuming you can get delivery.
- 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, electric, telephone and other services may be unavailable. Please review your options from the non-exhaustive list below.

- Telephone communications can be a problem, especially in the mountain area of Fremont County. If you have a private line, it may be difficult to obtain another line for FAX or computer modem uses. Even cellular phones will not work in all areas.
- If sewer service is available to your property, it may be expensive to hook into the system. It also may be expensive to maintain the system you use.
- If sewer service is not available, 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. Have the system checked by a reliable sanitation firm and ask for assistance from the State Health Department.
- 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.
- If you do not have access to a supply of treated domestic water; you have to locate an alternative supply. The most common method is use of a water well. Permits for wells are granted by the state engineer and 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.
- Not all wells can be used for watering of landscaping and/or livestock. Make certain that you have the proper approvals before you invest. The State of Colorado issues well permits and regulates their use.
- Electric service is not available to every area of Fremont County. It is important to determine the proximity of electrical power. It can be very 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 on your property.
- 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.
- 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.
- 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. Contact the electric services company in that area.
- Power outages can occur in outlying areas with more frequency than in more developed areas. A loss of electric power can also interrupt your supply of water from a 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.
- Trash removal can be much more expensive in a rural area than in a city. In some cases your trash dumpster may be several miles from your home. It is illegal to create you own trash dump, even on your own land. It is good to know the cost for trash removal as you make the decision

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to move into the country. In some cases, your only option may be to haul your trash to the landfill yourself.

## The Property

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

- Not all lots are buildable The Fremont County Assessor has many parcels that are separate for the purpose of taxation that are not legal lots in the sense that a building permit will be issued. You must check with the Fremont County Planning Department to know that a piece of land can be built on.
- Easements may require you to allow construction of roads, power lines, water line, sewer lines, etc. across your land. There may be easements that are not of record. Check these issues carefully.
- 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 Fremont County can be used for mining, however a special review by the county commissioners is usually required. Be aware that adjacent mining uses can expand and cause negative impacts.
- You may be provided with a plat of your property, but unless that land has been surveyed and pins places by a licensed surveyor, you cannot assume that the plat is accurate.
- Fences that separate properties are often misaligned with the property lines. A survey of the land is the only way to confirm the location of your property lines.
- Many subdivisions and PUDS 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.
- Homeowners associations (HOAs) are required to take care of common elements, roads, open space, etc. A dysfunctional homeowners association can cause problems for you and even involve you in expensive litigations.
- Dues are almost always a requirement for those areas with a HOA. The by-laws of the HOA will tell you how the organization operates and how the dues are set.
- The surrounding properties will probably not remain as they are indefinitely. You can check with the Fremont County Planning Office to find out how the properties are zoned and to see what future developments may be in the planning stages.

## Mother Nature

Residents of the county usually experience more problems when the elements and earth turn unfriendly. Here are some thoughts 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 forest fire. "Defensible perimeters" are helpful in protecting buildings from fire and inversely can protect the forest from igniting if your house catches fire. If you start a forest fire, you are responsible for paying for the cost of extinguishing that fire. For further information, you can contact the [Fremont County Emergency Services Department](#).
- 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, such as Bentonite Clay, can buckle concrete foundations and twist steel I-beams. You can know the soil conditions on your property if you have a soil test performed.

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- North facing slopes rarely see direct sunlight in the winter. There is a possibility that snow will accumulate and not melt throughout the winter.
- The topography of the land can tell you where the water will go in the case of heavy precipitation. When property owners fill in ravines, they have found that the water that drained through that ravine now drains through their house.
- A flash flood can 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.
- 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 bags, equipment or people to protect private property from flooding.
- Nature can provide you with some wonderful neighbors. Most, such as deer and eagles, are positive additions to the environment. However, there are some others that you need to be concerned about. Coyotes, bobcats, mountain lions, rattle snakes, prairie dogs, bears, mosquitoes and other animals can be dangerous and you need to know how to deal with them. The [Colorado Department of Wildlife](#) and the [Fremont County Health Department](#) are two good resources for information.

## Agriculture

The people who tamed this wild land brought water to the barren, arid east slope of the Rockies through an ingenious system of water diversion. This water has allowed agriculture to become an important part of our environment, but there can be some problems.

- Farmers often work around the clock, especially during planting and harvest time. Dairy farmers sometimes operate 24 hours without stopping. It is possible that adjoining agriculture uses can disturb your peace and quiet.
- Planting and other operations can cause dust, especially during windy and dry weather.
- Farmers often burn their ditches to keep them clean of debris, weeds and other obstructions. This burning creates smoke that you may find objectionable.
- Chemicals are often used in growing crops and controlling noxious weeds. You may be sensitive to these substances and many people actually have severe allergic reactions.
- Animals can cause objectionable odors. What else can we say?
- Agriculture is an important business in Fremont County. If you choose to live among the farms and ranches of our rural country-side, do not expect county government to protect you from normal day-to-day operation of your agri-business neighbors.
- Colorado has an open range law. This means if you do not want cattle, sheep or other livestock on your property, it is your responsibility to fence them out. It is not the responsibility of the rancher to keep his livestock off your property.
- Owning rural land means knowing how to care for it. 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. There is a limit to the amount of grazing the land can handle. The [Fremont County Extension Service](#) can help you with these issues.

## In Conclusion

Even though you 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 cities 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.

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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 covered 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 to inform you.

If we can be of further help, feel free to call any commissioner or country office at (719) 276-7300.

The Board of County Commissioners