

EXHIBIT 8
DATE 2-16-05
#B 613



MISSOULA

DEPARTMENT OF PUBLIC WORKS

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 258-4620 • FAX: (406) 327-2125

BICYCLE / PEDESTRIAN
BUILDING INSPECTION

ENGINEERING
STREET MAINTENANCE

TRAFFIC SERVICES
VEHICLE MAINTENANCE

WASTEWATER TREATMENT

E-2005-0187

February, 16, 2005

House State Administration Committee

RE: HB 613 - Building Inspection of Contract Sewer Properties

Dear Legislators:

Effective Oct. 1, 2003, the 4 ½ mile extended jurisdiction for City of Missoula Building Code Enforcement, which had existed for almost 30 years, was terminated. This action was the result of HB 640, approved by the State Legislature in 2003. This action restricts the authority for City Building Code Enforcement to the City limits.

This removal of City Building Code Enforcement authority has created a public safety problem for Missoula. The City sewer system is available to properties outside the City limits if the property agrees to annex or contract with the City for delayed annexation. If the property is annexed, then full City building code enforcement occurs. If the City decides to delay annexation due to available City service issues, then the only building code enforcement that is provided is State inspection of plumbing and electrical. Inspection of heating and structure are not performed by the State. If heating and structure inspections are not performed, then every building not inspected is at risk. This absence of inspection and code enforcement is a public safety and health issue for the City of Missoula.

The current option for the City, as a condition to receive City sewer, is to require the developer to contract with the City for building inspection that is not performed by the State. The State Building Codes Bureau contends that the City does not have the authority to perform *any* inspections outside its City limits. We do not agree.

The City of Missoula recommends that the State Legislature grant the City the authority to enforce all building codes outside its City limits if the property is connecting to City sewer or City water.

Sincerely,

Bruce Bender
City of Missoula Public Works Director