



Tuesday, February 08, 2005

Senate Local Government Committee
RE: SB 290

Senate Local Govt. Comm.
Exhibit No. 5
Date FEB. 8, 2005
Bill No. SB 290

Chairman Mangan and members of the committee,

My name is Jim Carlson. I am Director of Environmental Health at the Missoula City-County Health Department. I am here representing the Missoula City-County Health Department and the Health Department directors of Missoula, Yellowstone, Gallatin, Flathead, Lewis and Clark, Silver Bow, and Cascade Counties.

We support senate bill 290 as a great compromise created in response to some existing language conflicts between the Subdivision and Platting act and the Subdivision and Sanitation Act. The Bill represents consensus between divergent interests from state and local government, public interest groups and the land development industry including realtors, engineers and surveyors.

We do, however, have a minor suggested amendment that came to late to be included in the bill draft. It would require that information required by the Sanitation Act concerning adjacent public water and sewer within 500 feet of a proposed subdivision also be submitted to the local governing bodies for the preliminary plat review process. Several county Health Departments have noted that the absence of this information at the preliminary plat stage has caused problems in the past. Because new subdivisions are required to connect to existing public water and sewer systems within 500 feet, the information is vital to the preliminary plat process.

Suggested language change in 73-3-601 new section 4:

- (a) vicinity map or plan that shows the location, ~~within 100 feet outside of the exterior property line and on the proposed lots~~, of flood plains, surface water features, springs, irrigation ditches, previously approved and proposed wells and wastewater treatment systems, and mixing zones identified as provided in subsection (1)(h) within 100 feet outside of the exterior property line and on the proposed lots; and public water distribution lines and public sewer collection lines (could use facilities instead of lines) within 500 feet outside of the exterior property line and on the proposed lots;

The Missoula City-County Health Department supports this bill. We ask that you also support Senate Bill 137.

Respectfully submitted,


Jim Carlson, R.S.
Director of Environmental Health