

HOUSE BILL NO. 613

INTRODUCED BY T. FACEY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT IF A PROPERTY OWNER RECEIVES PUBLIC SEWER OR PUBLIC WATER FROM A CITY OR TOWN, THE CITY OR TOWN MAY ENFORCE AN ADOPTED BUILDING CODE ON THAT PIECE OF PROPERTY; AMENDING SECTION 50-60-304, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-60-304, MCA, is amended to read:

"50-60-304. Area of applicability of county, city, or town building code -- enforcement. (1) ~~Except as provided in subsection (4),~~ a city or town that adopts a building code under this chapter may enforce its building code only within the incorporated limits of the city or town.

(2) A county may adopt a building code under this chapter on a countywide basis unless a city or town within the county has adopted a building code. If a city or town within the county has adopted a building code, then the county may not enforce the county building code in that city or town.

(3) A county, city, or town may contract for the enforcement of its building code.

(4) If a city or town has contracted with a property owner to provide public sewer or public water to the property, the city or town may enforce the building code on that tract or parcel or portion of a tract or parcel that is clearly and immediately being served."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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