

HOUSE BILL NO. 745

INTRODUCED BY J. POMNICHOWSKI

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CERTAIN COUNTIES TO ESTABLISH A NOTIFICATION SYSTEM FOR OCCUPATION OF A NEW STRUCTURE."

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

NEW SECTION. Section 1. Notification of occupation of structure. (1) A county that has not adopted building codes that have been certified by the department under this part may, by ordinance, enact a notification system for occupation of a new structure that requires an owner of a structure to provide information to the county upon occupancy. The purpose of the notification system is to:

- (a) ensure that all fees are paid and permits are obtained prior to the occupation of any new structure outside of the limits of incorporated cities and towns;
- (b) allow the county to monitor compliance with local and state codes and regulations;
- (c) allow the county to document new construction for the purpose of providing emergency services and for public health and safety planning;
- (d) allow the county to track growth patterns for planning purposes and for capital improvements and infrastructure; and
- (e) allow the county to establish an inventory of development and building lots.

(2) A county that implements and uses a notification system for occupation as provided in this section may not submit codes for certification by the department under 50-60-302 and may not enforce codes under 50-60-302. A county may submit codes for certification and enforce those codes once they are certified if the county discontinues the notification system for occupation.

(3) The provisions of this section do not apply to structures used for agricultural purposes.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 50, chapter 60, part 3, and the provisions of Title 50, chapter 60, part 3, apply to [section 1].

- END -