\*\*\*\* 68th Legislature 2023

1	SENATE BILL NO. 275	
2	INTRODUCED BY F. MANDEVILLE	
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SANITATION IN SUBDIVISIONS ACT; REVISING	
5	THE DEFINITIONS OF "PROPOSED DRAINFIELD MIXING ZONE" AND "PROPOSED WELL ISOLATION	
6	ZONE"; AND AMENDING SECTION 76-4-102, MCA."	
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	
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10	Section 1. Section 76-4-102, MCA, is amended to read:	
11	" <b>76-4</b> -1	02. Definitions. As used in this part, unless the context clearly indicates otherwise, the
12	following definitions apply:	
13	(1)	"Adequate county water and/or sewer district facilities" means facilities provided by a county
14	water and/or sewer district incorporated under Title 7, chapter 13, that operate in compliance with Title 75,	
15	chapters 5 and 6.	
16	(2)	"Adequate municipal facilities" means municipally, publicly, or privately owned facilities that
17	supply water, treat sewage, or dispose of solid waste for all or most properties within the boundaries of a	
18	municipality and that are operating in compliance with Title 75, chapters 5 and 6.	
19	(3)	"Board" means the board of environmental review.
20	(4)	"Certifying authority" means a municipality or a county water and/or sewer district that meets
21	the eligibility requirements established by the department under 76-4-104(6).	
22	(5)	"Department" means the department of environmental quality.
23	(6)	"Extension of a public sewage system" means a sewerline that connects two or more sewer
24	service lines to a sewer main.	
25	(7)	"Extension of a public water supply system" means a waterline that connects two or more water
26	service lines to a water main.	
27	(8)	"Facilities" means public or private facilities for the supply of wateror disposal of sewage or
solid waste and any pipes, conduits, or other stationary me		any pipes, conduits, or other stationary method by which water, sewage, or solid wastes might
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1 be transported or distributed. 2 "Individual water system" means any water system that serves one living unit or commercial (9) 3 unit and that is not a public water supply system as defined in 75-6-102. 4 (10) "Mixing zone" has the meaning provided in 75-5-103. 5 (11)(a) "Proposed drainfield mixing zone" means a mixing zone submitted for approval under this 6 chapter after March 30, 2011 for a drainfield that may be installed after approval under this chapter. 7 (b) The term does not include drainfield mixing zones that existed or were approved under this 8 chapter prior to March 30, 2011 Title 75, chapter 5, prior to application under this chapter. 9 (12)(a) "Proposed well isolation zone" means a well isolation zone submitted for approval under 10 this chapter after October 1, 2013 for a water well that may be installed after approval under this chapter. 11 (b) The term does not include well isolation zones that existed or were previously approved under 12 this chapter prior to October 1, 2013. 13 (13) "Public sewage system" or "public sewage disposal system" means a public sewage system as 14 defined in 75-6-102. 15 (14)"Public water supply system" has the meaning provided in 75-6-102. 16 (15) "Regional authority" means any regional water authority, regional wastewater authority, or 17 regional water and wastewater authority organized pursuant to the provisions of Title 75, chapter 6, part 3. 18 (16) "Registered professional engineer" means a person licensed to practice as a professional 19 engineer under Title 37, chapter 67. 20 "Registered sanitarian" means a person licensed to practice as a sanitarian under Title 37, (17)21 chapter 40. (18) 22 "Reviewing authority" means the department or a local department or board of health certified 23 to conduct a review under 76-4-104. 24 (19) "Sanitary restriction" means a prohibition against the erection of any dwelling, shelter, or 25 building requiring facilities for the supply of water or the disposition of sewage or solid waste or the construction 26 of water supply or sewage or solid waste disposal, facilities until the department has approved plans for those 27 facilities. 28 (20) "Sewage" has the meaning provided in 75-5-103.



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1 (21) "Sewer service line" means a sewerline that connects a single building or living unit to a public 2 sewage system or to an extension of a public sewage system. 3 "Solid waste" has the meaning provided in 75-10-103. (22) 4 "Subdivision" means a division of land or land so divided that creates one or more parcels (23) 5 containing less than 20 acres, exclusive of public roadways, in order that the title to or possession of the 6 parcels may be sold, rented, leased, or otherwise conveyed and includes any resubdivision, any condominium, 7 townhome, or townhouse, or any parcel, regardless of size, that provides two or more permanent spaces for 8 recreational camping vehicles or mobile homes. 9 (24) "Water service line" means a waterline that connects a single building or living unit to a public 10 water supply system or to an extension of a public water supply system.

11 (25) "Well isolation zone" means the area within a 100-foot radius of a water well."

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