

1 *Zhauer* BILL NO. *369*  
 2 INTRODUCED BY *Nelson* *Franklin* *Sheldens* *Bradley*  
 3 *Lehje* *Richard*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE ACREAGE  
 5 LIMITATION IN THE DEFINITION OF A SUBDIVISION FOR SANITARY  
 6 AND PUBLIC HEALTH PURPOSES; AMENDING SECTION 69-5002, R.C.M.  
 7 1947."  
 8

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

10 Section 1. Section 69-5002, R.C.M. 1947, is amended to  
 11 read as follows:

12 "69-5002. Definitions. As used in this chapter unless  
 13 the context clearly indicates otherwise the following words  
 14 or phrases shall have the following meanings:

15 (1) "Subdivision" means the division of land, or land  
 16 so divided, into two (2) or more parcels, whether contiguous  
 17 or not, ~~any-of-which-is-ten-(10)-acres-or-less,-exclusive-of~~  
 18 ~~public--roadways,-in--size,~~ without regard to the method of  
 19 description thereof, in order that the title or possession  
 20 of the parcels or any interest therein may be sold, rented,  
 21 leased, or otherwise conveyed either immediately or in the  
 22 future, and shall include any resubdivision of land; and  
 23 shall further include any condominium or areas providing  
 24 multiple space for camping trailers, house trailers or  
 25 mobile homes; provided further that a division of land is a

1 subdivision when the division creates a second or any  
 2 subsequent parcel for the purpose of sale, rent, lease, or  
 3 other conveyance from a tract of land held in single or  
 4 undivided ownership on July 1, 1973, ~~where-any-of-the~~  
 5 ~~parcels-segregated-from-the-original-tract-is-ten-(10)-acres~~  
 6 ~~or-less,-exclusive-of--public--roadways,-in--size,~~ without  
 7 regard to the method of description thereof. The plat of a  
 8 subdivision so created shall show all of the parcels  
 9 segregated from the original tract whether contiguous or  
 10 not.

11 (a) "Subdivision" shall include any condominium or  
 12 areas providing multiple space for camping trailers, house  
 13 trailers, or mobile homes, regardless of the size of the  
 14 parcel of land upon which the same is situated.

15 (2) "Board" means the board of health and environmental  
 16 sciences.

17 (3) "Department" means department of health and  
 18 environmental sciences.

19 (4) "Sanitary restriction" means a prohibition against  
 20 the erection of any dwelling, shelter or building requiring  
 21 facilities for the supply of water or the disposition of  
 22 sewage or solid waste until the department has approved  
 23 plans for those facilities.

24 (5) "Facilities" means public or private facilities for  
 25 the supply of water or disposal of sewage or solid waste.

1           (6) "Solid wastes" means all putrescible and  
2 nonputrescible solid wastes (except body wastes), including  
3 garbage, rubbish, street cleanings, dead animals, yard  
4 clippings, and solid market and solid industrial wastes."

-End-

Approved by Committee  
on Natural Resources

HOUSE BILL NO. 369

INTRODUCED BY MELOY, HUENNEKENS, SHILDEN, BRADLEY, SCHYE,  
RICHARDS

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~~or--less,--exclusive--of--public--roadways,--in--size,~~ without  
regard to the method of description thereof. The plat of a  
subdivision so created shall show all of the parcels  
segregated from the original tract whether contiguous or  
not. THE COUNTY SANITARIAN SHALL NOTIFY THE DEPARTMENT OF  
ANY SUBDIVISION FILING IN A COUNTY.

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trailers, or mobile homes, regardless of the size of the  
parcel of land upon which the same is situated.

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the erection of any dwelling, shelter or building requiring  
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-End-

March 15, 1975

SENATE COMMITTEE ON NATURAL RESOURCES AND FISH AND GAME

AMENDMENTS TO HOUSE BILL NO. 369

That House Bill No. 369, third reading, be amended as follows:

1. Amend page 2, section 1, line 12.

Following: "COUNTY"

Insert: "provided, however, in those counties where there is no county sanitarian, the clerk and recorder shall notify the department of any subdivision filing in the county"