

SENATE BILL NO. 262
Mike Sprague

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INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A LOCAL GOVERNMENT FROM REQUIRING A SUBDIVISION TO CONFORM TO A MASTER PLAN; AND AMENDING SECTION 76-1-606, MCA."

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

Section 1. Section 76-1-606, MCA, is amended to read:

"76-1-606. ~~Effect~~ No effect of master plan on subdivisions and plats. ~~(1) Where a master plan has been approved, the~~ A city council may by ordinance or the ~~a board of county commissioners may not by resolution~~ require subdivision plats to conform to the provisions of ~~the~~ a master plan. ~~Certified copies of such ordinance shall be filed with the city or town clerk and with the county clerk and recorder of the county.~~

~~(2) Thereafter:~~

~~(a) a plat involving lands within the corporate limits of the city and covered by said master plan shall not be filed without first presenting it to the planning board, which shall make a report to the city council advising as to compliance or noncompliance of the plat with the master plan. The city council shall have the final authority to approve the filing of such plat.~~

~~(b) a plat involving lands outside the corporate limits of the city and covered by said master plan shall not be filed without first presenting it to the planning board which shall make a report to the board of county commissioners advising as to compliance or noncompliance of the plat with the master plan. The board of county commissioners shall have the final authority to approve the filing of such plat.~~

~~(3) Nothing herein contained shall be interpreted to limit the present powers of the city or county governments but shall be an additional requirement before any plat may be filed of record or entitled to be recorded."~~

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