



SANDERS COUNTY

ENVIRONMENTAL HEALTH

Permanent Multiple Space for Recreational Vehicles and Mobile Homes

Interpretation of the Montana Sanitation in Subdivisions Act

March 19, 2020

APPLICABLE STATUTES AND RULES

"Subdivision" means a division of land or land so divided that creates one or more parcels containing less than 20 acres, exclusive of public roadways, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed and includes any resubdivision and any condominium or area, regardless of size, that provides permanent multiple space for recreational camping vehicles or mobile homes (Montana Code Annotated 76-4-102 (17)).

"Mobile home" means a trailer equipped with necessary service connections that is designed for use as a long-term residence (Administrative Rules of Montana 17.36.101 (32)).

"Recreational camping vehicle" means a vehicular unit designed primarily as temporary living quarters for recreational, camping, travel, or seasonal use, and that either has its own power or is mounted on, or towed by, another vehicle. The basic types of RVs are camping trailer, fifth wheel trailer, motor home, park trailer, travel trailer, and truck camper (Administrative Rules of Montana 17.36.101 (44)).

"Permanent multiple space" is not defined in statute or rule.

"Area" is not defined in statute or rule.

DETERMINATIONS AND INTERPRETATIONS

The Department of Environmental Quality, Subdivision Review Program, has provided guidance regarding applicability of 76-4-102 (17), MCA, with respect to permanent multiple space for recreational camping vehicles or mobile homes.

1. "Permanent multiple space" – has been determined to mean two or more spaces, regardless of who owns or uses them, with a water riser, a sewer connection, a pedestal electrical outlet, or a parking pad. These conditions may be applied independently.
2. "Area" – has been determined to include any parcel, or contiguous parcels under common management, regardless of size.

3. Contiguity of parcels does not trigger Sanitation Act review under this guideline. This applies to contiguously owned, single lots or parcels that are recorded with the Sanders County Clerk and Recorder, and have up to one permanent space on each distinct parcel.

REVIEW AND APPROVAL PROCEDURES

State of Montana policy was implemented October 22, 2013 by the Montana Department of Health and Human Services (DPHHS) in cooperation with the Montana Department of Environmental Quality (DEQ) for review, approval, and licensing of Trailer Courts, Campgrounds, and Recreational Vehicle Parks.

General requirements include:

1. Certificate of Subdivision Approval from the DEQ, including Public Water Supply or Public Wastewater System approvals, if necessary.
2. Plan review approval from the DPHHS, Food and Consumer Safety (FCS), or joint plan review approval from FCS and the County Environmental Health Department.
3. Pre-application and licensing inspection with the County Environmental Health Department.

Regulatory information can be found on-line at <https://dphhs.mt.gov/publichealth/FCSS/TrailerCourtsAndCampgrounds> (Montana Department of Public Health and Human Services, Food and Consumer Safety) and <http://deg.mt.gov/water/subdivisions/subdivisionsystems> (Montana Department of Environmental Quality, Subdivision Review Program). These links contain application forms as well as the statutes and rules by which trailer courts and campgrounds are regulated.