



ADMINISTRATIVE RULES OF MONTANA



17.36.110 CERTIFICATE OF APPROVAL

- (1) Subject to the local certification requirements set out in (2), the reviewing authority shall issue a certificate of subdivision approval if:
 - (a) an applicant has submitted all of the information required by this chapter;
 - (b) the requirements of this chapter and of the Montana Environmental Policy Act have been met; and
 - (c) the reviewing authority determines that:
 - (i) wastewater will not pollute or degrade state waters or endanger public health;
 - (ii) all wastewater disposal facilities are sufficient in terms of capacity and dependability;
 - (iii) the water supply will be sufficient in terms of quality, quantity, and dependability;
 - (iv) solid waste disposal will be in accordance with applicable state laws and rules; and
 - (v) storm drainage will have proper drainageways and the drainage will not pollute state waters.
- (2) The reviewing authority may not issue a certificate of subdivision approval if non-public facilities for water supply or for the disposal of wastewater are proposed, unless the applicant has submitted evidence, in accordance with ARM 17.36.108(1), that the design for the non-public water supply and wastewater disposal facilities complies with applicable laws and regulations of local government.

Authorizing statute(s): 76-4-104, MCA

Implementing statute(s): 76-4-104, 76-4-125, MCA

History: Eff. 12/31/72; AMD, Eff. 11/4/73; AMD, Eff. 11/3/75; AMD, Eff. 5/6/76; AMD, 1977 MAR p. 746, Eff. 10/25/77; AMD, 1984 MAR p. 1027, Eff. 7/13/84; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2000 MAR p. 967, Eff. 4/14/00; AMD, 2002 MAR p. 1465, Eff. 5/17/02; AMD, 2011 MAR p. 2278, Eff. 10/28/11; AMD, 2014 MAR p. 2098, Eff. 9/19/14.