



ADMINISTRATIVE RULES OF MONTANA



20.28.107 SITING A REGIONAL CORRECTIONAL FACILITY

- (1) A local government entity, individual, corporation, partnership, association, or other private organization or entity that wishes to construct or operate a regional correctional facility must submit siting information to the department for its approval of the site. The siting information must document and show how the site conforms to the requirements listed below.
- (2) The department will approve the site if the local government entity, individual, corporation, partnership, association, or other private organization or entity that wishes to construct or operate a regional correctional facility obtains a resolution from the governing body of the community authorizing the site. The community governing body must document to the department that the selected site:
 - (a) can accommodate a secure facility;
 - (b) can support unobstructed surveillance of the facility;
 - (c) has appropriate access roads during both the construction and operation of the facility;
 - (d) will conform to all applicable state statutes, rules and regulations, and applicable local zoning ordinances;
 - (e) is within 30 minutes emergency response time of an accredited hospital licensed by the state;
 - (f) is within 30 minutes emergency response time of a fulltime or volunteer fire department;
 - (g) is within one hour driving time of scheduled public or private transportation services that provide regular travel to and from the area of the facility;
 - (h) is within one hour driving time of an airport and landing field suitable for landing and take-off of charter-type aircraft and listed on the state system plan of airports as maintained by the Montana Department of Transportation, Aeronautics Division; and
 - (i) is located above a 100-year flood plain.

Authorizing statute(s): 53-30-507, MCA

Implementing statute(s): 53-30-507, MCA

History: NEW, 2007 MAR p. 36, Eff. 1/12/07.