



ADMINISTRATIVE RULES OF MONTANA



36.25.1005 IMPROVEMENTS

- (1) A cabin site lessee may apply to the department to request authorization to place improvements on, or to install utilities to, the leased land. Approval is at the discretion of the department.
 - (a) The lessee must apply for permission prior to placing any improvements or utilities on state trust land using a form provided by the department. Failure of the lessee to obtain prior written permission from the department, may result in:
 - (i) limited or no compensation paid to the lessee for the improvements upon termination of the lease; or
 - (ii) the department requiring the lessee to remove any improvements placed on the leased land, at the lessee's expense.
 - (b) Only one single-family residence will be permitted on each cabin site lease.
 - (c) The lessee is responsible to ensure all installations and improvements meet all applicable rules, codes, and regulations. The department's approval to place or modify any improvement on the lease lot does not necessarily constitute approval from any other regulatory entity such as a county, other state administrative agencies, or federal agencies.
 - (d) The lessee is solely responsible for the installation, maintenance, and expense of any improvements or utilities to the leased land.
 - (e) The lessee is responsible for all initial or recurring utility company charges or taxes resulting from the installation.
 - (f) Applications for improvement within 100 feet of a water body may be denied or limited.
 - (g) The department may require a security bond, the terms of which will be defined within the lease.
- (2) A lessee may apply to the department to request to sublet the improvements.
 - (a) The lessee must apply for permission prior to subletting.
 - (b) The application must be on a form prescribed by the department.
 - (c) Subletting of improvements is permissible for long-term (monthly or longer) single-family residential use. Any subletting for short-term and/or recreational activity for total rentals that exceed the annual lease fee in a given year is prohibited.
 - (d) Approval of any sublease is at the discretion of the department.

Authorizing statute(s): 77-1-202, 77-1-204, 77-1-209, MCA

Implementing statute(s): 77-1-208, MCA

History: NEW, 2010 MAR p. 1293, Eff. 5/28/10; AMD, 2016 MAR p. 1020, Eff. 6/4/16.