LINCOLN COUNTY
MONTANA

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STATE OF MONTANA LINCOLN COUNTY
RECORDED: 03/11/2026 11:41 KOI: RESOLUTION
CORRINA BROWN CLERK AND RECORDER
FEE: $0.00 BY: Jessica Jensen, Deputy
FOR:LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

RESOLUTION 2026-08

A Resolution of Intent to Adopt the Lincoln County Health Department Fee Schedule

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

WHEREAS, the Lincoln County Board of Commissioners recognizes the importance of protecting public health and ensuring compliance with state sanitation, food safety, and wastewater regulations pursuant to its general powers under MCA § 7-1-2103 and its authority under MCA Title 50; and

WHEREAS, the Lincoln County Health Department administers and enforces state and local regulations governing food establishments, temporary food services, mobile food units, public accommodations, wastewater treatment systems, subdivisions, and licensed installer programs; and

WHEREAS, the 2025 Montana Legislature passed House Bill 853 creating new fee structures and categories for licensed establishments, requiring counties to adopt updated fees to cover the cost of plan reviews, pre-opening inspections, and associated regulatory services; and

WHEREAS, the existing Health Department fee schedule no longer reflects the actual cost of providing plan review, inspection, variance review, wastewater permitting, licensed installer oversight, subdivision review, and related administrative services; and

WHEREAS, the Board has reviewed workload data demonstrating increased variance requests, wastewater applications, and subdivision-related reviews requiring significant staff time and technical evaluation; and

WHEREAS, the Board finds it necessary and appropriate to consider revisions to the Health Department Fee Schedule to ensure fees are reasonably related to the cost of providing services and to maintain effective public health protections for the residents of Lincoln County.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of County Commissioners hereby declares its intent to adopt a revised Lincoln County Health Department Fee Schedule pursuant to the authority granted under MCA § 7-1-2103 and MCA Title 50.
2. A public hearing on the proposed fee schedule shall be held on the 11th day of March 2026, at 10:30 a.m. in the Commissioners' Chambers, Lincoln County Courthouse, Libby Montana.
3. At the public hearing, all interested persons will be given an opportunity to be heard, and written comments may be submitted prior to the hearing.
4. The proposed fee schedule includes the following:

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I. PLAN REVIEW FEES (Plan reviews include application review and on-site inspection)

Service	Current Fee	Proposed Fee
Food Establishment Plan Review – Small	$60	$60
Food Establishment Plan Review – Medium	$0	$115
Food Establishment Plan Review – Large	$115	$150
Mobile Food Plan Review – Small	$30	$60
Mobile Food Plan Review – Large	$0	$115
Temporary Food Service	$20	$20+$10/event
Public Accommodations Plan Review	$115	$115
Bed & Breakfast / Hostel Plan Review	$115	$115
Body Art / Piercing Plan Review	$115	$115

II. INSPECTIONS AND SITE VISITS

Service	Fee
Food Establishment Annual Inspection	No Charge
Food Establishment Additional Follow-ups & Inspections	$100
On-Site Store Inspections	No Charge
Septic System On-Site Inspection	$150

III. WASTEWATER, SUBDIVISIONS, AND LICENSED INSTALLERS

Service	Current Fee	Proposed Fee
Septic Permit (with prior DEQ approval)	$150	$200
Septic Permit (local review)	$200	$250
Multi-User System Permit	$0	$500
Replacement Tank Only Permit	$50	$75
Homeowner Installed Gravity System (includes first site visit)	$200	$250
Affidavit for Illegally Installed System Application	$1500	$1,500
Variance Application	$0	$400
Additional Variance on Original Application	$0	$100
Expired Permit Renewal	$75	$100
Licensed Installer Exam & License (good for 2 years)	$150	$200
Licensed Installer Renewal (good for 2 years)	$100	$150
Paper Copies of DEQ-4 and Subchapter 9	$30	$30
Mailed Copies of DEQ-4 and Subchapter 9	$40	$40

IV. NEW APPLICATION CATEGORY

A Multi-User Wastewater Application category is proposed for systems serving three (3) or more connections to one community system, with a proposed fee of $500.00.

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THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.

2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.

3. This resolution will be effective immediately upon adoption, in accordance with§ 7-5-123, MCA.

4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with§ 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

Marcia Boris, County Attorney

Date presented to the Board March 11, 2026 Approved [X] Disapproved [ ] Amended [ ]

Adopted this 11 day of March, 2026.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chair

ATTEST:

Corrina Brown

Corrina Brown, Clerk of the Board