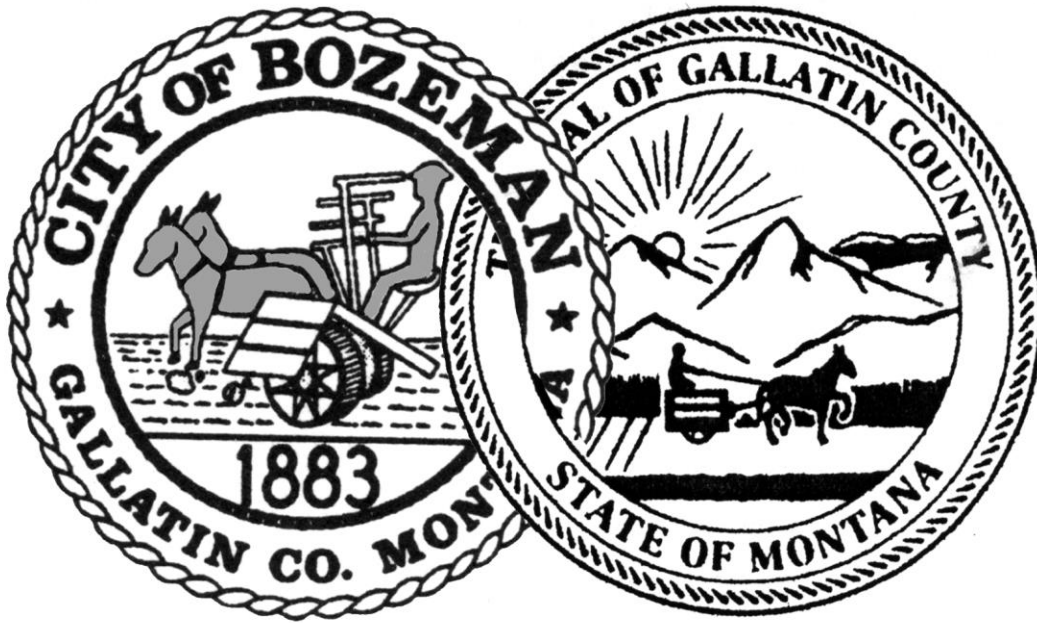


Gallatin City-County Health Code

Chapter 1



GENERAL PROVISIONS

Effective October 27, 2018

Gallatin City-County Health Department

215 West Mendenhall
Bozeman, MT 59715
(406) 582-3100 or (406) 582-3120

HEALTH CODE CHAPTER 1 REGULATIONS

Section 1

PURPOSE, JURISDICTION, AND DUTIES

- 1.1 The Health Code is intended to make existing laws more accessible and understandable, and it provides local regulations that comply with State law. The Health Code also coordinates requirements of the Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM).
- 1.2 The Gallatin City-County Board of Health (Board) was established pursuant to Sec. 50-2-106, MCA and an Interlocal Agreement between the City of Bozeman and Gallatin County (adopted May 7, 1997). The Board's jurisdiction covers all of Gallatin County, including the municipalities of Belgrade, Bozeman, Manhattan, Three Forks, and West Yellowstone.
- 1.3 The Board is a separate legal entity distinct from Gallatin County and the City of Bozeman, and neither the Board nor its staff is under the direct control or supervision of either entity.
- 1.4 The Board's general powers and duties are set forth in Sec. 50-2-116, MCA. Specific statutory powers and duties are codified in Title 50, MCA and are identified throughout the Health Code.
- 1.5 The Health Officer has the general powers and duties as set forth in Sec. 50-2-118, MCA. Specific statutory powers and duties are codified in Title 50, MCA and are identified throughout the Health Code. The Health Officer also has such powers and duties as established by the Board, and s/he is responsible for the administration and enforcement of the Health Code.

Section 2

GENERAL ACRONYMS AND DEFINITIONS

Unless the context requires otherwise, the following acronyms and definitions apply for this Health Code:

- 2.1 "**Appeal**" means the process by which a person may challenge the Health Officer's actions, refusal to act, the justifications for a determination, or present other evidence to the Board: (1) as allowed by Title 50, Chapters 50, 51, 52, 53, and 57, MCA; or (2) for other written decisions of the Health Officer made pursuant to the Health Code or law.
- 2.2 "**ARM**" means the Administrative Rules of Montana.
- 2.3 "**Board**" or "**Local Board**" means the Gallatin City-County Board of Health.

- 2.4 **"Chair"** means the chairperson of the Board as set forth and appointed under the Board's Bylaws.
- 2.5 **"Day"** means a calendar day, unless otherwise specified.
- 2.6 **"DEQ"** means the Montana Department of Environmental Quality.
- 2.7 **"DPHHS"** means the Montana Department of Public Health and Human Services.
- 2.8 **"Emergency Local Health Rule"** means a Local Health Rule adopted pursuant to Section 5 of this Chapter 1.
- 2.9 **"Filed" or "Recorded"** means recorded with the Gallatin County Clerk and Recorder in the permanent records of that office.
- 2.10 **"GCCHD"** means the Gallatin City-County Health Department, through which the Board conducts its daily business.
- 2.11 **"Health Code"** means the compiled Local Health Rules.
- 2.12 **"Health Officer"** means the Gallatin City-County Health Officer employed by the Board or his or her designee.
- 2.13 **"Hearing"** means any quasi-judicial hearing before the Board that involves an adjudicatory function and the exercise of judgment and discretion in making a decision, such as the Board's consideration of a variance request.
- 2.14 **"Local Health Rule"** means a regulation adopted by the Board and collectively comprising the Health Code.
- 2.15 **"MCA"** means the Montana Code Annotated.
- 2.16 **"Meeting"** means the convening of a quorum of the membership of the Board.
- 2.17 **"Post" or "Posted"** means placing notices or other information in conspicuous places for public view at no less than the following places:
- A) Gallatin County Courthouse, Bozeman
 - B) GCCHD, Bozeman
 - C) GCCHD website

When Posting is required by the Health Code, Affidavits of Posting shall be prepared and kept on file at the GCCHD.

- 2.18 **"Publish"** or **"Published"** means, unless otherwise specified in the Health Code or by applicable law or regulation, publication in accordance with § 7-1-2121, MCA. When Publication is required by the Health Code, Affidavits of Publication shall be prepared and kept on file at the GCCHD.
- 2.19 **"Proposal"** as used in this Chapter 1, means a request to adopt, amend, or repeal a Local Health Rule.

Section 3

MEETING, HEARING & APPEAL PROCEDURES

- 3.1 The following procedures apply to all Meetings unless otherwise specified by law:
- A) All Meetings shall be open to the public in accordance with Montana law.
 - B) A Meeting may be closed in accordance with § 2-3-203, MCA or as otherwise allowed by law upon the request of a Board member or its legal counsel. After such request, a Board member shall move to close the meeting pursuant to § 2-3-203, MCA or the applicable law. The Board shall then vote on the motion and make appropriate findings.
 - C) Agenda for all Meetings must be approved in advance by the Chair. Excluding subcommittee meetings, the agenda shall be Posted and published in the *Bozeman Daily Chronicle* at least two (2) business days in advance of the Meeting.
 - D) For subcommittee meetings, the agenda shall be Posted at least two (2) business days in advance of the subcommittee meeting.
 - E) Meeting minutes shall be approved by the Board at a subsequent meeting.
 - F) If any portion of a Meeting is closed, the minutes of that portion of the Meeting must be kept confidential and should be signed by each individual member of the Board in private. The closed meeting minutes may then be approved by the Board at a subsequent meeting by reference to the closed meeting minutes.
- 3.2 The following procedures apply to all Hearings unless otherwise specified by law.
- A) Hearings before the Board shall follow the procedures set forth in this Section 3.2, except for Hearings regarding Appeals.
 - B) Hearings regarding Appeals shall follow the "Appeal Rules of the Gallatin City-County Board of Health," which are attached hereto as Appendix 1. The Appeal Rules may be amended from time to time by the Board upon public notice.

- C) Notice of a Hearing shall be Published. Confirmation of the publication shall be sent to the Health Officer and EHS Director.
- D) Staff shall send notice of a Hearing to the property owner and all adjacent property owners by regular mail at least 6 days before the Hearing.
- E) Any documents and materials that a party to a Hearing or a member of the public would like considered by the Board should be submitted to the GCCHD at least five (5) business days in advance of the Hearing.
- F) A party to a Hearing may request, upon good cause, postponement of a Hearing date. The request shall be in writing to the Chair and state the reasons why the postponement is necessary. The Chair shall grant or deny the request. Requests for postponement made at the Hearing shall be decided by the Board. The party making the request for postponement shall be responsible for any costs associated with re-noticing the matter.
- G) If any party to a Hearing fails to appear at the Hearing, and good cause justifying postponement is not shown, the Board may hear and decide the matter and make a determination on the evidence then available.
- H) Unless established otherwise by the Chair, the order of presentation at a Hearing shall be as follows:
 - i. Staff presentation
 - ii. Applicant presentation
 - iii. Public comment
 - iv. Staff rebuttal
 - v. Applicant rebuttal
 - vi. Board discussion and decision.
- I) The Chair may determine, given the complexity of the issues, time limitations for each presentation made to the Board.
- J) Hearings shall be conducted at the discretion of the Chair. The Chair may require witnesses to make an oath or affirmation in order to present evidence or testimony.
- K) GCCHD staff shall present the relevant issues to the Board. Such presentation should be documented by a written report and materials deemed relevant for the Board's consideration. GCCHD staff shall compile and present all written public comment received up to the time of the Hearing. The members of the Board shall disclose any public comment not presented by GCCHD staff.
- L) The Board may approve, deny, or continue a Hearing to a later date.

- M) Once the Board approves or denies a matter, GCCHD staff shall prepare a final written decision. The written decision may include Findings and Conclusions of Law and must be signed by the Chair. The written decision also may incorporate by reference the reasons for the decision that are pronounced verbally by the Board at the Hearing. The Health Officer, as Board Secretary, shall attest the written decision.
- N) The original, signed written decision shall be maintained and kept on file with the GCCHD. The Health Officer shall provide copies of the decision to all parties to the Hearing.
- O) As part of his/her official duties, the Health Officer shall record all written decisions on behalf of the Board in the office of the Gallatin County Clerk & Recorder.
- P) A final written decision of the Board may be appealed to an appropriate court or tribunal in accordance with applicable law. The appeal period begins to run on the date the Chair signs the written decision.
- Q) The official record of a Hearing consists of the written minutes, all written materials and comments entered into the record during the proceeding, all comments and statements made orally during the proceeding, and, if available, the audio recording of the Hearing.

Section 4

ADOPTING, AMENDING, AND REPEALING LOCAL HEALTH RULES

- 4.1 The Montana Legislature has not specified the procedures by which a board of health can adopt, amend, or repeal Local Health Rules. Therefore, the following procedures have been designed to comply with the Montana Constitutional and statutory mandates for open meetings and public participation in governmental decisions of significant public interest. *See* Montana Constitution Article II, Sections 8 and 9, Sec. 2-3-103(1), MCA, and Sec. 2-3-111, MCA. These procedures give the Board maximum input, from the public and from those most affected, before Proposals are adopted.
- 4.2 The Health Officer, GCCHD staff, and Board subcommittees may prepare draft Proposals. Interested persons may give suggestions to the Health Officer to give to the Board. GCCHD staff may informally consult with persons who will be affected by Proposals for viewpoints and advice. The Board may appoint interested persons to one or more committees to advise the Board and staff.
- 4.3 Proposals shall have a heading and be numbered, beginning with "01" each calendar year. No more than one comprehensive subject shall be clearly stated in the title.
- 4.4 Proposals shall be presented to the Board at a first and second reading. The second reading shall occur no less than twelve (12) days after the first reading of the Proposal. If the

Proposal adopts, amends, or repeals a Local Health Rule that incorporates by reference the provisions of any federal or state statute or regulation, then at least thirty (30) days must pass between the first and second reading.

- 4.5 GCCHD staff shall Publish and Post notice of a Proposal in substantially the following form:

**GALLATIN CITY-COUNTY BOARD OF HEALTH
NOTICE OF [FIRST/SECOND] READING ON PROPOSED LOCAL
HEALTH RULE No.
[ADOPTION, AMENDMENT, or REPEAL]**

- A) A brief statement of the subject and issues involved;
 - B) The rationale for the Proposal;
 - C) Where the Proposal may be reviewed and copies obtained;
 - D) First reading: date, time, and place;
 - E) Second reading: date, time, and place;
 - F) That interested persons may give written comments to GCCHD staff to be given to the Board, or they may provide public comment at the first or second reading, or both;
 - G) The anticipated effective date if the Proposal is adopted after the second reading; and
 - H) The name, address, and phone number of a person who may be contacted for further information.
- 4.6 Notice of a Proposal shall be Published prior to all readings.
- 4.7 Notice of a Proposal shall be Posted at least ten (10) days before and until the day of all readings.
- 4.8 The first reading and second reading should be guided by the following order:
- A) Staff Presentation: The Health Officer or GCCHD staff shall present the Proposal. The Proposal should be read aloud and, if no Board member objects, it may be summarized.
 - B) Public Comment: The Health Officer or GCCHD staff shall read into the record any public written comments received in advance of the Meeting. If comments are

lengthy, they may be summarized. Members of the public also may provide oral comment or submit written comment at the Meeting.

- C) Board Discussion & Decision: The Board shall discuss the Proposal and consider the public's written and oral comments. Board members may direct questions to GCCHD staff or members of the public. The Board may approve or deny a Proposal by majority vote
- 4.9 The Board may correct clerical errors, minor mistakes, and make minor wording changes at any time before a Proposal is adopted, without special notice or the need for another reading. A majority of the Board shall determine if a change is "minor".
- 4.10 The Board may continue the reading to a subsequent hearing in order to make substantive changes to the Proposal or for other good cause, such as to accept additional public comment.
- 4.11 If the Board makes substantive changes to a Proposal, then notice of the changes must be Published and Posted, and the revised Proposal shall be considered at a subsequent reading.
- 4.12 A Proposal shall become effective thirty (30) days from its second reading or, if more than two readings are held, from its final reading (i.e. a second or third reading).
- 4.13 The signed, original Local Health Rule shall be maintained along with the Proposal file (containing the Affidavits of Publishing and Posting, the written public comments and other documents as directed by the Board) in the records of the GCCHD. The GCCHD shall make copies available upon request and may charge such costs as allowed by Title 2, Chapter 6, Part 10, MCA or applicable law.
- 4.14 If an adopted, amended, or repealed Local Health Rule incorporates by reference the provisions of any federal or state statute or regulation, at least one copy of the statute or regulation that is incorporated by reference must be kept on file at the GCCHD for the public's use, inspection, and examination.

Section 5

EMERGENCY LOCAL HEALTH RULES

- 5.1 The Board may adopt an Emergency Local Health Rule at a Meeting without following the procedures set forth in Section 4 if:
- A) The Board finds that a Local Health Rule must be adopted to deal with an emergency situation affecting the public health, safety, or welfare; and
- B) The Board finds that the emergency cannot be averted or remedied by any other administrative act; and

- C) At least two-thirds of the Board votes to approve the Local Health Rule.
- 5.2 The Emergency Local Health Rule must end on a date specified by the Board, but no longer than ninety (90) days after its adoption.
- 5.3 The Emergency Local Health Rule shall become effective immediately.
- 5.4 The Emergency Local Health Rule must be maintained in the records of the GCCHD and made available for the public's use, inspection, and examination.
- 5.5 Notice of an emergency Local Health Rule shall be prepared in substantially the same form as provided by Section 4.5 of this Chapter 1.
- 5.6 Notice of an emergency Local Health Rule shall be published in the *Bozeman Daily Chronicle* and Posted as soon as possible after its adoption by the Board. The Posting shall last for the entire time that the Emergency Local Health Rule is in effect.
- 5.7 Notice of an emergency Local Health Rule also must be faxed or emailed to the major local media as determined by the Board and to the DPHHS Communicable Disease Control and Prevention Bureau Chief.

Section 6

FEES

The Board may adopt fees that are fair and reasonable for permits, department services, special inspections, plan reviews, tests, certificates, and registrations established by the Health Code. The fee schedule adopted by the Board is attached hereto as Appendix 2. The Board may amend the Fee Schedule, and any other fees adopted by the Board, from time to time upon public notice.

Section 7

SEVERABILITY

If a provision of the Health Code is determined or made to be invalid by a court of competent jurisdiction or the legislature of this state, all valid provisions that are severable shall remain in effect. If a provision is determined or made to be invalid in one or more applications, that provision shall remain in effect for all valid applications.

Appendix 1

Appeal Rules of the Gallatin City-County Board of Health

Section 1 AUTHORITY & PURPOSE

- 1.1 The Gallatin City-County Board of Health (“Board”) is authorized to adopt the following rules governing the transaction of its meetings pursuant to §50-2-116, Montana Code Annotated (MCA).
- 1.2 These rules provide the procedures by which appeal hearings shall be conducted before the Board and are adopted as an addendum to the Board’s Bylaws.
- 1.3 These rules govern all appeals over which the Board has jurisdiction.
- 1.4 Should these rules conflict with any procedural requirement set forth in any law or Regulation, such conflict shall be resolved in favor of the law or Regulation.

Section 2 DEFINITIONS

- 2.1 As used in these rules, the following definitions apply:
 - A. **Appeal.** The process by which a person may challenge the Health Officer’s actions, refusal to act, the justifications for a determination, or present other evidence to the Board:
 - i. As allowed by Title 50, Chapters 50, 51, 52, 53, and 57, MCA; or
 - ii. For other written decisions of the Health Officer made pursuant to Regulation or law.
 - B. **Appeal Notice.** The written document by which a person initiates an Appeal.
 - C. **Board.** The Gallatin City-County Board of Health.
 - D. **Chair.** The chairperson of the Board as set forth and appointed under the Board’s Bylaws.
 - E. **Health Officer.** The individual appointed by the Board as the local health officer, pursuant to § 50-2-116(1)(a), MCA, or an agent of the Health Officer.
 - F. **Person.** An individual or legally formed entity.
 - G. **Regulation.** Any regulation promulgated by the Board.

Section 3

GENERAL PROVISIONS

- 3.1 For any Appeal required to be held pursuant to the contested case provisions of the Montana Administrative Procedure Act, the Board waives formal proceedings and submits to the informal disposition provisions of § 2-4-604, MCA and these rules.
- 3.2 For Appeals under Section 2.1(A)(i), the Person filing the Appeal may waive formal proceedings by submitting a written waiver to the Board. If a written waiver is not made, the Appeal shall be adjudicated formally under Section 4.
- 3.3 Appeals under Section 2.1(A)(i), for which the Person filing the Appeal has waived formal proceedings, and Appeals under Section 1.2(A)(ii) shall be adjudicated informally as set forth in Section 5.
- 3.4 Unless otherwise set forth in applicable law or Regulation, an Appeal Notice, addressed to the Board, shall be delivered to the Health Officer within 30 calendar days after the issuance of the written decision of the Health Officer that is appealed.
- 3.5 Upon receipt of an Appeal Notice, the Health Officer shall schedule an appeal hearing before the Board and notify the Chair of the Appeal. The hearing shall be scheduled to occur no later than 45 calendar days from receipt of the Appeal Notice, or within such greater period of time as agreed to by the parties.
- 3.6 Within a reasonable time after the appeal hearing is scheduled, the Chair or hearings examiner shall issue to the parties a hearing notice that includes:
 - A. A statement of the time, place, and nature of the appeal hearing;
 - B. A statement of the legal authority and jurisdiction under which the appeal hearing is to be held;
 - C. A reference to the particular sections of the statutes and Regulation involved;
 - D. A short and plain statement of the matters asserted; and
 - E. For an Appeal under Section 2.1(A)(i), a statement that formal adjudication may be waived pursuant to Section 3.2.
- 3.7 In any Appeal, the Board shall affirm, modify, or reverse the decision of the Health Officer.
- 3.8 Notwithstanding the statutory requirement that appeals of certain decisions be administratively adjudicated under the contested case provisions of the Montana Administrative Procedure Act, the Board is not an “agency” under § 2-4-102(2)(b), MCA and an Appeal is not a “contested case” under § 2-4-102(4), MCA. Therefore, in adopting these rules, the Board does not consent to, nor does it waive any right to assert that it is not subject to, judicial review of the Board’s decision of an Appeal under Title 2, Chapter 4, Part 7, MCA (“Judicial Review of Contested Cases”).
- 3.9 An Appeal does not stay the decision of the Health Officer that is appealed.

Section 4

FORMAL ADJUDICATION

- 4.1 The formal adjudication of an Appeal shall be heard pursuant to the contested case provisions of Title 2, Chapter 4, Part 6, MCA and the model rules of practice adopted by the Montana Attorney General for contested case proceedings and set forth at Chapter 1, Subchapter 2 of the Administrative Rules of Montana (ARM), which model rules are hereby incorporated by reference.
- 4.2 The Chair shall immediately appoint a hearings examiner upon notice of an Appeal to be formally adjudicated.

Section 5

INFORMAL ADJUDICATION

- 5.1 The informal adjudication of an Appeal shall be heard pursuant to the following rules or such additional rules as promulgated by the Board.
- 5.2 The Chair may appoint a hearings examiner to conduct the appeal hearing before the Board and in lieu of the Chair.
- 5.3 Within 15 calendar days from the Board's receipt of an Appeal Notice, or within the timeframe otherwise agreed to by the parties to the Appeal, the Chair or hearings examiner shall conduct a conference with the parties to the Appeal to define issues, determine witnesses, and establish other stipulations.
- 5.4 The Chair or hearings examiner may continue the date set for an appeal hearing for good cause, upon oral request or in writing, for a reasonable period of time, in order to secure all the evidence that is necessary or to be fair to the parties.
- 5.5 If any party fails to appear at an appeal hearing, and good cause justifying a continuance is not shown, the Board may decide the issues and make a determination on the best evidence available.
- 5.6 If the Appeal does not involve a disputed issue of material fact, the parties may jointly stipulate in writing to waive the proceedings and may directly petition the district court for judicial review upon an agreed statement of facts and a statement of the legal issues or contentions of the parties upon which the court, together with any additional information it may consider necessary to fully review the issues, may make its decision.
- 5.7 During the appeal hearing, the Board shall give effect to the rules of privilege recognized by law. Irrelevant, immaterial, or unduly repetitious evidence must be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs is admissible, whether or not the evidence is admissible in a trial in the courts of Montana.
- 5.8 Any part of the evidence may be received in written form, and all testimony of parties and witnesses must be made under oath. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it is not sufficient in itself to support a finding unless it is admissible over objection in civil actions.

- 5.9 Unless established otherwise by the Chair or hearings examiner, the order of presentation at an appeal hearing shall be as follows:
- A. Appellant presentation;
 - B. Staff presentation;
 - C. Public comment;
 - D. Staff rebuttal;
 - E. Appellant rebuttal;
 - F. Board discussion and decision.
- 5.10 The presiding officer or hearings examiner may determine, given the complexity of the issues, time limitations for each presentation made to the Board.
- 5.11 At the conclusion of the hearing the Chair or hearings examiner shall prepare written Findings of Fact and Conclusions of Law for the Board upon the evidence produced during the proceedings.
- 5.12 The Findings of Fact and Conclusions of Law shall include a statement of the substance of the evidence received or considered by the Board, the written or oral statements of the parties or other persons, relevant law and Regulation, and the proceedings. The written Findings of Fact and Conclusions may incorporate by reference the reasons for the Board's decision that are pronounced verbally by the Board at the appeal hearing.
- 5.13 The Board shall accept, reject, or modify in whole or in part the Findings of Fact and Conclusions of Law at the next regularly scheduled meeting of the Board, unless for good cause shown, this period of time is extended for an additional time not to exceed 30 calendar days. The Chair shall then sign the Findings of Fact and Conclusions of Law, which shall become final.
- 5.14 The Chair or hearings examiner shall provide a copy of the Findings of Fact and Conclusions of Law to the parties.
- 5.15 A party may object in writing to the Findings of Fact and Conclusions of Law, or may order at that party's cost a transcription of the recording, or both.
- 5.16 The record of the appeal hearing shall include the following items:
- A. Appeal Notice;
 - B. Hearing notice;
 - C. Evidence offered or considered, any objections and rulings thereon, and all comment and testimony entered into the record or made during the appeal hearing, whether orally or in writing;
 - D. Audio recording of the appeal hearing;
 - E. Written minutes; and
 - F. Findings of Fact and Conclusions of Law.
- 5.17 The decision of the Board set forth in the Findings of Fact and Conclusions of Law may be appealed to an appropriate court or tribunal in accordance with applicable law.

Appendix 2

Environmental Health Services Fee Schedule

(Effective: October 27, 2018)

General Fees

Base Rate for Services	\$84 per hour
Community/Group Home Inspection	\$126
Day Care Application	\$126 + Day Care Inspection
Day Care Inspection (MCA 52-2-735)	\$25
Site Visit / Re-inspection / Requested Inspection	\$84 per hour

Establishment Fees Health Code Chapter 2

Example:

A 750 sq. foot new retail food establishment is subject to Application review (\$252) + Pre-operational inspection (\$126) = \$378 (payable to Gallatin City-County Health Department).

State Issued Annual License Fee = \$115 (payable to MDPHHS collected at pre-operational inspection).

Application Review

Food Establishment - Retail and Wholesale

Up to 750 sq. feet or Mobile Unit	\$252 + Pre-operational Inspection
751 sq. ft. to 2,500 sq. ft.	\$336 + Pre-operational Inspection
>2,500 sq. ft.	\$420 + Pre-operational Inspection
Caterer or Manufacturer using licensed commissary kitchen	\$252 + Pre-operational Inspection

Food Establishment - Multi-Department Fee

(Base Fee + Fee for each Department)

Base Fee	\$420 + Pre-operational inspection
Up to 750 sq. ft. or Mobile Unit	\$252
751 sq. ft. to 2,500 sq. ft.	\$336
>2,500 sq. ft.	\$420

Hotels, Motels, and Rooming Houses

Hotel/Motel with guest only food service facilities	\$252 + Pre-operational inspection
Motel/Hotel with no food service,	\$168 + Pre-operational inspection
Bed and Breakfast, Tourist Home, Rooming House	\$168 + Pre-operational inspection

Public Pools and Swimming Areas / Spas Application review and pre-operational inspection fees paid to DPHHS (contact DPHHS for amount)
 Review done by Department of Public Health and Human Services (DPHHS)

Tourist Campgrounds and Trailer Courts \$168 + Pre-operational inspection

Tattooing and Body Piercing \$168 + Pre-operational inspection

Minor Application Review

Basic Ownership Change	\$84 + Pre-operational inspection
Commissary Change	\$84 + Pre-operational inspection
Already licensed caterer, mobile unit or wholesale / manufacturer moving to a different licensed facility	
Wholesale/Manufacturing and Retail	\$84 + Pre-operational inspection
Addition of wholesale license to currently licensed retail facility or if both new establishments reviewed at same time (Retail = full review, Wholesale = minor review)	
Piercing and Tattooing	\$84 + Pre-operational inspection
Addition of a 2 nd license to a currently licensed body art facility or if both licenses are applied for at the same time (1 st license = full review, 2 nd license = minor review)	

Miscellaneous

Education Course (4 hour).....	\$20
Exemption Request	\$84

Extension Request	\$84		
Hazard Analysis and Critical Control Points (HACCP) ..	\$336		
Pre-operational Inspection (based on 1 ½ hours)	\$126 + Base Rate for each additional hour		
License, Registration or Permit (All are owner and location specific) Payable to Gallatin City-County Health Department (GCCHD)			
Body Art License			
Body Piercing	\$135		
Ear Lobe Piercing Only	\$75		
Tattooing.....	\$135		
Body Art Temporary Event	\$84 + PO Inspection		
Delinquent.....	\$25		
Cottage Food Operation Registration	\$40		
Temporary Food Service Event Permit			
Small (1-2 employees).....	\$85		
Large (3 or more employees).....	\$115		
License (All are owner and location specific) Payable to Montana Department of Public Health & Human Services (MDPHHS)			
Food Service		Pool & Spa	
Retail Food Small (1-2 employees)	\$85	Pool	\$200
Retail Food Large (3 or more employees)	\$115	Spa	\$ 75
Wholesale/Manufacturing.....	\$115	Trailer Court / Campground	
Public Accommodation		Trailer Court Small (1 to 10)	\$40
Hotel Small (1 to 10)	\$40	Trailer Court Medium (11 to 25)	\$60
Hotel Medium (11 to 25)	\$80	Trailer Court Large (>25)	\$120
Hotel Large (>25)	\$160	Work Camp.....	\$40
		Youth Camp.....	\$40

Wastewater Treatment System Fees Health Code Chapter 3

Permit Fee

New	\$375 + Review Fee
Replacement	\$375 + Review Fee
Upgrade/Extension	\$375 + Review Fee
Multiple User	\$485 + Review Fee
Commercial	\$485 + Review Fee
Public	\$485
Public/Commercial System Component Fee	\$320
Experimental	\$590 + Review Fee
Tanks Only	\$320 + Review Fee
Unpermitted WWTS	\$375

Review Fee

Lots Not Requiring Site Evaluation	\$140
Lots Requiring Site Evaluation	\$275
Additional Review Fee	\$200
Application & Permit Modifications	\$140
Design or Drainfield Location Change	\$275
Application or Auth. To Construct Extension	\$84

Miscellaneous Fees

Competency Exam/Registration

Installer Competency Exam	\$200
Site Evaluator Exam	\$275
Registration Fee	\$84
Homeowner Installation Exam	\$105

Variance Application

First Variance Request	\$690
Each Additional Variance Request	\$290