

# LAND RELATED FAQS

- 1. Where can I find my parcel number and legal description?** If you already know your address, this information can be obtained by going to the [EHS Mapper](#) online and searching for your address. Once you are zoomed into the property, you can click on it and find the info under the “Parcel” tab and the “Section” tab. Please note that some properties do not have a lot or parcel number, but instead just refer to a Deed or Plat. This information can also be found by looking at your deed and property survey (if there is one). Alternatively, you can visit the county Clerk & Recorder’s Office in the Courthouse at 300 West Main in Bozeman.

If you do not yet have an address number, then you can obtain your legal description by looking at your deed or property survey, or by zooming in to the property using one of the other search terms on the interactive mapper (look for the magnifying symbol in the upper left part of the mapper). This information can also be obtained by visiting the county Clerk & Recorder’s Office in the Courthouse at 300 West Main in Bozeman.

- 2. What is an onsite wastewater treatment system (AKA septic system) and do I need one?** According the EPA, more than one in five households in the United States depend on individual onsite or small community cluster systems to treat their wastewater. These wastewater treatment systems (WWTS) are used to treat and dispose of relatively small volumes of wastewater, usually from houses and businesses located in suburban and rural locations not served by a centralized public sewer system (large subdivision system, municipal sewer system or water and sewer district system).

Onsite WWTS treat wastewater from household plumbing fixtures (toilet, shower, laundry, etc.) through both natural and technological processes, typically beginning with solids settling in a septic tank, and ending with wastewater treatment in the soil via the drainfield.

Onsite WWTS include a wide range of individual and cluster treatment systems that process household and commercial sewage.

- 2. Do I have an onsite wastewater treatment system (AKA septic system)?** Generally if you are located outside of city limits you are likely to be on a private wastewater treatment system (WWTS). There are many exceptions to this, some subdivisions have large community systems and some properties are connected to water sewer districts that are not inside city limits. Usually, if you receive a bill for water and sewer you most likely do not have a septic system on your lot.
- 3. How are onsite wastewater treatment systems sized?** Sizing is based on the number of residential bedrooms or amount of commercial flow, the soil characteristics, and site constraints.

4. **How do you define a bedroom?** A bedroom is defined as any room that is or may be used for sleeping. An unfinished basement is considered an additional bedroom. The number of bedrooms served by your system will be determined during the wastewater treatment system permitting process, and the most recent [state cadastral report](#) is often consulted for existing residence information.
5. **What's a replacement area, and why do I need one?** A replacement area is a designated area for future replacement of your wastewater treatment system's drainfield. This area is used when your current drainfield fails and a separate, undisturbed area is required for use. The replacement area is required to remain undisturbed and cannot be paved, compacted, or altered in a way which changes the soil composition.
6. **What are the "test pits" or "soil profile holes"?** Test pits (AKA soil profile holes) are dug during a site evaluation, usually to a depth of 8 - 10 feet. The soil properties are identified along with a variety of other factors that affect the size and location of a proposed septic system.
7. **I don't understand what a "unit" is? (Living or Commercial)**
  - A "living unit" means the area under one roof that can be used for one residence and that has facilities for sleeping, cooking, and sanitation. A duplex is considered two living units.
  - A "commercial unit" means the area under one roof that is occupied by a business or other nonresidential use. A building housing two businesses is considered two commercial units.
8. **How do I know where to find my septic tank?** If your property has a valid wastewater treatment system permit, you can search for it on [our website](#). When searching, only type the address numbers or only the street name, less is best when searching. The last page of the permit should be the As-Built and should contain measurements to tank lids unless it is an older permit. Sometimes it is located elsewhere in the permit. If you cannot find a permit, you may not have one. Please call our office for assistance as sometimes older permits contain old addresses and are difficult to find. You may also be able to find the permit by looking at the [EHS Mapper](#), however not all permits are currently on the mapper. The permit should provide a map showing the location of your septic tank on your property.
9. **I am a real-estate agent and I want to do some research on a property. Where can I find the wastewater treatment system permit (AKA septic permit) for the lot?** You can search our [wastewater treatment system permit search engine](#). You may also be able to find a wastewater treatment permit by looking at the [EHS Mapper](#), however, not all permits are currently on the mapper.

If you do not have a permit number you can search by previous property owners of the property, or by using the property address. Please note that when using this site the less specific you are in your search terms will make searching easier. For example if you are

searching for a permit for 84 Arrowhead Trail it is best to just try searching for 84 or Arrowhead in the property address field. Searching for the full address will bring up all permits that have 84, Arrowhead, and road in their addresses. This also applies to the property owner search field.

10. **I'm looking at a lot that's currently undeveloped. What permits do I need in order to build a house on it?** Determine whether or not the property has a Certificate of Subdivision Approval (COSA). Is it less than 20 acres, a condominium, or have two or more spaces for mobile homes or RVs? If so, please contact the Clerk and Recorder's office to find out whether a COSA or Release of Sanitary Restrictions (RSR) has been filed on the property. If there is no COSA (RSR), you will need to hire a [site evaluator](#) to design the system for your wants/needs. They will complete a site evaluation and provide the supporting materials for a COSA application and/or a septic permit application, which can be found [here](#).
11. **I want to add a mother-in-law apartment to my property, do I need any permits for this?** You will most likely need a wastewater treatment system at a minimum. Planning, zoning, HOAs, neighborhood associations, and other groups all use different terms to describe a mother-in-law unit, apartment, studio, Accessory Dwelling Unit (ADU) etc. At the end of the day, these uses typically meet the definition of a "living unit" (found [here](#)). Essentially, if the unit has a kitchen, bedroom or sleeping area, and a bathroom, it meets the definition of a living unit and must be permitted as such. Your property may have a Certificate of Subdivision Approval (COSA) that may have limitations. Commonly these approvals are for one living unit and must be rewritten in order to add a second living unit. Please contact the Clerk and Recorder's office to see if a COSA (also known as an Release of Sanitary Restrictions; RSR) has been filed on your property. If the COSA needs to be updated or you need help determining whether your wastewater treatment system is adequate please contact a [site evaluator](#) to design the system for your wants/needs. They will complete a site evaluation and provide the supporting materials required for the appropriate permitting required.
12. **I have a lot in Clarkston (AKA Ponderosa Pines), what is the first step to getting a septic permit?** The first step is to hire a [site evaluator](#) to design the system for your wants/needs. They will complete a site evaluation and provide the supporting materials for a wastewater treatment system permit application, which can be found [here](#).
13. **I'm planning on selling my house; do I need to have the wastewater treatment system inspected?** At this time, Gallatin County does not require wastewater treatment system inspections for home sales. However, having the septic tank pumped and the drainfield condition assessed by a licensed septage pumper is good information to have available for a potential buyer.
14. **My house is for sale, and a buyer told me that there is a problem with the number of bedrooms? What is this all about?** Septic permits in Montana are based upon the number of bedrooms within a living unit, not upon bathroom numbers or occupancy. If

the septic permit is approved for less bedrooms than you have within the home, you will need to update the permit. It is important to note that your office or other room may be classified as a bedroom even though you do not use it in that way. When it comes time to sell a home, it is in the interest of the seller to list rooms that can be used as bedrooms, which is where this discrepancy becomes apparent. To resolve this, you will need to hire a [site evaluator](#) to design the system for your wants/needs. They will complete a site evaluation and provide the supporting materials.

15. **The bedroom numbers on my permit do not match the number of bedrooms in my home. What can I do to fix it?** Gallatin County issues wastewater treatment permits based on number of bedrooms in a home. This is because state laws require septic systems for living units to be sized based on the number of bedrooms. If the number of bedrooms in your home is larger than the number approved in your septic permit, then your home is considered out of compliance with its septic permit. You also are operating the septic system at a higher use than the designed use. This can drastically reduce the lifespan of your septic system as well as cause potential drinking water contamination to either your own drinking water well or a nearby neighbor's drinking water well. To resolve this, you will need to hire a [site evaluator](#) to design the system for your wants/needs. They will complete a site evaluation and provide the supporting materials.
16. **My covenants allow for a second living unit on my property. How do I go about getting an onsite wastewater treatment system permit for that living unit?** First you should check to see if your property has a Certificate of Subdivision Approval (COSA). Even though your covenants may allow for a second living unit, a COSA may still limit your property to a single living unit. If this is the case you can hire a Registered Site Evaluator or Professional Engineer to propose a rewrite of your COSA. If your COSA allows for two living units you can apply for a wastewater treatment system permit at our office. Generally if your parcel of land is larger than 20 acres you must hire a [Registered Site Evaluator or Professional Engineer](#) to perform a site evaluation of your property and to design a new wastewater treatment system to fit your needs. With that information, you can apply for a wastewater treatment system permit through our office.
17. **My septic system isn't working properly and my toilet barely flushes, how do I trouble shoot it?** The first and easiest step is to check the effluent filter and clean it off if it appears covered/clogged. The filter is located on the outlet side of the tank and can be pulled up and hosed off with a garden hose. This could potentially free any debris and allow your system to return to normal, almost instantly as you should see/hear water exiting the tank to the drainfield or dose tank.

If the effluent filter doesn't fix your problem and the septic tank remains full, your next step is to have the tank pumped. The EPA recommends pumping your tank every 3 to 5 years. An internet search will pull up many septic pumpers in the County. The worst case would be a failed drainfield. If this is suspected, you must obtain a new wastewater treatment system permit from our department. Please contact a Registered Site Evaluator or Registered Installer for assistance.

18. **I think my neighbors wastewater system is failing. What are the signs to look for?**  
Typical signs of wastewater treatment system failure include problems with drainage from the house sinks and toilets, hummocking or unevenness of soils and vegetation above the drainfield due to freeze/thaw cycle with saturated ground, soft and moist soils over the drainfield, strong sewage odors, and surfacing of sewage effluent over any part of the drainfield (ponding). Another sign of problems would be frequent pumping of the septic tank because the drainfield has failed or is blocked and is no longer accepting sewage effluent. A failed drainfield generally will need to be replaced.
19. **I have a lot in the county, it is over 20 acres. What do I need to do to add a second living unit ?** Hire a site evaluator to design the system for your wants/needs. The list can be found [here](#). They will complete a site evaluation and provide the supporting materials for a septic permit application, which can be found [here](#).
20. **Can I change the orientation of my drainfield?** The orientation of your drainfield is considered during review for sewage discharge impacts on neighboring surface waters and groundwater quality, and also for potential interactions with other drainfield discharges in the vicinity. There are requirements for setback distances between your drainfield and nearby wells, property lines, surface water and floodplains that would need to be considered. We would review this request, but if your property is located in an area of higher density, nitrate pollution, shallow groundwater levels, or nearby surface waters, it is less likely that we could approve a change in orientation.
21. **I just submitted my septic application, how long before I get the permit? Can I pay extra to have it reviewed faster?** A new wastewater treatment system application is given a date stamp on the day it is received. Initial review should take place within the next 30 days at which time a "Permit to Construct" may be issued, or a denial letter issued asking for additional information. If a denial letter is issued, the applicant will have 30 days to respond, and can request an additional 30 days if more time is needed. Once the response is received by the department, we again have 30 days to review the new information. Gallatin City County Health Department (GCCHD) processes all applications equally and does not prioritize one application over another. A financial payment to expedite the permitting process for one individual would be a disadvantage to applicants with less financial resources.
22. **I have a septic permit that states a specific Level II system is required, can I use another brand?** This depends if the property has a Certificate of Subdivision Approval (COSA). Usually lots that are under 20 acres do have a COSA (many exceptions). If that approval states a "Level II RTF" is required, then yes, a simple permit modification is required to switch brands. If the COSA states a specific brand, a rewrite of that COSA approval will be needed. If your property is over 20 acres, you most likely do not have a COSA and only a simple permit modification would be required to change Level II systems. Your original [Site Evaluator](#) should be able to help with your Permit Modification application since they most likely have all of the required documents from the original application.

23. **How do I find out if I have a Certificate of Subdivision Approval (COSA) associated with my property that details what can be built?** This information may be found at the Clerk & Recorder's Office at the County Courthouse (311 West Main in Bozeman) through a property search. Often you can find a reference to COSA filing information on the property survey or plat which indicate a "RSR" or Release of Sanitary Restrictions. This "RSR" term is an older term and is synonymous with "COSA". If your property is less than 20 acres in size, and you don't find a COSA at the Clerk & Recorder's Office, you will need to ask our department to verify that there is no COSA available for the property. Our department (Gallatin City-County Health Department Environmental Health Office) is located across from the County Courthouse at 215 W Mendenhall room 108.
24. **What is a Certificate of Subdivision Approval (COSA)? I live in an area that is not zoned.** This is a document issued by the Montana Department of Environmental Quality since 1961 for a property whenever a parcel of land that is smaller than 20 acres in size is created or has a boundary change. This document deals with storm water disposal, wastewater disposal, drinking water, and solid waste facilities on the property. It also may limit what can be built on a lot, for example many COSAs are generally only approved for one single family living unit. The COSA is not related to zoning or zoning districts but is specific to certain lots or tracts. Zoning sets limitations by Land Use Permits for certain areas that elect to become a zoning district. Questions about zoning should be directed to the county Planning Department.
25. **Why is my Certificate of Subdivision Approval (COSA) different than my covenants and/or zoning?** Montana state law requires all subdivisions that create parcels of land smaller than 20 acres to receive a COSA, regardless of zoning or covenant requirements. Often times it is easier and cheaper for a developer to get a COSA approval for a single living unit per lot than multiple living units per lot. COSA documents are issued under the Sanitation in Subdivisions Act by the MT Department of Environmental Quality (MDEQ) in conjunction with the local county health department. Covenants are documents created during Subdivision & Platting Act that are reviewed by local government (Planning Departments and County Commissioners) but only enforced by the Homeowner's Association of a subdivision. Zoning Districts are created by election and have Land Use Permit requirements related to a variety of issues that the district wants to control.
26. **I received a letter from your office that indicates we require a Certificate of Subdivision Approval (COSA) Rewrite. What does this mean and how do I start this process?** A COSA is a type of review required by state law in certain situations. COSA review focuses on drinking water supply, wastewater treatment, stormwater drainage, and solid waste provisions on parcels subject to review. To start the process, you would hire a [site evaluator or engineer](#) who would meet with you to discuss your project and prepare an application to be submitted to the MT Department of Environmental Quality (MDEQ) and your local Health Department who will jointly review it.
27. **I own a food truck, can I fill up my water tanks with my well water from my house?** State regulations require that water used for food service operations, e.g., food trucks,

must be obtained from an approved public water source such as a commissary kitchen, Culligan water, etc.

28. **Where can I find the location of my water and/or municipal sewer?** This depends on what Water & Sewer District you are connected to or the city in which you reside. If you visit the [Gallatin Local Water Quality District's mapper](#) and select "Water and Sewer Districts" you can see if your home is in a district (if any). Please contact your local [Water & Sewer District](#) for location information. If you are in or near a city's limits, please contact that city office for municipal sewer and water line information.
29. **How do I find out whether city or district sewer or water service lines will be coming to my area in the future?** You would need to contact the Water and Sewer District or City office to ask about future water and sewer main extensions into your area. If you visit the Gallatin Local Water Quality District's mapper and select "Water and Sewer Districts" you can see if your home is in a district (if any). Please contact your local Water & Sewer District for location information. If you are in or near a city's limits, please contact that city office for municipal sewer and water line information.
30. **How do I know if I need to have a public water system?** A public water system (PWS) is required when 25 or more people are provided with drinking water for a minimum of 60 days out of the year, or when there are 15 or more connections to living or commercial units. Montana uses 2.5 persons per house to estimate numbers of persons on a residential water system, and uses the number of employees plus customers in nonresidential situations. Unlike other well water systems, public water systems are regularly inspected and monitored to ensure acceptable water quality is being provided to the users.
31. **I want to allow self-contained RV's to park on my lot, what do I need to do to get this approved?** Providing spaces for two or more mobile homes or recreational vehicles (regardless of water and sewer connections) requires that the property first obtain a Certificate of Subdivision Approval (COSA) for the proposed use. This also will require review from the Gallatin County Planning Department. To begin this process, please hire a [site evaluator](#) to design the system for your wants/needs. They will complete a site evaluation and provide the supporting materials to us at the Gallatin City-County Health Department (GCCHD) and the Montana Department of Environmental Quality (MDEQ), for review. This review typically takes a minimum of 55 days from the date of application and may take longer depending on the complexity of the application, property characteristics, and how many other projects are being sent in for review at the same time.
32. **Why are there so many rules about how I do things on my own property?** Rules and regulations have always existed for wastewater treatment systems though they have changed over the years. As our County grows, there is an increased demand and stress on our local waters. The goal of our rules and regulations is to ensure our water remains clean and usable for drinking, recreation, farming, ranching, etc. Following these rules is

not only a legal requirement for every property owner, it is your responsibility as a resident of the County.

33. **I bought the property as-is and didn't cause the non-compliance. Why am I the one receiving non-compliance letters?** Gallatin City County Health Department (GCCHD) is tasked with protecting human health by ensuring that waste water treatment systems (WWTS) do not pose a human health risk directly by exposure to sewage or indirectly by wastewater contaminating drinking water (wells), groundwater or surface water. Once non-compliance issues officially arise (complaint, new application, etc.) to GCCHD's attention, GCCHD is obligated to address the concerns and prevent human health risks by addressing compliance issues with the property owner. The property owner may have legal recourse to address violations associated with a previous owner; however, GCCHD cannot make this determination and it is incumbent on the existing property owner to obtain legal advice on whether or not the previous landowner can be held financially liable for the non-compliance issue.
34. **My covenants say I can have a home based business. I want to roast coffee in a room in my garage. Why did I get a letter saying that I can't do this from your office?** The property may have a Certificate of Subdivision Approval (COSA) attached to it which defines property use and may not match the subdivision covenants. The COSA limits what can be allowed for drinking water, wastewater treatment, and stormwater facilities on the property and is based on what was proposed by the developer at the time of property creation. It may be possible to change the COSA to allow the desired use by hiring a site evaluator to prepare a COSA rewrite application. Once the COSA rewrite is approved, you would likely need to apply for a new wastewater permit to modify the wastewater treatment system to match the change in use. Certain businesses (such as Coffee roasters) may require a license as an establishment regulated by Montana Department of Public Health and Human Services (DPHHS). This establishment license requires a plan review showing the proposed establishment can meet state requirements. Another consideration would be land use limits if the property is part of a zoning district.
35. **My Certificate of Subdivision Approval (COSA) says my lot is approved for a single-family dwelling unit, however we want to run a commercial business on our lot, can we build our commercial business on our lot?** Adding an additional use to the property (or changing the use from residential to commercial) would require a COSA rewrite application. Whether or not the COSA rewrite application would be approved is based on what is being proposed and if the property is sufficient to provide for the drinking water, wastewater treatment, and stormwater drainage facilities needed to serve the change in use. The process of a COSA rewrite typically will require the hiring of a site evaluator and/or an engineer—paid for by the applicant—and the applicant will incur fees from the state for the review of a COSA rewrite application.
36. **How do I dispose of Prescription Drugs?** Please visit [www.healthygallatin.org/blog/safe-drug-disposal/](http://www.healthygallatin.org/blog/safe-drug-disposal/) to find your nearest prescription drug disposal location in Gallatin County.

37. **Is my property in the water quality district?** The Gallatin Local Water Quality District can be reached at <https://glwqd.org/>. Under Additional Resources is the [Water Quality District Mapper](#) which shows the boundaries of the District.