

## Chapter 1 - Purpose - Authority – Jurisdiction - Basic Principles

**11-1-1 Purpose** These regulations are adopted for the purposes established by §76-25-102, MCA and to implement Three Forks' land use plan, as required by §76-25-301, MCA and §76-25-401, MCA.

**11-1-2 Authority** These regulations are adopted under the authority of §76-25-301, MCA, which allows local governments to adopt zoning regulations, and §76-25-401, MCA, which requires local governments to adopt subdivision regulations.

**11-1-3 Jurisdiction** These regulations apply within the City of Three Forks.

*This section must be amended if Three Forks acquires extraterritorial jurisdiction.*

### 11-1-4 Principles of Compliance

**11-1-4.1 Acknowledgement.** The applicant's signature on an application for a permit required by these regulations constitutes an acknowledgement that they have read and are in compliance with these basic principles.

*Applicants who are not professional developers often have only a vague understanding of the regulatory process. That's to be expected, so it is helpful for the Staff to have guidance for explaining basic things that applicants should understand. These principles should appear above the signature block on application forms.*

**11-1-4.2 Other regulations may apply.** No one should apply for a permit from the city until they have a clear understanding of how state and federal regulations affect their project. If an applicant obtains a permit and then finds that they must make a substantial change to the approved plans to comply with state or federal regulations, they may need to apply for and obtain a new permit from the city.

**11-1-4.3 Private agreements may apply.** No one should apply for a permit from the city until they have a clear understanding of how private agreements, such as covenants, deed restrictions, and easements, affect their project. If an applicant obtains a permit and then finds that they must make a substantial change to the approved plans to comply with a private agreement, they may need to apply for and obtain a new permit from the city.

**11-1-4.4 Applicants bear the burden of proof.** Applicants should be sure they understand the relevant requirements of these regulations before applying for a permit and clearly demonstrate compliance in the materials they submit. Applicants may need, and in some cases, are required to retain professional help in preparing applications.

**11-1-4.5 Incomplete applications will never be accepted.**

**11-1-4.6 All representations are binding.** All representations made on application forms and checklists, and in the drawings and other materials that accompany an

application, are binding. This means that projects must be built as described and depicted in the application approved by the city and in compliance with any conditions of approval. Minor changes in approved plans may be permitted as explained in 11-7-?. Substantial changes require a new permit.

**11-1-4.7 Zoning permits do not last forever.** The approval of a zoning permit is valid for one year (365 calendar days). Permits may, upon the filing of a written application for renewal, be automatically renewed for an additional six months. If substantial work has not begun within that time, the permit will be void and the proposed development may proceed only with a new permit, payment of the then current permit fees, and compliance with the then current regulations.

**11-1-5 What happens if a provision of these regulations is held invalid?** If any provision of these regulations or their application in particular circumstances is held invalid by a court, the entire remainder of the regulations and their application in all other circumstances shall be unaffected.

**11-1-6 When did these regulations become effective?** These regulations became effective on [REDACTED]

*This needs to include an actual date rather than just “effective immediately” because the date could end up being critical in determining someone’s vested right to proceed under the previous ordinance.*