



BROADWATER COUNTY MT

CEASE AND DESIST

June 7, 2024

Rick T. & Connor Knapp
12222 138th Ave NW
Gig Harbor, Washington 98329-5868

Re: Tract 4A COS 2-682
Section 12, Township 8 North, Range 2 East

Dear Rick & Connor,

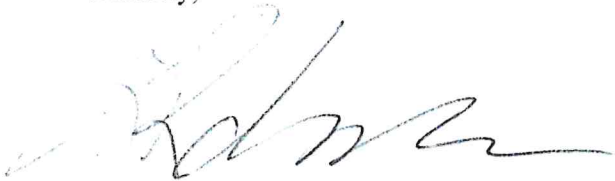
A survey was filed with the Broadwater County Clerk & Recorder on February 11, 2022 creating the above referenced property. Tract 4A was created *exclusively* for agricultural purposes and therefore was exempt from subdivision review. In accordance with Montana Code Annotated (MCA) 76-3-211, a change in use for anything other than agricultural purposes subjects a division of land that received an exemption to subdivision review under the Montana Subdivision and Platting Act.

A building was constructed on the property in 2023 with sewer pipe observed exiting the building and a well was drilled November 10, 2023 (GWIC 329738). Buildings requiring water and/or sewer facilities are prohibited on agricultural exempt parcels. In 2023, the Broadwater County Planner as well as the Broadwater County Sanitarian had multiple conversations with Connor explaining the process for removing an agricultural exemption. It has now come to our attention that plumbing is being done and a septic tank is being installed. Per Broadwater County Wastewater Regulations Section 3.5.5 it is a violation to construct an on-site wastewater treatment system that will violate any law or regulation governing water pollution or wastewater treatment and disposal. Under Section 3.6 it is also a violation to construct an on-site wastewater treatment system without a valid permit issued.

Under authority granted by statute (MCA 50-2-116 (1)(h)) you are hereby ordered to **cease** any construction on the property immediately. An application for subdivision review must be submitted to the Broadwater County Planning Department and sanitary restrictions must be lifted by the Department of Environmental Quality prior to commencing construction.

Failure to comply with this order may subject you to legal action with each day of violation constituting a separate offense. You are hereby required to cease the use of the septic system immediately and remove any on-site wastewater improvements from the ground by June 21, 2024. You are also hereby required to contact the Broadwater County Community Development and Planning Office by June 21, 2024 to schedule a subdivision pre-application meeting to begin the process of lifting the Agricultural Covenant from your property.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Richtmyer', with a stylized flourish at the end.

Lindsey Richtmyer, Chairperson

Broadwater County Board of Health

C: Broadwater County Attorney, Cory Swanson