

EXEMPTIONS FROM SUBDIVISION AND PLATTING ACT (MSPA) AND SANITATION IN SUBDIVISIONS ACT (MSIS)

| Exemption | Platting Act (MSPA) | Sanitation Act (MSIS) |
|---|--------------------------------|---|
| Court ordered/Eminent Domain, if not more than 4 new lots are created | MCA § 76-3-201(1)(a) | MCA § 76-4-125(1)(a) |
| Mortgage Security | MCA § 76-3-201(1)(b) | MCA § 76-4-125(1)(a) |
| Severing Minerals | MCA § 76-3-201(1)(c) | MCA § 76-4-125(1)(a) |
| Cemetery Lots | MCA § 76-3-201(1)(d) | MCA § 76-4-125(1)(a) |
| Reservation of Life Estate | MCA § 76-3-201(1)(e) | MCA § 76-4-125(1)(a) |
| Created by lease for agricultural purposes | MCA § 76-3-201(1)(f) | MCA § 76-4-125(1)(a) |
| Locations where state does not have jurisdiction | MCA § 76-3-201(1)(g) | MCA § 76-4-125(1)(a) |
| Right of way or Utility Sites | MCA § 76-3-201(1)(h) | MCA § 76-4-125(1)(a) |
| Certain Condominiums | MCA § 76-3-203 | MCA § 76-4-111 |
| Sale, rent, lease part of a building | MCA § 76-8-103 | Doesn't meet definition of a Subdivision under -103 |
| Lease of airport and state lands | MCA § 76-3-205 | |
| Relocation of boundary lines | MCA § 76-3-207(1)(a), (d), (e) | |
| Family Transfer | MCA § 76-3-207(1)(b), (2) | |
| Agricultural Use | MCA § 76-3-207(1)(c) | |
| Aggregation of parcels | MCA § 76-3-207(1)(f) | MCA § 76-4-125(1)(a) |
| Land acquired for state highways | MCA § 76-3-209 | |
| Additional land for DEQ approval outside of platted subdivision, if no new water or sewer | | MCA § 76-4-125 (1)(b) |
| Subdivisions for which adequate municipal or County WSD facilities are provided | | MCA § 76-4-125(1)(d) |
| Certain "remainder" parcels | | MCA § 76-4-125(1)(e)(ii) |
| Sale of cabin or home sites subject to limitations in MCA 77-2-318(2) | | MCA §76-4-125(1)(f) |
| Parcels with no water, sewer, storm water or solid waste facilities | | ARM 17.36.605 |
| Alteration of DEQ approved parcels if no new facilities are proposed and existing facilities are not affected | | ARM 17.36.605 |
| Certain Boundary Line Adjustments | | ARM 17.36.605 |

- For MSPA, the definition of subdivision is a parcel of land 160 acres or less. An exemption from subdivision review is still reviewed by the governing body for determination and analysis if the exemption is an attempt to evade subdivision review.
- For MSIS, the definition of subdivision is a parcel less than 20 acres or any parcel, regardless of size, that provides multiple permanent spaces for mobile homes or RVs.