

ORDINANCE 3280

ORDINANCE AMENDING TITLE 15, CHAPTERS 12 AND 13
OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS
(OCCGF), PERTAINING TO RESIDENTIAL HAZARDOUS
SOILS, BUILDINGS, AND CONSTRUCTION.

* * * * *

WHEREAS, the OCCGF was established to promote public health, safety and welfare;
and

WHEREAS, the City of Great Falls contains areas of expansive and compressible soils, shallow groundwater, and other geologic conditions that pose potential risks to building foundations and public infrastructure; and

WHEREAS, since 2008, the City has required geotechnical testing for new residential dwellings to mitigate these risks, which has proven technically effective but has also posed practical challenges for smaller-scale infill development; and

WHEREAS, the Planning and Community Development and Legal Departments have reviewed and proposed amendments to OCCGF Title 15 to establish a clear, proportionate, and modernized process for identifying and addressing residential geologic hazards; and

WHEREAS, the proposed amendments are intended to:

- Protect life, property, and public infrastructure from known soil hazards (§15.12.010);
- Support housing development by applying targeted, proportionate requirements for small-scale and low-risk projects; and
- Clarify roles and responsibilities for property owners, builders, and engineers (§15.12.070); and

WHEREAS, the proposed ordinance adds a new Initial Site Evaluation process to serve as a preliminary step before requiring a full Geologic Hazards Plan and Report, ensuring that evaluations are based on the best available site-specific information; and

WHEREAS, City staff conducted industry and public outreach, including public information sessions, with input from geotechnical engineers, builders, developers, realtors, and financial professionals, and received general support for the proposed revisions; and

WHEREAS, the City Commission finds that these amendments are consistent with the City's goals of encouraging safe and efficient residential development while protecting property and public investment from geotechnical risks.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. That Title 15, Chapters 12 and 13 of the Official Code of the City of Great Falls (OCCGF) are hereby amended as depicted in Exhibit “A” attached hereto, which removes language indicated by strikeout and adds new language shown in bold and underline.

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission of the City of Great Falls, Montana, on first reading, October 21, 2025.

ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading, November 4, 2025.

Cory Reeves, Mayor

Attest:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3280 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Title 15 BUILDINGS AND CONSTRUCTION [\[1\]](#)

Chapter

Chapter 1 - CODE ADOPTION

Chapter 2 - MOBILE HOMES

Chapter 3 - INTERNATIONAL ENERGY CONSERVATION CODE

Chapter 4 - INTERNATIONAL EXISTING BUILDING CODE

Chapter 5 - MECHANICAL CODE

Chapter 6 - PLUMBING CODE

Chapter 7 - INTERNATIONAL FUEL GAS CODE

Chapter 8 - ELECTRICAL CODE

Chapter 9 - FIRE CODE

Chapter 10 - SCREENING

Chapter 11 - DESIGN PROFESSIONALS

Chapter 12 - ~~APPLICABILITY~~ **RESIDENTIAL GEOLOGIC HAZARDS**

Chapter 13 – APPLICABILITY

Chapter 12 RESIDENTIAL GEOLOGIC HAZARDS

Sections:

[15.12.010 Purpose and Intent.](#)

[15.12.020 Applicability and Exemptions.](#)

[15.12.030 Geologic Hazards Plan and Report.](#)

[15.12.040 Geologic Hazards Mitigation Measures.](#)

[15.12.050 Geologic Hazard Plan and Report Review Procedures.](#)

[15.12.060 Exemptions.](#)

[15.12.070 Responsibility and Liability for Geologic Hazards.](#)

15.12.010 - Purpose and Intent.

- 1. The requirements and procedures in this Chapter support public and community goals, including economic development, tax base growth, downtown and neighborhood revitalization, housing near jobs and services, cost-effective use of municipal services, and reduced public costs, as compared to sprawl, while recognizing qualities of residential construction that are particular to Great Falls. The intent of this Chapter is to support the public interests of encouraging small-scale infill development by providing clear procedures for evaluating geologic hazard risks, consistent with the City's role in promoting sound land use and efficient use of existing infrastructure, reducing construction barriers, and incentivizing quality infill. Nothing in this Chapter shall be construed as a guarantee, warranty, or individualized assurance of specific site suitability or absence of geologic hazards.**
- 2. Property within the City of Great Falls has areas that are susceptible to one or more geologic hazards occurring either on or affected by the property, which is proposed to be developed. A list of common geologic hazards found in Great Falls includes, but is not limited to:**
 - a. Expansive soil and/or bedrock;**
 - b. Compressible soil;**
 - c. Hydro collapsible soil;**
 - d. Unstable/unsuitable fill;**
 - e. Shallow groundwater, springs, seeps, and/or artesian groundwater;**
 - f. Flood prone areas;**
 - g. Subsidence potential;**
 - h. Problems caused by features or conditions on adjacent properties;**
 - i. Unstable or potential unstable slopes/landslide areas;**

- j. Highly erodible soils/soil erosion/deposition;
 - k. Rock fall/sliding debris from upslope areas;
 - l. Upturned or steeply sloping/dipping bedrock;
 - m. Radon;
 - n. Other geologic, topographic, regional or location problems;
3. Geologic hazards can be interrelated and complex and evaluation of geologic hazards can require comprehensive review and analysis. Residential development within the City of Great Falls should consider geologic hazards and consult maps or other information to conduct an initial review of site hazards prior to site development.
4. Recognition of these hazards must be acknowledged by those intending to develop residential property within the City of Great Falls, in order to allow those developing property to minimize losses due to geologic conditions in the City, and to:
- a. Protect human life, safety, and property;
 - b. Minimize damage to private property;
 - c. Minimize damage to public facilities, infrastructure, and utilities;
 - d. Provide flexible approaches to evaluating geologic hazards risk;
 - e. Reduce the amount of effort and expenditures associated with response, cleanup, and repair following a geologic hazard event;
 - f. Educate the public about the potential risks associated with geologic hazards in Great Falls;
 - g. Require applicants who desire to develop residential property in the City to evaluate, mitigate as necessary, and be responsible for geologic hazards related to the property to be developed; and
 - h. Require applicants to comply with requirements in the International Building Code (IBC) and International Residential Code (IRC), as applicable.

15.12.020 - Applicability and Exemptions.

1. **Applicability of Initial Site Evaluation and/or Geologic Hazards Plan and Report.** Unless exempted, as provided in 15.12.060, this Chapter shall apply to any of the following activities or scenarios:
- a. Any residential building permit or property improvement permit for the construction of a new habitable building that is located on a permanent foundation;
 - b. Any residential Major or Minor Subdivisions as defined in Chapter 8 of Title 17;

- c. Any application for residential development or redevelopment on any property with slopes exceeding seventeen (17) percent within the limits of disturbance; or
 - d. Any application for residential development on any property that has evidence of conditions listed in 15.12.010.
- 2. The Planning and Community Development Director or their designee may, at the Director's discretion, have any Initial Site Evaluation or Geologic Hazards Plan and Report reviewed by an independent qualified professional. This separate review shall supplement an Initial Site Evaluation, any Geologic Hazards Plan and Report, and the City's review, and will be considered by the City in making a final determination on the associated land developmental proposal. The cost of having an independent review and analysis of geological hazard evaluation reports shall be borne by the developer, builder or property owner (collectively referred to as developer).
- 3. Initial Site Evaluation.
 - a. For all residential development to which this Chapter applies, an Initial Site Evaluation shall be performed by a qualified geotechnical engineer. The cost of having an Initial Site Evaluation shall be borne by the developer.
 - b. An Initial Site Evaluation is a limited geotechnical assessment to determine whether geologic hazards are suspected at the site or not from which a general assessment of property conditions can be made regarding the potential applicability of use of the IRC (with regard to structure foundations). Conditions found by the Initial Site Evaluation may require more extensive geotechnical engineering involvement and foundation design in accordance with the IBC.
 - c. The Initial Site Evaluation must, at a minimum, contain the following:
 - i. A project description that presents the overall proposed project details including the size, location and planned structures of the project and the existing and proposed land uses;
 - ii. A soil and rock profile log from at least one boring location at the approximate center of proposed construction that presents:
 - 1. A detailed log of subsurface materials including depths and material types (classified per the USCS classification system and standard geotechnical engineering terminology) of all soils (and rocks) encountered; and
 - 2. Geotechnical concerns, including but not limited to the presence of expansive soils or rocks, collapsible soils, high groundwater conditions, highly compressible soils, presence of liquefiable soils, slope stability concerns, other geotechnical conditions, or other hazards set forth in 15.12.010, that warrant additional geotechnical investigation, defined in this Chapter as a Geologic

Hazards Plan and Report, in accordance with applicable sections of the IBC for the proposed development.

- iii. **Boring locations for the soil and rock profile log must be obtained at a minimum investigated depth of 20 feet or 10 feet below anticipated footing depth, whichever is greater, unless five (5) or more feet of sandstone or other non-swell prone bedrock is encountered at or below foundation depth;**
 - iv. **Standard split spoon samples should be obtained in a maximum five (5) foot intervals, or more closely spaced at the discretion of the qualified professional geotechnical engineer;**
 - v. **Laboratory testing is required for all major clay soils and clayey rock types, low density sand materials, soft clay soils, etc (for the purpose of quantifying swell, collapse, and settlement stress strain behavior) as defined under the IRC to determine whether investigation, design, and construction can proceed within the IRC or whether IBC requirements are to be used.;**
 - vi. **In addition to, or in lieu of the testing outlined in IRC, alternative testing such as ASTM D2435, Standard Test Methods for One-Dimensional Consolidation Properties of Soils Using Incremental Loading, with appropriate swell test assessment may be used, at the professional discretion of the geotechnical engineer; and**
 - vii. **An acknowledgment that a full Geologic Hazards Plan and Report, described later in this Chapter, may be the most comprehensive analysis of the soil conditions on the property and that the developer accepts all responsibility and liability for relying upon an Initial Site Evaluation, if allowed by this Chapter, versus a full Geologic Hazards Plan and Report.**
- d. **Any developer wishing to conduct residential development to which this Chapter applies, may waive the Initial Site Evaluation and proceed to obtain a Geologic Hazards Plan and Report, as described in this Chapter.**

15.12.030 - Geologic Hazards Plan and Report.

- 1. The purpose of the Geologic Hazards Plan and Report is to:**
 - a. **Identify the geologic hazards affecting the development site;**
 - b. **Assess proposed development that could pose a more significant geologic hazard impact;**
 - c. **Analyze potential geologic hazard impacts the proposed development could have on surrounding properties or public facilities;**
 - d. **Identify appropriate mitigation measures that shall be employed to reduce or avoid the identified hazards to acceptable levels so that development may proceed;**

- e. **Require on-site monitoring and assessment by a qualified professional geotechnical or structural engineer during the project;**
 - f. **Recommend areas that are not suitable for the proposed development or that pose unacceptable risks for development; and**
 - g. **Include the requirements or reporting pursuant to the IBC and IRC, as applicable.**
2. **Geologic Hazards Analysis. A Geologic Hazards Plan and Report, when required, shall be prepared by a qualified professional geotechnical engineer and in some cases, a qualified, professional structural engineer. The Geologic Hazards Plan and Report shall address the topics listed in this section, where applicable. The level of detail and emphasis may vary due to specific geologic conditions or hazard risks of the site or the scale and type of proposed development activity.**
- a. **General Project Description and Certification.**
 - i. **A project description shall be included that presents the overall proposed project details including the size and location of the project and the existing and proposed land uses.**
 - ii. **The qualified professional geotechnical or structural engineer preparing or certifying the Plan and Report shall apply the engineer's professional seal and sign the Plan and Report.**
 - b. **Conclusions and Recommendations. The Geologic Hazard Plan and Report shall address the following:**
 - i. **Whether the intended use of the land is compatible with any identified or potential geologic hazards or constraints;**
 - ii. **The development of mitigation procedures or design changes necessary to minimize or abate any hazardous condition, if such mitigation or design change is possible. Each hazardous condition requires a recommendation, which may be a recommendation that the conditions are too severe to warrant development;**
 - iii. **The long-term stability and safety of the proposed project. Discuss the critical planning and construction aspects of the development, including the suitability of using irrigated landscaping, the stability of earth materials, the appropriateness of the proposed grading plans, the need for selective location of project facilities, and the static and dynamic parameters for the design of structures; as applicable;**
 - iv. **Include the reporting requirements in the IBC and IRC, as applicable;**
 - v. **Identify that qualified geotechnical or structural engineer, that will be**

- on site, monitoring, and assessing development to ensure compliance with conclusions, recommendations and mitigation measures; and
- vi. The report/plan should address rational and quantified estimates of soil structure interaction, including, but not limited to swell/heave, settlement, collapse, subsidence, and landslide/lateral movement potential and estimates of total and differential movement associated with these possible modes of movement. Testing and analysis should include consideration of current and probable future impacts of subgrade moistening and associated impacts on structures, foundations, and earth. The report should address recommendations/alternatives that will limit structure movement to within typically acceptable ranges.
 - vii. Clearly state the geologic basis for all conclusions.

15.12.040 – Geologic Hazards Mitigation Measures.

In cases where geologic hazards are identified, appropriate mitigation measures shall be required in conjunction with the approval of the project, if approval is recommended. Such mitigation measures may include, but are not limited to:

1. Changes to the proposed land use configuration;
2. Changes to the location of proposed structures;
3. Modification of land use types;
4. Modification of lot boundaries or building envelopes;
5. Special foundation designs and/or over-excavation;
6. Mitigation of rock fall and/or debris flow;
7. Grading, drainage, and erosion controls;
8. Geotechnical engineering solutions;
9. Limitations on irrigated landscapes; and
10. Recommended areas that are not suitable for the proposed development or that pose unacceptable risks for development.

15.12.050 – Geologic Hazard Plan and Report Review Procedures.

1. The Geologic Hazard Plan and Report shall be reviewed by the Planning and Community Director, City Engineer and/or their designee(s), as part of the review of the land development application. The City's review shall determine whether the findings, conclusions, and recommendations of the Geologic Hazard Plan and Report have been incorporated into the design of the Major or Minor Development Plan, Subdivision Plat, Drainage and Erosion Control Plan, Grading Plan, and public improvement construction drawings, or other required documents. If the City review determines that the submitted study is incomplete or fails to comply with the standards and requirements set forth in

this Chapter, the Planning and Community Development Director may require new or supplemental information.

2. Recommendations of the Geologic Hazards Plan and Report shall be incorporated, as applicable, into the approval of the Major or Minor Development Plan, Subdivision Plat, Drainage and Erosion Control Plan, Grading Plan, public improvement construction drawings, and building construction plans.
3. The qualified geotechnical or structural engineer preparing or certifying the Plan and Report shall review any on-site monitoring reports of the development to ensure compliance with the mitigation measures set forth in the Geologic Hazard Plan and Report.
4. Before permanent foundation structures are placed in the development, the qualified engineer that prepared the Geologic Hazards Plan and Report must provide the Planning and Community Development Director with a letter of compliance with the Geologic Hazards Plan and Report and mitigation procedures.

15.12.060 - Exemptions.

1. The following types of development activities are exempt from an Initial Site Evaluation and/or Geologic Hazards Plan and Report Evaluation in this Chapter:
 - a. Fences;
 - b. Detached residential garages and carports;
 - c. Lighting;
 - d. Booms;
 - e. Poles;
 - f. Monument and Free Standing Pole Signs, unless specifically recommended by the design engineer;
 - g. Decorations;
 - h. Machinery or equipment;
 - i. Decorative or perimeter walls that do not serve to retain soil, unless supporting a load or other weight surcharge;
 - j. Any replat of a previous subdivision in which no new structures or new building lots are being created and no new development is proposed;
 - k. Property that is identified in a letter of findings from a qualified professional geotechnical engineer, with the professional seal and sign indicating that:
 - i. upon the engineer's preliminary review, or the Initial Site Evaluation, the property to be developed is not likely to have expansive, compressible, shifting soils or other questionable soil characteristics;
 - ii. that the property can be designed in accordance with the IRC; and

- iii. the level of detail and emphasis contained in the preliminary review or Initial Site Evaluation may vary due to specific geologic conditions or hazard risks of the site or the scale and type of proposed development activity;
- l. Sites with existing studies or reports that are 10 years or newer, unless, the City determines that the existing study or report is insufficient for the proposed development application, or if changes in conditions warrant a new evaluation;
- m. Upon request from the developer, single infill residential parcels and/or accessory developments on residential lots with existing residences, may be exempted by the City from the Initial Site Evaluation and/or Geologic Hazards Plan and Report, on the developer's showing of the following conditions:
 - i. There is no quantitative evidence of geologic hazards on the property, as identified in this Chapter; and
 - ii. Infill Development is defined as Development or redevelopment within the incorporated City limits that results in the creation or use of no more than four (4) residential lots or dwelling units and meets all of the following criteria:
 - 1. Is subject to the IRC and is not classified as a commercial or multifamily project under the IBC;
 - 2. Is served by existing public infrastructure, including water, sanitary sewer, and roadway access;
 - 3. Occupies one (1) acre or less in total area;
 - 4. Does not involve significant grading, excavation, or soil disturbance beyond what is customary for small-scale residential construction; and
 - 5. Complies with all applicable ordinances and regulations of the City of Great Falls; and/or
- n. Foundation systems that have performed adequately in soil conditions similar to those encountered at the building site are permitted without an Initial Site Evaluation and/or Geologic Hazards Plan and Report, subject to the approval of the building official.

15.12.070 - Responsibility and Liability for Geologic Hazards.

- 1. Applicants who intend to develop property within the City of Great Falls assume liability and responsibility to evaluate for and mitigate known geologic hazards on their proposed development sites.
- 2. The assumption of liability in this Chapter shall be placed on development permit applications, permits, certificates of occupancy, and other documents associated with the development, as determined by the Director of Planning and Community Development.

3. **An exemption from the standards of this Chapter does not exempt the developer or applicant from liability and responsibility to evaluate and mitigate known geologic hazards on a site.**

(Ord. 3280, 2025)

Chapter 1213 APPLICABILITY

Sections:

[15.1213.010 Applicability.](#)

[15.1213.020 Appeals.](#)

15.1213.010 Applicability.

OCCGF Title 15 is applicable to all buildings within the incorporated City limits of Great Falls, including but not limited to:

- A. Residential buildings, containing less than four (4) dwelling units or their attached-to structures;
- B. Any farm or ranch building; and
- C. Any private garage or private storage structure used only for the owner's own use as provided by Mont. Code Ann. § 50-60-102(1)(a).

(Ord. 3280, 2025; Ord. 3189, 2018).

15.1213.020 Appeals.

Appeals may be filed to any order, requirement, permit decision, refusal or determination of the Building Official or designee in accordance with OCCGF Title 17, Chapter 12, Article 5.

(Ord. 3280, 2025, Ord. 3189, 2018).