



## Missoula City-County Health Department Smoking Shelter Policy<sup>1</sup>

At least one permanent entry or door (measuring a minimum of 3' x 6'8") is required per shelter. This entrance must be on an exterior wall of the shelter. In the case of an attached shelter, the entrance may not be on the shared wall of the shelter and the building. During all hours of use, the entry or door must remain open and unobstructed.

In addition to the airway provided by the entry above, a minimum of 20% of the entire square footage of the vertical plane forming the shelter's interior must be a permanent opening that does not reduce airflow. (This requirement may be achieved by many different configurations including another entry, one big square, slots at the top and bottom of the walls, etc.)

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**YOU ARE REQUIRED TO CONTACT THE MISSOULA CITY OR MISSOULA COUNTY BUILDING DEPARTMENT BEFORE PROCEEDING.** See next page for Missoula City and County building requirements.

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<sup>1</sup> Montana Clean Indoor Air Act (M.C.A. 50-40-101 to 120) and Montana Administrative Register No. 37-357

# Missoula City and County Building Requirements

## Requirements Inside Missoula City:

- Building permits will be required, regardless of size of the building if human occupied.
- The building will need to meet all code regulations (e.g., ADA requirements).
- Some situations may require sprinklers and fire resistant walls.
- A licensed architect/engineer will need to be involved in the designing process.
- Electrical permits are required (and issued) by the building department if electricity will be installed.
- The shelter cannot be heated due to energy code restrictions.
- Commercial Districts do not have the prescribed setbacks unless abutting a Residential District. In this case, any additions or new accessory structures must meet the applicable front, side, and rear setbacks.
- “Open porches and decks” can intrude on setbacks if open on at least three sides and with at least 50% of the total area of the vertical plane on those sides unobstructed in any manner. (Consult OPG for the actual encroachment permitted.)
- Building additions or accessory buildings cannot intrude into buffers or take required landscaping or parking areas.
- Detached accessory buildings and structures are prohibited in front yards (they may not be closer to the street than the main building) and must be separated by a minimum distance of 10 feet from all other buildings.

## Requirements In Missoula County (outside city limits):

- Building permits will be required, regardless of size of the building if human occupied.
- The building will need to meet all code regulations (e.g., ADA requirements).
- Some situations may require sprinklers and fire resistant walls.
- A licensed architect/engineer may be required.
- Electrical permits are required (and issued) from the building department if electricity will be installed.
- The shelter cannot be heated due to energy code restrictions.
- If attached to main building, the new structure must meet all setbacks from the Zoning District.
- If an accessory structure, the building cannot be erected in any required front yard or within 10 feet of any main building. It also cannot be within 3 feet of any side lot line.
- An open porch or deck (50% of the total area of the vertical plane forming its perimeter unobstructed in any manner) can intrude on a front setback up to 8 feet but it must be setback at least 4 feet from the front property line.

**These are general requirements for both the City and the County. Requirements may vary in particular situations, especially if there is a Conditional Use in the approval of the establishment. For more information, contact the Building Department: 552-6040 (Missoula City) or 258-3701 (Missoula County).**