

**Opinion No. 11****Trailer Courts—Licensing—Public Health**

**Held: Trailer Courts are included within the definition of 'tourist camps' contained in Section 69-112, Revised Codes of Montana, 1947, and must be licensed in accordance with the provisions of Section 69-114, Revised Codes of Montana, 1947.**

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April 15, 1957

Dr. G. D. Carlyle Thompson  
Executive Officer  
State Board of Health  
Helena, Montana

Dear Dr. Thompson:

You have requested my opinion as to whether or not trailer courts are included within the terms of Section 69-112, R.C.M., 1947, and as a consequence are subject to the license requirements of Section 69-114, R.C.M., 1947. The sections are herein set forth:

"69-112. Tourist Camp Ground Defined. The term, tourist camp ground, as used in this act, shall include and mean any

tract or parcel of land owned, maintained or used for public camping, primarily by automobile tourists whether the same shall be owned, used or maintained by any person, persons, co-partnership, firm or corporation upon which tract of land persons may camp or secure cabins or tents, either free of charge or by the payment of a fee, and whenever the words, tourist camp ground, are used in this act, they shall be construed to mean a tourist camp ground as herein described and defined."

"69-114. License For Tourist Camp Ground—Fee—Sanitation Required. It shall be unlawful for any person, persons, co-partnership, firm or corporation to conduct a tourist camp ground without having a license issued by the state board of health of Montana. Licenses shall be furnished upon request for that purpose. An annual fee of two dollars (\$2.00) shall be required for each license. Licenses shall be made to expire on the last day of December of the current year in which they are issued. No license shall be issued to any tourist camp ground that is conducted in a grossly unsanitary manner."

You stated that on several occasions during the past years county attorneys have questioned your authority to license and control trailer courts under the provisions of this Act.

In Attorney General's Opinion Number 48, Volume 26, the Attorney General stated:

"Section 69-112, supra, is a comprehensive definition including all tourist camps, motor courts and similar public places which do not provide the same services of a hotel, such as dining room service, etc. These businesses are primarily conveniences for the motor traveling public."

Providing tracts of land for the use of trailer houses brings such facilities within the coverage of the Act. A tourist camp and a trailer court may differ only in the type of housing used on such tracts of land, the former by tents and cabins and the latter by trailer houses. The intent of the Act was to include tracts of land primarily, but not exclusively, for the automobile tourist. The length of time a party may remain in a trailer court does not affect the provisions of this Act. Section 69-114, R.C.M., 1947, protects the tourist by requiring the operator of a tourist camp ground to maintain proper sanitary facilities.

It is therefore my opinion that a trailer court is within the definition of 'tourist camp ground' as defined in Section 69-112, R.C.M., 1947, and is subject to the licensing provisions of Section 69-114, R.C.M., 1947, to maintain proper sanitary conditions for such facilities.

Very truly yours,  
FORREST H. ANDERSON  
Attorney General