

House Bill 556

In The House

January 29, 1981

Introduced and referred
to Committee on Human
Services.

February 12, 1981

Committee recommend bill
do not pass.

HOUSE BILL NO. 556

INTRODUCED BY

Richard L. Manning

BY REQUEST OF

THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND CLARIFY THE PUBLIC HEALTH LAWS RELATING TO TOURIST CAMPGROUNDS AND TRAILER COURTS; TO PROVIDE FOR THE REGULATION OF WORK CAMPS AND YOUTH CAMPS; AMENDING SECTIONS 50-52-101, 50-52-102, 50-52-103, 50-52-105, AND 50-52-301, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-52-101, MCA, is amended to read:

"50-52-101. Definitions. As used in this chapter, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Board" means the board of health and environmental sciences.

(2) "Campground" means a parcel of land used for public camping where persons can camp, secure cabins, or park trailers for camping and sleeping purposes.

(3) "Department" means the department of health and environmental sciences.

(4) "Establishment" means campground, trailer court,

~~work camp, or youth camp.~~

~~(5) "Parcel of land" means a contiguous quantity of land, including contiguous lots, in possession of, owned by, or managed by the same person.~~

~~(3)(6) "Person" includes an individual, partnership, corporation, association, or other entity engaged in the business of operating or owning or offering the services of a tourist-campground-or-trailer-court establishment.~~

~~(4) "Tourist-campground" means a place used for public camping primarily by automobile tourists where persons can camp or secure tents or park individual trailers or truck trailers for camping and sleeping purposes.~~

~~(5)(7) "Trailer court" means a parcel of land offered to the public and usually designated a trailer court, trailer park, or mobile home park upon which two or more spaces are occupied or intended designated for occupancy by trailers or mobile homes for nonrecreational dwelling purposes except that the term does not include parcels:~~

~~(a) on which less than two spaces are available to the public; or~~

~~(b) composed of platted lots, each of which has been filed with the county clerk and recorder and each of which contains only one trailer space that is served by a municipal public water supply system and municipal public sewage disposal system.~~

INTRODUCED BILL

-2- HB 556

1 (8) "Work camp" means a parcel of land on which
 2 housing is provided by a person for the exclusive use of 10
 3 or more independent contractors, employees, or their
 4 families. The term includes but is not limited to camping
 5 spaces; trailer parking spaces; mobile, modular or permanent
 6 barracks or structures, and the appurtenant water supply and
 7 distribution system; sewage collection and disposal system;
 8 solid waste collection and disposal system; and food service
 9 and dining facilities.

10 (9) "Youth camp" means a parcel of land on which
 11 buildings, tents, or other structures are established or
 12 maintained as living quarters where both food and water are
 13 provided for 10 or more persons under 18 years of age and
 14 operated for educational, recreational, or vacation
 15 purposes. The term includes but is not limited to the
 16 appurtenant water supply and distribution system, sewage
 17 collection and disposal system, solid waste collection and
 18 disposal system, and food service and dining facilities."

19 Section 2. Section 50-52-102, MCA, is amended to read:

20 "50-52-102. Department to adopt rules. The department
 21 shall adopt rules for constructing and operating tourist
 22 campgrounds, and trailer courts, work camps, and youth camps
 23 to insure sanitation and protect public health."

24 Section 3. Section 50-52-103, MCA, is amended to read:

25 "50-52-103. Duty to obtain license and permit

1 inspections. A person operating a tourist campground, or
 2 trailer court, work camp, or youth camp shall:

3 (1) obtain possess a valid license from the
 4 department;

5 (2) permit inspections by state or local health
 6 officers, sanitarians, or other authorized persons at all
 7 reasonable times."

8 Section 4. Section 50-52-105, MCA, is amended to read:

9 "50-52-105. Violation of chapter a misdemeanor ==
 10 injunction. (1) A person violating a provision of this
 11 chapter or a rule or an order made under it shall be guilty
 12 of a misdemeanor and upon conviction shall be fined not less
 13 than \$50 or more than \$100 for the first offense and not
 14 less than \$75 or more than \$200 for the second offense, and
 15 for the third and subsequent offenses, he shall be punished
 16 by a fine of not less than \$200 and imprisonment in the
 17 county jail not to exceed 90 days.

18 (2) Fines shall be paid to the county treasurer of the
 19 county in which the tourist--campground--or--trailer--court
 20 establishment is located. The county treasurer shall send
 21 all fines collected to the state treasurer for deposit in
 22 the state general fund.

23 (3) In addition to any other remedies provided by law,
 24 the department may, through the attorney general or
 25 appropriate county attorney, file an action to enjoin a

1 violation of this chapter or a rule or an order made under
2 it. The department, if it prevails, is entitled to recover
3 its costs, actual expenses, and reasonable attorney's fees
4 it has incurred as a result of the action. All of the funds
5 so recovered shall be deposited in the general fund."

6 Section 5. Section 50-52-301, MCA, is amended to read:

7 "50-52-301. Health officers to make inspections. The
8 department or local health officer or sanitarian shall:

9 (1) inspect ~~tourist--campgrounds--end--trailer--courts~~
10 ~~establishments~~ during reasonable hours as necessary;

11 (2) supervise the inspection of ~~tourist--campgrounds--or~~
12 ~~trailer--courts establishments~~ by local health officers,
13 sanitarians, or other authorized persons as necessary."

14 Section 6. Saving clause. This act does not affect
15 rights and duties that matured, penalties that were
16 incurred, or proceedings that were begun before the
17 effective date of this act.

18 Section 7. Severability. If a part of this act is
19 invalid, all valid parts that are severable from the invalid
20 part remain in effect. If a part of this act is invalid in
21 one or more of its applications, the part remains in effect
22 in all valid applications that are severable from the
23 invalid applications.

-End-