

HOUSE BILL 420

INTRODUCED BY DOZIER

BY REQUEST OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

IN THE HOUSE

January 20, 1983	Introduced and referred to Committee on Business and Industry.
January 26, 1983	Committee recommend bill do pass. Report adopted. Statement of Intent attached.
January 27, 1983	Bill printed and placed on members' desks.
January 29, 1983	Second reading, do pass as amended.
January 31, 1983	Correctly engrossed.
February 1, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 2, 1983	Introduced and referred to Committee on Public Health, Welfare and Safety.
March 18, 1983	Committee recommend bill be concurred in. Report adopted.
March 21, 1983	Second reading, concurred in.
March 23, 1983	Third reading, concurred in. Ayes, 44; Noes, 6.

IN THE HOUSE

March 23, 1983

Returned to House.

March 24, 1983

Sent to enrolling.

Reported correctly enrolled.

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 3 BY REQUEST OF THE DEPARTMENT OF
 4 HEALTH AND ENVIRONMENTAL SCIENCES
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 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND
 7 CLARIFY THE LAWS RELATING TO TOURIST CAMPGROUNDS AND TRAILER
 8 COURTS; TO EXCLUDE FROM REGULATION PLATTED AND FILED TRAILER
 9 COURTS SERVED BY PUBLIC WATER SUPPLY AND SEWAGE DISPOSAL
 10 SYSTEMS; TO PROVIDE FOR THE REGULATION OF WORK CAMPS AND
 11 YOUTH CAMPS; AMENDING SECTIONS 50-52-101 THROUGH 50-52-103,
 12 50-52-105, AND 50-52-301, MCA."
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 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 15 Section 1. Section 50-52-101, MCA, is amended to read:
 16 "50-52-101. Definitions. As used in this chapter,
 17 unless the context clearly indicates otherwise, the
 18 following definitions apply:
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 20 ~~environmental sciences~~ "Campground" means a parcel of land
 21 available to and used by the public for camping, where
 22 persons can camp, secure tents or cabins, or park trailers
 23 for camping and sleeping purposes.
 24 (2) "Department" means the department of health and
 25 environmental sciences.

1 (3) "Establishment" means a campground, trailer court,
 2 work camp, or youth camp.
 3 (4) "Parcel of land" means a unit of land all parts of
 4 which are contiguous, including contiguous lots, in the
 5 possession of, owned by, or managed by the same person.
 6 ~~(3)(5)~~ "Person" includes an individual, partnership,
 7 corporation, association, or other entity engaged in the
 8 business of operating, or owning, or offering the services
 9 of a tourist campground, or trailer court, work camp, or
 10 youth camp.
 11 (6) "Political subdivision" means any county, city,
 12 town, or other legally constituted unit of local government
 13 in this state.
 14 ~~(4)~~ "Tourist campground" means a place used for public
 15 camping primarily by automobile tourists where persons can
 16 camp or secure tents or park individual trailers or truck
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 18 ~~(5)(7)~~ "Trailer court" means a parcel of land offered
 19 to the public and usually designated a trailer court,
 20 trailer park, or mobile home park upon which two or more
 21 spaces are occupied or intended available to the public and
 22 designated for occupancy by trailers or mobile homes for
 23 nonrecreational dwelling purposes use as residences, except
 24 that the term does not include a parcel composed of platted
 25 lots, each lot of which is filed with the county clerk and

recorder, contains only one trailer space, and is served by a public water supply system and public sewage system which meet the requirements of rules for such systems adopted pursuant to title 75, chapter 6, part 1, and which is located within the boundaries of an incorporated city or town.

(8) "Work camp" means a parcel of land on which housing is provided by a person for two or more families or individuals living separately, for the exclusive use of the employees of such person and the families, if any, of the employees. For purposes of this subsection, "housing" includes but is not limited to camping spaces; trailer parking spaces; mobile, modular, or permanent barracks or structures; and any appurtenant water supply and distribution system, sewage collection and disposal system, solid waste collection and disposal system, or food service and dining facilities. "Housing" does not include shelter provided by an employer for persons who are employed to perform agricultural duties on a ranch or farm.

(9) "Youth camp" means a parcel of land on which permanent buildings, tents, or other structures are maintained as living quarters for 10 or more people and that is used primarily for educational or recreational use by minors. The term includes any appurtenant water supply and distribution system, sewage collection and disposal system,

solid waste collection and disposal system, or food service and dining facilities. The term does not include any site used solely by the members and their families of a private organization that owns the site."

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

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

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"50-52-103. Duty to obtain license and permit inspections. A person operating ~~a tourist campground or trailer court~~ an establishment shall:

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conviction shall be fined not less than \$50 or more than \$100 for the first offense and not less than \$75 or more than \$200 for the second offense, and for the third and subsequent offenses, he shall be punished by a fine of not less than \$200 and imprisonment in the county jail not to exceed 90 days.

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NEW SECTION. Section 5. Injunction. The department or a local board of health may petition the district court to enjoin any action in violation of this chapter or of a rule adopted by the department pursuant to this chapter.

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Title 50, chapter 52, part 1, and the provisions of Title 50, chapter 52, apply to section 5.

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

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

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

NEW_SECTION. Section 7. Codification instruction. Section 5 is intended to be codified as an integral part of

Title 50, chapter 52, part 1, and the provisions of Title 50, chapter 52, apply to section 5.

NEW_SECTION. Section 8. Saving clause. This act does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act.

NEW_SECTION. Section 9. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

-End-