



DATE: January 17, 2025

AGENCY: Department of Public Health and Human Services (DPHHS)
Public Health and Human Safety Division
Environmental Health and Food Safety Section

SUBJECT: Clarification of Montana Requirements for Hot Tub Maintenance in Individual Hotel Rooms and Tourist Homes (short-term rentals)

REFERENCES: MCA 50-53-201 and MCA 50-53-102

PURPOSE: This memorandum clarifies regulatory requirements regarding hot tubs located in individual Hotel Rooms and Tourist Homes (short-term rentals).

BACKGROUND. DPHHS, through its Environmental Health and Food Safety Section, is responsible for licensing public swimming pools under Title 50, Chapter 53 of the Montana Code Annotated (MCA). The term "public swimming pool" is defined under MCA 50-53-102 to include spas and hot tubs. A spa is an "artificial pool that is designed for recreational bathing or therapeutic use and that is not drained, cleaned, or refilled for individual use...." Mont. Code. Ann. § 50-53-102(8).

DPHHS's position is that a hot tub can be operated in a tourist home or within an individual hotel room without obtaining a public swimming pool license if the hot tub is cleaned and serviced between individual use. DPHHS recommends, for public health and safety, that cleaning and service between individual use should include at a minimum:

1. Clean, sanitize, and rinse hot tub filters.
2. Maintain appropriate hot tub chemistry levels (e.g., chlorine, bromine, pH, etc.) consistent with the hot tub manufacturer guidelines.
3. Display and maintain documentation of cleaning and maintenance performed.

The point of contact at DPHHS is Stacy Campbell, PHSD Administrator, stcampbell@mt.gov, (406) 444-0303.

A handwritten signature in black ink, appearing to read "D.T. Gerard".

David T. Gerard
Executive Director, Public Health and Community Affairs