

Title 37: Public Health and Human Services**Chapter 111****Subchapter 12****Trailer Courts, Campgrounds, Youth Camps, and Work Camps**

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37.111.1201 DEFINITIONS

In addition to the definitions contained in [50-52-101](#), MCA, the following definitions apply to this subchapter:

(1) "Alteration" means an expansion, change in purpose, or change in use of any portion of an existing trailer court, campground, work camp, or youth camp. The term includes changing from a trailer court to a campground, adding additional spaces, or changing from a work camp to a campground. The term does not include landscaping alterations that do not affect the number of spaces.

(2) "Applicant" means the owner or person responsible for the license application or plan submittal.

(3) "Approved" means acceptable to the regulatory authority, based on its determination of conformance with Montana statutes, this subchapter, and good public health practices.

(4) "Bedding" means a mattress, box springs, mattress cover, mattress pad, sheets, pillow slip, pillow, pillow cover, blanket, comforter, quilt, duvet, and/or bedspread.

(5) "Building authority" means the Department of Labor and Industry Building Codes Program or its local authorized agent.

(6) "Camp" means a parcel of land on which facilities are provided including designated sites, barracks or structures, any appurtenant water supply and distribution system, wastewater collection and treatment system, solid waste collection and disposal system, or food service and dining facilities.

(7) "Camping unit" means a portable, temporary dwelling supplied by the occupant, including a camping trailer, recreational vehicle, motor home, bus, van, pickup truck, yurt, tipi, or tent.

(8) "Connection" means a line that provides water or sewer service to a designated site, a mobile home site, or a single building or main building with accessory buildings and that is designed to service line specifications.

(9) "Contamination" means impairment or other alteration of the physical, chemical, or biological properties of water, including causing violation of the surface water quality standards contained in ARM Title 17, chapter 30, subchapter 6 or of the maximum contaminant levels for public water supplies contained in ARM Title 17, chapter 38, subchapter 2, or otherwise creating a hazard to human health.

(10) "Dependent unit" means a camping unit or a shelter unit without a water storage tank and a wastewater holding tank as an integral part of the unit and plumbing for potable water and a toilet.

(11) "Designated site" means the permanent area that is designated or used for a camping unit or a shelter unit.

(12) "Independent unit" means a camping unit or shelter unit containing a water storage tank and a wastewater holding tank as an integral part of the unit and plumbing for potable water and a toilet.

(13) "Local regulatory authority" means the local health officer, local sanitarian, or other authorized representative of the local government having jurisdiction.

(14) "Mobile home" means a trailer equipped with necessary service connections that is designed for use as a long-term residence and not on a permanent foundation. The term may include mobile homes, trailers, manufactured homes, modular homes, park model homes, and tiny houses.

(15) "Mobile home space" means a space used for the accommodation of a single mobile home located within a trailer court.

(16) "Permanent foundation" means concrete, concrete block, or wood pier, resting on embedded concrete or concrete block footings. The term does not include mud sill, pier and post, wood blocks, concrete block, or other types of temporary support, resting on the ground.

(17) "Permanent structure" means a structure attached to a permanent foundation.

(18) "Pest" means insects, rodents, and other animals of public health concern.

(19) "Plumbing fixture" means a receptacle or device that:

(a) is permanently or temporarily connected to the water distribution system of the premises and demands a supply of water from the system; or

(b) discharges wastewater.

(20) "Potable Water" means water that meets the standards for drinking purposes of the regulatory authority having jurisdiction, or water that meets the quality standards prescribed by the U.S. Environmental Protection Agency's National Primary Drinking Water Regulations (40 CFR Part 141).

(21) "Public sewage system" means a public sewage system as defined in [75-6-102](#), MCA.

(22) "Public water supply system" means a public water supply system as defined in [75-6-102](#), MCA.

(23) "Regulatory authority" means the department, the local board of health, the local health officer, or the local sanitarian.

(24) "Sanitary dump station" means a facility connected to an approved wastewater treatment system and designed for receiving liquid and water-carried waste from camping unit holding tanks.

(25) "Service building" means a structure that provides bathing, toilet, hand washing, or other facilities required by this subchapter.

(26) "Sewer riser" means that portion of the sewer connection which extends vertically above the ground elevation and terminates at each camping unit, shelter unit, or mobile home space.

(27) "Shelter unit" means a structure supplied by the licensee, which may have plumbing, including potable water or a toilet. The term includes barracks, dorms, tents, cabins, yurts, and tipis.

(28) "Side by side separation" means a measure of distance between the two closest points of adjacent structures.

(29) "Solid waste" means solid waste as defined in [75-10-203](#), MCA, and includes abandoned, damaged, or dismantled mobile homes and recreational vehicles.

(30) "Special event campground" means a temporary or occasional use campground, work camp, or youth camp operated by a single operator at one location for individual events such as a fair, rally, or project involving the gathering of camping units for a maximum period of 14 consecutive days.

(31) "State waters" means state waters as defined in [75-5-103](#), MCA.

(32) "Stop and waste valve" means any unit that permits the outlet valve to be drained through a port or drain hole provided in the valve.

(33) "Trailer" means a dwelling intended to be portable and mounted on wheels.

(34) "Wastewater" means water-carried waste including household, commercial, or industrial wastes, chemicals, human excreta, or animal and vegetable matter in suspension or solution.

(35) "Wastewater treatment system" means a system that receives wastewater for purposes of treatment, storage, or disposal. The term includes public wastewater treatment systems and all disposal methods described in Department of Environmental Quality Circulars DEQ-2 and DEQ-4.

(36) "Water riser" means the portion of the water connection which extends vertically above the ground elevation and terminates at a designated point at each designated site, mobile home space, or water station.

(37) "Water station" means a facility for supplying potable water to the water storage tanks of camping units or other potable water containers.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1202 INCORPORATION BY REFERENCE

(1) For purposes of this subchapter, the Department of Public Health and Human Services adopts and incorporates by reference the following:

(a) Department of Environmental Quality Circular DEQ-4, "Montana Standards for Subsurface Wastewater Treatment Systems" (2013 edition), and Circular, DEQ-2 "Design Standards for Public Sewage Systems" (2018 edition), setting forth minimum requirements for the design and preparation of plans and specifications for subsurface wastewater treatment systems.

(b) ARM Title 17, chapter 30, subchapter 6, containing surface water quality standards (last amended December 24, 2020).

(c) ARM Title 17, chapter 38, subchapters 1 and 2, containing public water supply maximum contaminant levels and requirements (last amended February 14, 2020).

(d) ARM Title 17, chapter 36, subchapters 1, 3, 6, and 8 setting forth subdivision review requirements (last amended February 14, 2020).

(e) Food and Consumer Safety (FCS) Circular 1, (2016 edition), setting forth standards for non-public water supplies serving licensed establishments.

(f) ARM Title 37, chapter 115, subchapter 1 containing swimming pool and spa requirements (last amended May 15, 2020).

(g) ARM [24.301.301](#), setting forth state plumbing code requirements (last amended June 10, 2022).

(h) "Manual of Cross-Connection Control" (10th edition), published by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California. This publication sets forth standards for backflow and back siphonage prevention devices.

(i) American Society of Sanitary Engineering (ASSE) Standard 1001-2021, "Performance Requirements for Atmospheric Type Vacuum Breakers" (ANSI Approved: November 2021). This standard sets forth regulations and requirements for the use of atmospheric type vacuum breakers. These devices provide protection of the potable water supply against pollutants or contaminants that enter the system due to back siphonage through the outlet.

(j) ASSE Standard 1003-2020e2, "Performance Requirements for Water Pressure Reducing Valves for Potable Water Distribution Systems" (ANSI Approved: December 2020). This standard sets forth regulations and requirements for water pressure reducing valves for domestic water distribution systems. These devices reduce static and flowing pressures in water distribution systems. Devices covered by this standard are self-contained, direct acting, single diaphragm types.

(k) ASSE Standard 1004-2017, "Performance Requirements for Backflow Prevention Requirements for Commercial Dishwashing Machines" (ANSI Approved: January 2017). This standard sets forth regulations and requirements for backflow prevention devices used on potable water supplies connected to commercial dishwashing machines.

(l) ASSE Standard 1011-2017, "Performance Requirements for Hose Connection Vacuum Breakers" (ANSI Approved: November 2017). This standard sets forth regulations and requirements for the use of devices designed to be installed on the discharge side of the hose bibb, hydrant, or faucet which is fitted with hose threads.

(m) ASSE Standard 1012-2021, "Performance Requirements for Backflow Preventers with an Intermediate Atmospheric Vent" (ANSI Approved: November 2021). This standard sets forth regulations and requirements for devices that have functional capabilities for preventing both back-siphonage and back pressure and which can operate under continuous or intermittent pressure conditions.

(n) ASSE Standard 1013-2021, "Performance Requirements for Reduced Pressure Principle Backflow Prevention Assemblies" (ANSI Approved: June 2021). This standard sets forth regulations and requirements for reduced pressure principle backflow prevention assemblies. These devices are designed to operate under continuous pressure conditions.

(o) ASSE Standard 1015-2021, "Performance Requirements for Double Check Backflow Prevention Assemblies" (ANSI Approved: June 2021). This standard sets forth regulations and requirements for double check backflow prevention assemblies. These assemblies are designed and constructed to operate under intermittent or continuous pressure conditions.

(p) ASSE Standard 1020-2020, "Performance Requirements for Pressure Vacuum Breaker Assemblies" (ANSI Approved: February 2020). This standard sets forth regulations and requirements for vacuum breaker assemblies. These devices are intended for use in both high and low hazard applications.

(q) ASSE Standard 1024-2017(R2021), "Performance Requirements for Dual Check Backflow Preventers" (ANSI Approved: June 2021). This standard sets forth regulations and requirements for dual check backflow preventers. The devices covered by this standard are intended to protect the potable water supply from low hazard pollution at residential service lines and individual outlets.

(r) ASSE Standard 1047-2021, "Performance Requirements for Reduced Pressure Detector Backflow Prevention Assemblies" (ANSI Approved: June 2021). This standard sets forth regulations and requirements for reduced pressure detector backflow prevention assemblies. These devices are designed to detect low rates of flow up to 2.0 gpm (0.13 L/s) caused by leakage or unauthorized use.

(s) ASSE Standard 1048-2021, "Performance Requirements for Double Check Detector Backflow Prevention Assemblies" (ANSI Approved: June 2021). This standard sets forth regulations and requirements for double check detector backflow prevention

assemblies. These assemblies are also designed to detect low rates of flow up to 2 gpm (0.13 L/s) caused by leakage or unauthorized use.

(t) ASSE Standard 1052-2016 "Performance Requirements for Hose Connection Backflow Preventers" (ANSI Approved: June 2016). This standard sets forth regulations and requirements for hose connection backflow preventers. These devices are designed to be installed on the discharge side of a hose threaded outlet on a potable water system. These two-check devices protect against backflow, due to back siphonage or low-head backpressure, and are field testable to certify protection under the high-hazard conditions present at a hose threaded outlet.

(u) ASSE Standard 1053-2019, "Performance Requirements for Dual Check Backflow Preventer Wall Hydrants – Freeze Resistant Type" (ANSI Approved: April 2019). This standard sets forth regulations and requirements for freeze resistant dual check backflow preventer wall hydrants. These devices protect the potable water supply against back siphonage and backpressure without damage to the device due to freezing.

(v) ASSE Standard 1056-2013, "Performance Requirements for Spill Resistant Vacuum Breaker Assemblies" (ANSI approved: February 2021). This standard sets forth regulations and requirements for assemblies classified as spill-resistant vacuum breaker assemblies. These assemblies are designed for installation in water systems that are normally under continuous pressure conditions.

(w) ASSE Standard 1057-2012, "Performance Requirements for Freeze Resistant Sanitary Yard Hydrant with Backflow Protection" (ANSI Approved: August 2012). This standard sets forth regulations and requirements for assemblies classified as spill-resistant vacuum breaker assemblies. These assemblies are designed for installation in water systems that are normally under continuous pressure conditions.

(2) To obtain, or for information on how to obtain, any document or publication incorporated by reference, contact the Department of Public Health and Human Services, Public Health and Safety Division, Communicable Disease Control and Prevention Bureau, 1400 E. Broadway, P.O. Box 202951, Helena, MT 59620-2951, phone: (406) 444-2837. Copies of the ASSE standards referenced under (1)(i) through (1)(w) are available at <https://www.asse-plumbing.org/asse/standards/product/current-standards>.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1203 GENERAL OPERATING REQUIREMENTS

(1) The environmental conditions of the establishment, including soil, groundwater level and quality, drainage, and topography, shall not create hazards to the property or health or safety of the occupants.

(2) The licensee and manager of an establishment are responsible for ensuring that the requirements of this subchapter are met.

(3) The licensee must have a manager on duty or on call to maintain the establishment and its facilities in accordance with this subchapter and Title 50, chapter 52, MCA.

(a) The manager shall have authority to take immediate action, including actions requiring the expenditure of funds, to correct public health problems.

(b) The licensee must provide occupants and the local regulatory authority the manager's name and contact information.

(4) Each designated site or mobile home space must be clearly marked and numbered on a sign at each site or on the mobile home, except at special event campgrounds, and on a map available to all campground occupants.

(5) Each mobile home shall be fully skirted. Skirting shall be attached to the mobile home. An access opening in the skirting must be provided near the water and sewer connections.

(6) Designated sites may be located only in an area not subject to the accumulation of storm water or surface water.

(7) Pets must not be permitted to run at large or create a nuisance within the establishment. Pets must be limited to the area of the designated site or mobile home space unless leashed. The establishment is responsible for addressing any nuisance caused by a pet.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1204 PLAN APPROVAL

(1) The department is the regulatory authority for plan review, unless the local regulatory authority has been approved by the department, in writing, to review plans. Plans may be reviewed jointly by the county and the department.

(2) The owner, or their designee, must submit plans and specifications for any new or altered establishment to the regulatory authority for examination and approval before beginning construction or alteration. Facilities proposed in the plans and specifications must meet the requirements of this subchapter.

(3) Plans and specifications must include a scaled site plan showing the location of all improvements and must show how all applicable rules will be met, including those regarding water supply, wastewater disposal, and solid waste disposal. If the proposal requires Department of Environmental Quality Sanitation in Subdivision review, public water review or public wastewater review, documentation from the Department of Environmental Quality approving the subdivision or public facilities must be submitted as part of a complete plan review application. Specifications and floor plans for any permanent structures, such as service buildings, must be submitted.

(4) No change in plans or specifications involving any provision of this subchapter may be made unless the change is approved in writing by the regulatory authority.

(5) The plans and specifications must be submitted in a manner approved by the department.

(6) Plans and specifications submitted under this rule are reviewed under authority provided by Title 50, chapter 52, MCA, and this subchapter. Regulatory authority approval of plans and specifications under this subchapter does not constitute approval for compliance with planning, building codes, fire codes, or other state, federal, or local requirements (including compliance with the Americans with Disabilities Act, Public Law 101-336).

(7) Within 60 days after the receipt of a complete plan submittal, the regulatory authority will make any deficiencies known to the applicant.

(8) Access, density of sites, and site spacing must conform to local planning and/or subdivision requirements. Mobile homes must be located with at least 20 feet of side-to-side separation.

(9) Approval to construct will be limited to two years, after which, if a license has not been issued, plans and specifications must again be submitted for re-evaluation under rules in effect at the time of resubmittal.

(10) Non-licensure for two or more years requires a new submittal of plans and specifications for review and approval by the local regulatory authority and the department before the establishment is relicensed. The establishment must comply with the requirements of current rule at the time of submission.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1207 WATER SUPPLY REQUIREMENTS

(1) The establishment shall always provide an adequate and potable supply of water, as approved by the local regulatory authority.

(2) If an existing public water supply of satisfactory quantity and pressure is available, and the owner of the public water system agrees to provide service, connection must be made to the public water system and its supply used exclusively except for non-potable water uses approved by the department in writing.

(3) Public water supply systems must be approved by the Department of Environmental Quality and meet the requirements of ARM [17.38.101](#) et seq., or, if applicable, must be approved by the U.S. Environmental Protection Agency.

(4) Non-public water supply systems must meet the requirements of Food and Consumer Safety (FCS) Circular 1, 2016 edition.

(5) For campgrounds, the local regulatory authority, upon consultation with the department, may allow a variance from the requirements of (1) for a potable water supply upon demonstration by the applicant that the deviation does not have the potential to cause adverse public health effects. The applicant must submit a plan that demonstrates that the public is informed of the absence of a potable water supply, and that the public is warned that the existing water in the area is not suitable for drinking or other uses that may adversely affect public health. This deviation will be noted on the establishment license.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1208 INDIVIDUAL WATER CONNECTIONS

(1) Plans for a new or modified water distribution system must be approved by the regulatory authority before construction. The system must be designed to protect the water from contamination. This includes providing protection from backflow and precluding the creation of cross connections.

(2) If individual water connections for camping units, shelter units, or mobile home spaces are provided, the following standards apply:

(a) Water riser pipes must extend at least 24 inches above ground elevation with the outlet directed downward for campgrounds, and water risers for a mobile home must

extend at least four inches above ground elevation. Surface water must be directed away from the riser.

(b) Adequate provision must be made to prevent freezing of service lines, valves, and riser pipes.

(c) Water risers must be located and constructed to minimize potential for damage from trailers. Protection may consist of posts, fences, or other permanent barriers.

(d) Stop and waste type control valves may not be installed underground.

(e) Where health hazards exist that could lead to the contamination of the water supply, the water supply must be protected against backflow or back siphonage. A backflow or back siphonage prevention device installed on a water supply system shall meet American Society of Sanitary Engineering (ASSE) or the Foundation for Cross Connection Control and Hydraulic Research (FCCCHR) standards for construction, installation, maintenance, inspection, and testing for that specific application and type of device.

(f) There must be at least ten feet of horizontal distance between a sewer line connection and a stop and waste valve.

(g) A water connection must be laid at least ten feet horizontally from any existing or proposed sewer line or in a manner allowed under the state plumbing requirements described in ARM [24.301.301](#).

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1209 WASTEWATER TREATMENT REQUIREMENTS

(1) Wastewater treatment systems must be located, designed, constructed, and operated in accordance with local and state regulations.

(a) A failed wastewater treatment system must not be used until repaired or replaced. An alternative system approved by the local regulatory authority must be provided during the interim.

(b) All plumbing fixtures must discharge to an approved wastewater treatment system.

(c) Wastewater may not discharge onto the ground surface or to surface water.

(2) An establishment that limits occupancy of individuals to 14 days or less may use an alternative system with applicable approval by the local regulatory authority, Department of Environmental Quality, or department for sewage disposal, provided the system does not place sewage in a location likely to cause pollution of state waters, in violation of Title 75, chapter 5, MCA, or pose potential adverse public health effects.

(3) If the establishment provides individual connections for wastewater disposal:

(a) the sewer riser must be four inches in diameter;

(b) surface drainage must be diverted away from the riser;

(c) if serving a mobile home space, the sewer riser must be located so that connection to the mobile home will approximate a vertical position;

(d) the sewer riser must be separated from the water riser by at least six feet;

(e) the sewer riser must be securely plugged or capped when not in use; and

(f) flex hose may be used to connect an independent or dependent unit if the unit will be connected for less than 30 days. Connections for mobile homes and units that will be

connected for more than 30 days must meet state plumbing codes and local wastewater treatment and disposal regulations.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1210 TOILET FACILITIES

(1) Toilet facilities are required for establishments with dependent unit sites. Toilets must be located within 300 feet of sites for dependent units and must be accessible whenever the establishment is operating.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1211 POOLS AND SPAS

(1) A public swimming pool, as defined under [50-53-102](#), MCA, provided by a campground, trailer court, work camp, or youth camp must be licensed, constructed, and operated in accordance with ARM Title 37, chapter 115, subchapter 1.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1212 WATER STATION

(1) Establishments that do not have individual water connections for all designated sites shall provide a water station.

(2) A water station must consist of at least a water hydrant and the necessary appurtenances, and must be protected against backflow, back siphonage, and hose contamination. The backflow or back siphonage prevention device installed on a water supply system shall meet American Society of Sanitary Engineering (ASSE) or the Foundation for Cross Connection Control and Hydraulic Research (FCCCHR) standards for construction, installation, maintenance, inspection, and testing for that specific application and type of device.

(3) A water station must be separately located from the sanitary dump station to ensure that the water station hose is not used to flush sewage from the sewage holding tank.

(4) A water station must be provided within 300 feet of each site for dependent units that lack individual water connections.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1213 SANITARY DUMP STATION

(1) A sanitary dump station is required in each establishment that has designated sites for independent units, unless the following circumstances exist:

- (a) each independent unit designated site is provided with an individual sewer riser;
- (b) a sanitary dump station accepted by the regulatory authority is available for public use on a full-time basis within 15 miles from the campground, and the campground owner or operator has posted a sign at the campground stating the location of the nearest available sanitary dump station; or

(c) the regulatory authority determines that installation of a sanitary dump station is not feasible because of lack of electricity, water under pressure, or other sanitary reasons.

(2) If a sanitary dump station is required, as determined under (1), there must be at least one station for every 100 independent unit designated sites lacking individual sewer risers.

(3) The sanitary dump station shall consist of at least a trapped four inch sewer riser pipe connected to an approved wastewater treatment system, surrounded at the inlet end by a concrete apron sloped to the drain, and with a suitable hinged cover provided for the riser. A water outlet shall be included to permit sanitary maintenance of the station. The water outlet shall be marked: "THIS WATER FOR FLUSHING AND CLEANING — UNSAFE FOR DRINKING." The water outlet hose shall be mounted on a reel or tower to ensure that the nozzle does not touch the ground when not in use. The water outlet shall be provided with an approved device to prevent backflow.

(4) A sanitary dump station may not be located within 100 feet of a permanent body of surface water or well nor within 75 feet of a designated site.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1216 SERVICE BUILDING REQUIREMENTS

(1) A service building must be provided at each establishment that provides dependent unit designated sites unless the campground limits occupancy of individuals to 14 days or less. The service building is subject to the following requirements:

(a) the service building must be of permanent construction and equipped with lighting, handwashing sinks, toilets, and a janitorial sink;

(b) interior service building surfaces in plumbed areas must be smooth, nonabsorbent, and easily cleanable;

(c) showers, if provided, must have non-slip surfaces sloped to drain, provide warm water, not to exceed 120°F, and provide adequate ventilation;

(d) all windows, doors, and other openings must be screened or closed;

(e) the service building must be conveniently located within a radius of 300 feet from all sites designated for use by dependent units;

(f) the service building must be connected to approved water and wastewater treatment systems;

(g) the number and type of plumbing fixtures must be provided in accordance with Table I below. If a campground has more than 100 dependent unit designated sites, two additional toilets shall be provided for every additional 75 designated sites. The numbers may be either unisex toilet facilities or divided equally between separate men's and women's facilities.

TABLE I

# Dependent Unit Designated Sites	# Toilets	# Handwashing Sinks
1 - 15	2	2
16 - 30	4	4
31 - 45	6	6
46 - 60	8	8
61 - 80	10	10
81 - 100	12	12

(h) all equipment must be kept clean and in good repair. All showers, toilets, and handwashing sinks must be cleaned with disinfectant products regularly; and

(i) the service building must have hand cleaner, disposable towels or hot air dryers, and toilet tissue at all times of operation.

(2) All cooking shelters or other buildings must be cleaned after each day's use during the operating season.

(History: [50-52-102](#), MCA; IMP, [50-52-102](#), MCA; NEW, 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1217 SHELTER UNITS

(1) Each shelter unit will be maintained as follows:

(a) the shelter unit must be thoroughly cleaned after being occupied;

(b) the shelter unit must be maintained in good repair and in a safe and sanitary condition;

(c) floor and wall mounted furnishings must be easily moved or mounted in such a way as to allow for easy cleaning;

(d) all bedding, towels, and other laundered items must be washed and dried as specified in ARM [37.111.121](#);

(e) each mattress, when provided, must be covered with a machine washable cover and must be kept in clean and sanitary condition;

(f) utensils used for food or drink must be washed, rinsed, and sanitized by camp employees or single-service items must be used. All utensils used for food or drink must be stored, handled, and dispensed in a manner which prevents contamination;

(g) floors and walls of rooms subject to large amounts of moisture must be smooth, non-absorbent, and easily cleanable;

(h) bathing facilities, if present, must be provided with anti-slip surfaces; and

(i) the temperature of water for handwashing and bathing must not exceed 120°F.

(History: [50-52-102](#), MCA; IMP, [50-52-102](#), MCA; NEW, 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1218 SOLID WASTE REQUIREMENTS

(1) The establishment must ensure that the storage, collection, and disposal of solid waste does not cause health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. The licensee or manager must take immediate

measures to alleviate public health or sanitation hazards presented by solid waste in the establishment.

(2) The establishment shall provide adequate solid waste containers and service to the establishment.

(3) Solid waste shall be kept in durable, easily cleanable, pest resistant, wildlife resistant, leak proof, and nonabsorbent containers. Containers for solid waste must be located within 300 feet of each designated site and mobile home space, except that the regulatory authority may approve a centrally located solid waste handling system.

(4) Containers must be provided in sufficient number and capacity to store all solid waste between collections. The regulatory authority may require additional capacity if waste is documented outside or overflowing from containers.

(5) Containers for solid waste used in food preparation and in areas used for washing utensils shall be kept covered or closed when not in use and emptied at a frequency that minimizes the development of objectionable odors and other conditions that attract or harbor pests and wildlife.

(6) Recyclable materials shall be stored in a clean and sanitary manner to prevent pest attraction and nuisance odors.

(7) Solid waste shall be disposed of at least weekly at an approved landfill facility.

(8) Other solid waste removal arrangements may be approved by the regulatory authority if they provide for timely and adequate solid waste removal and waste does not accumulate outside of containers.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1219 PEST AND WEED CONTROL

(1) Buildings and other structures must be maintained to be kept free of harborage for, and infestations of, pests and wildlife.

(2) Any extermination or control measures involving insecticides, rodenticides, or herbicides must strictly conform to the manufacturer's application instructions, and not be used within 100 feet of a drinking water well.

(3) The growth of brush, weeds, grass, and other plants must be controlled within the establishment to eliminate harborage of pests.

(4) The growth of ragweed, poison ivy, poison oak, poison sumac, and other similarly noxious plants must be controlled within the area of the establishment frequented by occupants.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1220 FIRE PROTECTION AND HAZARDOUS SUBSTANCES

(1) Facilities shall be kept free of litter, rubbish, and other flammable materials.

(2) Chemicals, flammables, and other hazardous substances shall be used for their intended purpose and according to the manufacturer's directions stated on the container label.

(3) Chemicals and other hazardous substances shall be stored according to the manufacturer's directions in their original, covered, and labeled containers in a separate, secure area accessible only by appropriate employees.

(4) Flammable materials shall be stored in a well-ventilated structure, separate from areas occupied by campers and employees.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1223 REGISTRATION

(1) All campgrounds, youth camps, and work camps shall maintain a camp register that contains the names, home addresses, and phone numbers of the occupants.

(2) A youth camp shall maintain a camp register that also contains names and phone numbers of persons to notify in case of an emergency for employees and campers.

(3) Outside groups that rent a campground or youth camp must maintain a list of attendees to be made available upon request to the regulatory authority for purposes of investigation of communicable disease or other conditions of public health importance.

(4) Registers shall be retained for a minimum of two years.

(5) Registers shall be made available to the regulatory authority upon request.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1224 SPECIAL EVENT CAMPGROUNDS

(1) A special event campground may be licensed by the local regulatory authority for a single event that takes place at a single venue for 14 days or less.

(2) The operator of a special event campground must submit a complete plan review application to the regulatory authority at least 30 days prior to opening and must receive approval from the regulatory authority before opening.

(3) The application must include a site plan showing:

(a) the area that will be used for camping;

(b) the location of the event;

(c) an estimate of the number of people to be accommodated;

(d) the maximum number of people that can be accommodated;

(e) the number of toilets, handwashing, and bathing facilities to be provided and plans for servicing and maintenance;

(f) the water supply source and distribution method; and

(g) the method of handling solid and liquid waste.

(4) Water must be supplied by a public water supply, licensed water hauler, bottled water, or alternative system approved by the local regulatory authority in compliance with state and local regulations.

(5) Wastewater treatment systems must meet the requirements of [ARM 37.111.1209](#).

(6) The licensee must ensure solid waste requirements under [ARM 37.111.1218](#) are met.

(7) The operator must comply with all components of the approved plan. No modifications to the plan are allowed without regulatory authority approval.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1225 FOOD SERVICE

(1) An establishment preparing or serving food that meets the definition of a "retail food establishment" under [50-50-102](#), MCA, must obtain a separate retail food license. An establishment as defined in [50-51-102](#), MCA, that is licensed as a public accommodation may serve food to registered guests and day visitors without obtaining a retail food license pursuant to [50-50-102\(21\)\(c\)\(xii\)](#), MCA.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1226 LICENSURE

(1) The local regulatory authority shall perform a pre-licensing inspection prior to submitting a complete license application with the appropriate fee found in [50-52-202](#), MCA.

(2) A licensee shall give notice in writing to the local regulatory authority at least 30 days prior to selling, transferring, giving away, or otherwise disposing of interest in or control of the establishment. The notice must include the name and address of the person assuming ownership or control of the establishment. The new owner must contact the local regulatory authority to obtain a new license. At the regulatory authority's discretion, a plan review may be required as part of the change of ownership.

(3) Licenses are not transferrable.

(4) The license must be posted on the premises at a location approved by the local regulatory authority.

(5) The licensee or manager of an establishment may not accept or offer camping units, shelter units, or mobile homes in excess of the number and types approved under the license.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), [50-52-202](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1227 YOUTH CAMPS

(1) In addition to the other requirements of this subchapter, the operator of a youth camp must:

(a) ensure that the site is as free as reasonably possible of objects or conditions which are hazardous to humans;

(b) post a warning of potential natural hazards and otherwise inform each camper of the danger; and

(c) ensure that each facility and item of equipment used in camp programs are of sufficient quality and properly maintained.

(2) All cleaning compounds and other toxic chemicals not stored in the product container or package in which it was obtained must be stored in a labeled container that clearly identifies the product by name.

(3) Adequate and convenient janitorial facilities including a sink and storage area for equipment and chemicals must be provided.

(4) Poisonous compounds shall not be stored in food preparation areas or food storage areas or in any areas where campers may initiate unsupervised contact.

(5) In cases in which a youth develops symptoms of illness while at camp, the operator of the youth camp must:

- (a) isolate the child immediately in a room or area segregated for that purpose;
- (b) as soon as possible, contact, inform, and consult with a parent or guardian of the child about the illness and take one of the following actions:
 - (i) request that the child be picked up and taken home immediately;
 - (ii) if the parent or guardian agrees, observe the child for a reasonable time and, if the symptoms do not pass, request that the child be taken home; or
 - (iii) if the parent or guardian agrees, call a physician, and follow the physician's instructions.

(6) Cases of suspected communicable diseases and conditions listed under ARM [37.114.203](#) must be reported by telephone to the local health officer upon discovery or as soon as possible thereafter if no contact can be made the same day.

(7) A youth camp operator shall develop and enforce policies on first aid which include, at a minimum:

- (a) keeping a record of an emergency phone number for the parent or guardian of each child attending the camp;
- (b) measures to be taken in case of injury; and
- (c) having a physician on call and a person on-site who is trained in Red Cross basic first aid during camp-sponsored activities. Recommendations for first aid supplies and policies may be secured from the Department of Public Health and Human Services, Emergency Medical Services and Injury Prevention Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951.

(8) The youth camp operator must prepare and maintain a record of each instance of fatality stemming from an injury occurring at camp and for each illness or injury occurring at camp which results in a camper either being admitted to the hospital or being diagnosed with a reportable disease listed under ARM [37.114.203](#). The record must contain:

- (a) description of the injury or illness;
- (b) description of how the injury or illness occurred;
- (c) the date and time it occurred; and
- (d) measures taken to prevent similar injuries from happening in the future.

(9) A youth camp that prepares or serves food to employees or registered guests must follow the "Food Code, 2013, Recommendations of the United States Public Health Service, Food and Drug Administration," adopted and incorporated by reference under ARM [37.110.260](#).

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1228 WORK CAMPS

(1) Whenever operation of a work camp is permanently discontinued, all septic tanks, privy vaults, and cisterns must be removed or emptied and subsequently filled with solid materials.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1231 VARIANCES

(1) The regulatory authority may grant a variance to a requirement of this subchapter if, in the opinion of the regulatory authority, a health hazard or nuisance will not result from the variance.

(2) To apply for a variance, the applicant must submit the following information:

(a) a statement as to why the applicant is unable to comply with the rule to which the variance is requested;

(b) the nature and duration of the variance requested;

(c) a statement of how the intent of the rule will be met and the reasons why the public health or safety would not be jeopardized if the variance is granted; and

(d) other information deemed necessary by the regulatory authority to establish that a health hazard or nuisance will not result from granting the variance.

(3) The regulatory authority must retain the variance application and decision in the establishment file as long as the variance is applicable.

(4) Prior to issuing a variance, the local regulatory authority will contact, notify, and consult with the department about any similar variances to help ensure uniform and equitable application of the law.

(History: [50-52-102](#), MCA; [IMP](#), [50-52-102](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1232 INSPECTIONS AND COMPLIANCE REQUIREMENTS

(1) In accordance with [50-52-303](#), MCA, a licensee shall allow the local regulatory authority to perform inspections at reasonable hours for determining compliance with this subchapter.

(2) Whenever an inspection is made to determine compliance with this subchapter, the findings must be recorded on an inspection form approved by the department. Within 15 days after each inspection, the local regulatory authority shall give the owner or operator a copy of the inspection report.

(3) If the regulatory authority determines that one or more violations exist, the inspection form must designate the administrative rule(s) that have been violated, the observed basis of the violations(s), any required corrective action, and the date by which the correction must be implemented.

(4) If plans for correction are required, the licensee shall submit necessary plans to the local regulatory authority that include a proposed time schedule for corrective measures. The time schedule and plans, if approved, shall become conditions of licensure.

(History: [50-52-102](#), [50-52-301](#), MCA; [IMP](#), [50-52-102](#), [50-52-103](#), [50-52-301](#), [50-52-303](#), MCA; [NEW](#), 2022 MAR p. 1748, Eff. 9/10/22.)

37.111.1233 PERFORMANCE REQUIREMENTS FOR LOCAL REGULATORY AUTHORITIES

In addition to the requirements of [50-52-301](#), MCA, the following performance requirements apply to the local board of health:

(1) for a local board of health to qualify for reimbursement under [50-52-302](#), MCA, the local regulatory authority shall:

- (a) use inspection forms approved by the department;
- (b) update the department's inspection database quarterly;
- (c) inspect each establishment within its jurisdiction at least once per license year, or as otherwise agreed upon in a cooperative agreement;
- (d) provide copies of program documentation, including inspection reports, plans of correction, and enforcement actions when requested by the department; and
- (e) keep all documentation related to an establishment for five years from the date of its creation, unless required to be kept longer by another part of this rule. Plan reviews must be retained for five years after establishment closure.

(History: [50-52-102](#), MCA; IMP, [50-52-102](#), [50-52-302](#), MCA; NEW, 2022 MAR p. 1748, Eff. 9/10/22.)