

WAC 110-302-0170 Fire safety. (1) Except for ONB programs that enroll only school-age children and operate on public or private school premises, ONB providers and programs must comply with the state building code, pursuant to RCW 19.27.031.

(2) Except for ONB programs that enroll only school-age children and operate on public or private school premises, ONB providers must arrange for an annual fire safety inspection for any facility or structure approved for use.

(a) The annual fire safety inspection must be arranged with the local government agency that has the authority to conduct fire safety inspections. If the appropriate local government agency is not available to conduct a fire safety inspection, ONB providers must inspect for fire safety by using and implementing the state fire marshal form.

(b) ONB programs operating on public park land must communicate with the park director regarding fire safety or building inspections of any buildings in use by the ONB program, and ensure that fire inspections occur annually or submit a report to the department.

(3) To ensure a safe environment for children in care, an ONB provider must comply with all applicable fire safety requirements. ONB programs must also comply with the following:

(a) **Combustible materials.** Except for ONB programs that enroll only school-age children and operate on public or private school premises, combustible materials:

(i) Must be properly discarded pursuant to local jurisdictions removed from the premises, or properly stored in closed plastic or metal containers specifically designed to hold such combustible materials;

(ii) Stored in a closed plastic or metal container must not be accessible to children in care; and

(iii) Include, but are not limited to, lint, gasoline, natural gas, diesel, fuel, propane, rags soaked in combustible materials, oils, chemicals, or solvents.

(b) **Furnaces and other heating devices.**

(i) Except for ONB programs that enroll only school-age children and operate on public or private school premises, paper, rubbish, or other combustible materials must be at least three feet from furnaces, fireplaces, campfires, or other heating devices;

(ii) An appliance or heating device that has a surface capable of burning a child or reaching 110 degrees Fahrenheit must be inaccessible to children in care unless ONB program activities involve such appliances or devices and children are being actively supervised.

(iii) For ONB programs not operating on public or private school premises, furnaces and other heating devices must be inaccessible to children in care.

(c) **Open flame devices, candles, matches, and lighters.**

(i) Open flame devices must not be used in or on ONB program premises or any other space accessible to children in care during operating hours. This prohibition does not apply to the use of a gas kitchen range, a camp stove that is in compliance with the requirements described in WAC 110-302-0195, or a campfire that is in compliance with the requirements described in WAC 110-302-0351;

(ii) Candles must not be used during operating hours;

(iii) Matches and lighters must be inaccessible to children.

(d) **Portable heaters and generators.** Portable heaters or fuel-powered generators must not be used inside ONB program premises during operating hours.

(i) In case of an emergency, a generator may be used but must be placed at least 20 feet from buildings, windows, doors, ventilation intakes, or other places where exhaust fumes may be vented into the premises or ONB program space; and

(ii) Appliances must be plugged directly into a generator or into a heavy duty outdoor-rated extension cord that is plugged into a generator.

(iii) When necessary, portable heaters may be used by ONB programs for the purposes of keeping children warm in cold weather. If the heating device reaches over 110 degrees Fahrenheit, children must be actively supervised, and children must remain out of reach of the heater to avoid accidental burns.

(e) **Fireplaces, woodstoves, or similar wood burning heating devices.** Chimneys, fireplaces, gas burning fireplaces, wood stoves or similar wood-burning devices and fire pits must be inspected annually by a state or locally certified inspector, unless the ONB provider submits to the department a written statement that the chimney, fireplace, wood stove or similar wood-burning device or fire pit will not be used at any time. ONB programs operating on public land do not have to provide inspection certificates for publicly provided fire pits or wood burning barbecues.

(f) **Fire alarms and smoke and carbon monoxide detectors.** ONB providers must comply with the requirements described in this subsection.

(i) Properly maintain at least one smoke detector for each indoor licensed sleeping area and one for each floor, unless exempt under WAC 51-50-0907.

(ii) Properly maintain carbon monoxide detectors for indoor space, unless exempt under WAC 51-50-0915.

(iii) At least once per month, ONB providers must inspect and test the smoke and carbon monoxide detectors. For each monthly inspection, ONB providers must document the following information in a written record:

(A) Who conducted the monthly inspection;

(B) The date the monthly inspection was conducted;

(C) A description of whether any smoke or carbon monoxide detectors were not working; and

(D) The corrective actions that were taken to replace or repair any smoke or carbon monoxide detector that was not working.

(g) **Extinguishers.** ONB providers operating with an applicable indoor ONB program or engaging in campfire or outdoor cooking activity must have and maintain working fire extinguishers that are marked with a minimum rating of 2A:10 BC.

(i) Fire extinguishers must be readily available for use in case of an emergency; and

(ii) For ONB programs operating in a public park location that do not allow the use of fire extinguishers, alternative fire suppression equipment, such as buckets of water must be available.

(h) **Monthly inspections.** ONB providers must involve staff responsible for different groups of children during monthly inspections. At least once per month, ONB providers must inspect fire extinguishers, and the premises to identify possible fire hazards and eliminate any hazards found including, but not limited to, emergency lighting. For each monthly inspection, the ONB provider must document the following information in a written record:

(i) Who conducted the monthly inspection;

(ii) The date the monthly inspection was conducted;

(iii) A description of any fire hazards that were identified; and

(iv) The corrective actions that were taken to eliminate identified fire hazards.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0170, filed 5/1/23, effective 6/1/23.]