

# Title 212 WAC

## STATE FIRE MARSHAL

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- 212-02 Description of fire marshal's office--Organization, operations, obtaining information.
- 212-08 Practice and procedure.
- 212-10 Smoke detection devices in dwelling units.
- 212-12 Fire marshal standards.
- 212-14 Fire protection systems and equipment.
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### DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

#### Chapter 212-15

#### FIRE SAFETY STANDARDS FOR SELF-SERVICE GASOLINE STATIONS

- 212-15-010 Application. [Order F-70-1, § 212-15-010, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-020 Definitions. [Order F-70-1, § 212-15-020, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-030 Signs required. [Order F-70-1, § 212-15-030, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.

- 212-15-040 Pumps and equipment. [Order F-70-1, § 212-15-040, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-050 Portable containers. [Order F-70-1, § 212-15-050, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-060 Attendants and their duties. [Order F-70-1, § 212-15-060, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.

### Chapter 212-16 FIREWORKS

- 212-16-001 Promulgation. [Fireworks rules, promulgation, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250. Later promulgation, see chapter 212-17 WAC.
- 212-16-010 Title, authority, purpose and scope--Short title. [Fireworks, Regulation 1, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-015 Title, authority, purpose and scope--Authority. [Fireworks, Regulation 2, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-020 Title, authority, purpose and scope--Purpose. [Fireworks, Regulation 3, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-025 Title, authority, purpose and scope--Scope. [Fireworks, Regulation 4, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-030 Title, authority, purpose and scope--Licenses fraudulently secured. [Fireworks, Regulation 5, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-035 License--To whom issued. [Order F-72-1, § 212-16-035, filed 1/24/72; Fireworks, Regulation 6, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-040 Registered employees. [Order F-72-1, § 212-16-040, filed 1/24/72; Fireworks, Regulation 7, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-045 Registered employees--Misuse of license. [Fireworks, Regulation 8, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-050 Registered employees--Definitions. [Fireworks, Regulation 9, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-055 Registered employees--Toy pistols. [Fireworks, Regulation 10, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-075 Fireworks manufacturer--General. [Fireworks, Regulation 11, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-080 Fireworks manufacturer--Licensing. [Fireworks, Regulation 12, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-085 Fireworks manufacturer--Local ordinances. [Fireworks, Regulation 13, filed 6/1/62.] Repealed

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	by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.		(Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-090	Fireworks manufacturer—License limitations. [Fireworks, Regulation 14, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-195	Fireworks wholesaler—License limitations. [Fireworks, Regulation 33, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-095	Fireworks manufacturer—Classification. [Fireworks, Regulation 15, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-200	Fireworks wholesaler—Classification. [Fireworks, Regulation 34, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-100	Fireworks manufacturer—Safe firing directions. [Fireworks, Regulation 16, filed 6/1/62, effective 1/1/63.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-205	Fireworks wholesaler—Records and reports. [Fireworks, Regulation 35, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-105	Fireworks manufacturer—Records and reports. [Fireworks, Regulation 17, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-210	Fireworks wholesaler—Importing. [Fireworks, Regulation 36, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-110	Fireworks manufacturer—Restrictions. [Fireworks, Regulation 18, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-215	Fireworks wholesaler—Restrictions. [Fireworks, Regulation 37, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-115	Fireworks manufacturer—Bills of lading. [Fireworks, Regulation 19, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-220	Fireworks wholesaler—Bills of lading. [Fireworks, Regulation 38, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-120	Fireworks manufacturer—Salesmen and employees. [Fireworks, Regulation 20, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-225	Fireworks wholesaler—Salesmen and employees. [Fireworks, Regulation 39, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-125	Fireworks manufacturer—Building and structures. [Fireworks, Regulation 21, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-230	Fireworks wholesaler—Exits. [Fireworks, Regulation 40, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-130	Fireworks manufacturer—Exits. [Fireworks, Regulation 22, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-235	Fireworks wholesaler—Personnel. [Fireworks, Regulation 41, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-135	Fireworks manufacturer—Personnel. [Fireworks, Regulation 23, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-240	Fireworks wholesaler—Fire drills. [Fireworks, Regulation 42, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-140	Fireworks manufacturer—Fire drills. [Fireworks, Regulation 24, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-245	Fireworks wholesaler—Smoking and fire. [Fireworks, Regulation 43, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-145	Fireworks manufacturer—Smoking and fire. [Fireworks, Regulation 25, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-250	Fireworks wholesaler—No smoking signs. [Fireworks, Regulation 44, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-150	Fireworks manufacturer—No smoking signs. [Fireworks, Regulation 26, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-255	Fireworks wholesaler—Visitors. [Fireworks, Regulation 45, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-155	Fireworks manufacturer—Visitors. [Fireworks, Regulation 27, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-260	Fireworks wholesaler—Fire nuisance. [Fireworks, Regulation 46, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-160	Fireworks manufacturer—Fire nuisance. [Fireworks, Regulation 28, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-275	Importers and exporters of fireworks—General. [Fireworks, Regulation 47, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-175	Fireworks wholesaler—General. [Fireworks, Regulation 29, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-280	Importers and exporters of fireworks—Licensing. [Fireworks, Regulation 48, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-180	Fireworks wholesaler—Licensing. [Fireworks, Regulation 30, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-285	Importers and exporters of fireworks—License scope. [Fireworks, Regulation 49, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-185	Fireworks wholesaler—Investigation. [Fireworks, Regulation 31, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-290	Importers and exporters of fireworks—Reports. [Fireworks, Regulation 50, filed 6/1/62, effective 1/1/63.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-190	Fireworks wholesaler—Local ordinances. [Fireworks, Regulation 32, filed 6/1/62.] Repealed by 82-17-037	212-16-295	Importers and exporters of fireworks—Classification. [Fireworks, Regulation 51, filed 6/1/62.] Repealed

- by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-300 Importers and exporters of fireworks—Unclassified fireworks. [Fireworks, Regulation 52, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-305 Importers and exporters of fireworks—Exporting. [Fireworks, Regulation 53, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-310 Importers and exporters of fireworks—Shipping. [Fireworks, Regulation 54, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-315 Importers and exporters of fireworks—Bills of lading. [Fireworks, Regulation 55, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-320 Importers and exporters of fireworks—Restrictions. [Fireworks, Regulation 56, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-335 Retailers of safe and sane fireworks—General. [Fireworks, Regulation 57, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-340 Retailers of safe and sane fireworks—Sales dates. [Fireworks, Regulation 58, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-345 Retailers of safe and sane fireworks—Sales locations. [Fireworks, Regulation 59, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-350 Retailers of safe and sane fireworks—Safety inspection. [Fireworks, Regulation 60, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-355 Retailers of safe and sane fireworks—No smoking signs. [Fireworks, Regulation 61, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-360 Retailers of safe and sane fireworks—Smoking and discharge of fireworks. [Fireworks, Regulation 62, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-365 Retailers of safe and sane fireworks—Fireworks classified. [Fireworks, Regulation 63, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-370 Retailers of safe and sane fireworks—Disposition of unsold stock. [Fireworks, Regulation 64, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-385 Pyrotechnic operators—General. [Fireworks, Regulation 65, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-390 Pyrotechnic operators—Application for license. [Fireworks, Regulation 66, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-395 Pyrotechnic operators—Examination, investigation and licensing. [Fireworks, Regulation 67, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-400 Pyrotechnic operators—Responsibility. [Fireworks, Regulation 68, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-405 Pyrotechnic operators—Observance of laws, rules and regulations. [Fireworks, Regulation 69, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-420 Registration of employees—Definition of registered employee. [Fireworks, Regulation 70, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-425 Registration of employees—Application. [Fireworks, Regulation 71, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-430 Registration of employees—Responsibility. [Fireworks, Regulation 72, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-435 Registration of employees—Expiration. [Fireworks, Regulation 73, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-440 Registration of employees—Surrendering. [Fireworks, Regulation 74, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-455 Classification, registration and labeling—General. [Fireworks, Regulation 75, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-460 Classification, registration and labeling—Test samples. [Fireworks, Regulation 76, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-465 Classification, registration and labeling—Chemical analysis. [Fireworks, Regulation 77, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-470 Classification, registration and labeling—Tests. [Fireworks, Regulation 78, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-475 Classification, registration and labeling—Retests. [Fireworks, Regulation 79, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-480 Classification, registration and labeling—Revocation. [Fireworks, Regulation 80, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-485 Classification, registration and labeling—Labeling. [Fireworks, Regulation 81, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-490 Classification, registration and labeling—Imports. [Fireworks, Regulation 82, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-495 Classification, registration and labeling—Specifications. [Fireworks, Regulation 83, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-510 Seal of registration—Description. [Fireworks, Regulation 84, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-515 Seal of registration—Unlawful use. [Fireworks, Regulation 85, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-520 Seal of registration—Permissive use. [Fireworks, Regulation 86, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-525 Seal of registration—Approved use. [Fireworks, Regulation 87, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-530 Seal of registration—Reproduction. [Fireworks, Regulation 88, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

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- 212-16-535 Seal of registration—Registration number. [Fireworks, Regulation 89, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-540 Seal of registration—No subsequent issuance to others. [Fireworks, Regulation 90, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-545 Seal of registration—Cease use order. [Fireworks, Regulation 91, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-560 Public displays of fireworks—General. [Fireworks, Regulation 92, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-565 Application, state license. [Fireworks, Regulation 93, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-570 Application, state license—Special and general licenses. [Fireworks, Regulation 94, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-575 Application, state license—General licenses. [Fireworks, Regulation 95, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-580 Application, state license—Reports. [Fireworks, Regulation 96, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-585 Application, state license—Local permit, application for. [Fireworks, Regulation 97, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-590 Application, state license—Investigation. [Fireworks, Regulation 98, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-595 Application, state license—Test areas. [Fireworks, Regulation 99, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-600 Application, state license—Permits may not be granted, when. [Fireworks, Regulation 100, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-605 Application, state license—Spectators. [Fireworks, Regulation 101, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-610 Application, state license—Pyrotechnic operators. [Fireworks, Regulation 102, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-615 Application, state license—Transportation. [Fireworks, Regulation 103, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-620 Application, state license—Public display storage magazines. [Fireworks, Regulation 104, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-625 Application, state license—Mortars. [Order FM R 76-1, § 212-16-625, filed 5/18/76; Fireworks, Regulation 105, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-630 Application, state license—Rocket launchers. [Fireworks, Regulation 106, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-635 Application, state license—Metallic mortars. [Fireworks, Regulation 107, filed 6/1/62, effective 1/1/63.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-640 Application, state license—Setting mortars. [Fireworks, Regulation 108, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-645 Application, state license—Setting rocket launchers. [Fireworks, Regulation 109, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-650 Special setting of mortars. [Fireworks, Regulation 110, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-655 Special setting of mortars—Finale batteries. [Fireworks, Regulation 111, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-660 Special setting of mortars—Firing magazines. [Fireworks, Regulation 112, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-665 Special setting of mortars—Loading mortars. [Fireworks, Regulation 113, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-670 Special setting of mortars—Firing. [Fireworks, Regulation 114, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-675 Special setting of mortars—Firing rockets. [Fireworks, Regulation 115, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-680 Special setting of mortars—Firing procedure. [Fireworks, Regulation 116, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-685 Special setting of mortars—Operator in charge. [Fireworks, Regulation 117, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-690 Special setting of mortars—Duds. [Fireworks, Regulation 118, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-695 Special setting of mortars—Magazine tenders. [Fireworks, Regulation 119, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-700 Special setting of mortars—Shell size. [Fireworks, Regulation 120, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-705 Special setting of mortars—Set pieces. [Fireworks, Regulation 121, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-710 Special setting of mortars—Match. [Fireworks, Regulation 122, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-715 Special setting of mortars—Flying pigeons. [Fireworks, Regulation 123, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-720 Special setting of mortars—Unfired fireworks. [Fireworks, Regulation 124, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-725 Special setting of mortars—Smoking. [Fireworks, Regulation 125, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-730 Special setting of mortars—Fire equipment. [Fireworks, Regulation 126, filed 6/1/62.] Repealed

- by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-735 Special setting of mortars—Reports. [Fireworks, Regulation 127, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-750 Transportation—General. [Fireworks, Regulation 128, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-755 Transportation—Labels. [Fireworks, Regulation 129, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-760 Transportation—Bills of lading. [Fireworks, Regulation 130, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-765 Transportation—Test samples. [Fireworks, Regulation 131, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-770 Transportation—Custom bond. [Fireworks, Regulation 132, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-775 Transportation—Personnel. [Fireworks, Regulation 133, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-780 Transportation—Smoking and fire. [Fireworks, Regulation 134, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-785 Transportation—Fire nuisance. [Fireworks, Regulation 135, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-800 Storage—General. [Fireworks, Regulation 136, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-805 Storage—Explosive safety practices. [Order FM R 76-1, § 212-16-805, filed 5/18/76; Fireworks, Regulation 137, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-810 Storage—Supervision. [Fireworks, Regulation 138, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-815 Storage—Personnel. [Fireworks, Regulation 139, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-820 Storage—Smoking and fire. [Fireworks, Regulation 140, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-825 Storage—"No smoking" signs. [Fireworks, Regulation 141, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-830 Storage—Fire nuisance. [Fireworks, Regulation 142, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-845 Special effects—Scope. [Fireworks, Regulation 143, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-850 Special effects—Basic requirements. [Fireworks, Regulation 144, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-855 Special effects—Magazines. [Fireworks, Regulation 145, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-860 Special effects—Quantities. [Fireworks, Regulation 146, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-865 Special effects—Preparation. [Fireworks, Regulation 147, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-870 Special effects—Mortars. [Fireworks, Regulation 148, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-875 Special effects—Flash charges. [Fireworks, Regulation 149, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-880 Special effects—Electric firing circuits. [Fireworks, Regulation 150, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-885 Special effects—Power sources. [Fireworks, Regulation 151, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-890 Special effects—Shunts. [Fireworks, Regulation 152, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-895 Special effects—Firing safeguards. [Fireworks, Regulation 153, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-900 Special effects—Circuit tests. [Fireworks, Regulation 154, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-905 Special effects—Water locations. [Fireworks, Regulation 155, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-910 Special effects—Sight firing. [Fireworks, Regulation 156, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-950 Repeal of other regulations. [Fireworks, Regulation 157, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

#### Chapter 212-24

#### FIRE SAFETY STANDARDS FOR GROUP HOMES HOUSING NOT MORE THAN TEN PHYSICALLY NORMAL RESIDENTS

- 212-24-010 Application. [Order FMR-69-1, § 212-24-010, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-020 No housing above second floor—Exception. [Order FMR-69-1, § 212-24-020, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-030 Means of egress—Fire door required. [Order FMR-69-1, § 212-24-030, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-040 Sleeping quarters. [Order FMR-69-1, § 212-24-040, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-050 Boiler room. [Order FMR-69-1, § 212-24-050, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-060 Fire extinguishers. [Order FMR-69-1, § 212-24-060, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-070 Fire door assemblies. [Order FMR-69-1, § 212-24-070, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.

212-24-080	Smoke detector—Fire alarm system. [Order FMR-69-1, § 212-24-080, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.	212-57-010	Applicability. [Order FM-77-3, § 212-57-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-24-090	Interior finishes—Heat-activated alarm system. [Order FMR-69-1, § 212-24-090, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.	212-57-015	Compliance. [Order FM-77-3, § 212-57-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-24-100	Fire drills. [Order FMR-69-1, § 212-24-100, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.	212-57-020	Inspections and approvals. [Order FM-77-3, § 212-57-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-24-110	Storage prohibited. [Order FMR-69-1, § 212-24-110, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.	212-57-025	Right of appeal. [Order FM-77-3, § 212-57-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-56****GROUP HOME IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

212-56-001	Purpose. [Order FM-77-3, § 212-56-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-030	Building construction. [Order FM-77-3, § 212-57-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-005	Definitions. [Order FM-77-3, § 212-56-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-035	Exiting. [Order FM-77-3, § 212-57-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-010	Applicability. [Order FM-77-3, § 212-56-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-040	Fire extinguishers. [Order FM-77-3, § 212-57-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-015	Compliance. [Order FM-77-3, § 212-56-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-045	Fire alarm. [Order FM-77-3, § 212-57-045, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-020	Inspections and approvals. [Order FM-77-3, § 212-56-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-050	Hazardous areas and building service equipment. [Order FM-77-3, § 212-57-050, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-025	Right of appeal. [Order FM-77-3, § 212-56-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-055	Fire prevention. [Order FM-77-3, § 212-57-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-030	Building construction. [Order FM-77-3, § 212-56-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-060	Maintenance. [Order FM-77-3, § 212-57-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-035	Exiting. [Order FM-77-3, § 212-56-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-065	Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-57-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-040	Fire extinguishers. [Order FM-77-3, § 212-56-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-57-070	Separability. [Order FM-77-3, § 212-57-070, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-56-045	Fire alarm. [Order FM-77-3, § 212-56-045, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.		
212-56-050	Fire prevention. [Order FM-77-3, § 212-46-050 (codified as WAC 212-56-050), filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.		
212-56-055	Maintenance. [Order FM-77-3, § 212-56-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.		
212-56-060	Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-56-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.		
212-56-065	Separability. [Order FM-77-3, § 212-56-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.		

**Chapter 212-57****GROUP HOME OTHER THAN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

212-57-001	Purpose. [Order FM-77-3, § 212-57-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-58-001	Purpose. [Order FM-77-3, § 212-58-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
212-57-005	Definitions. [Order FM-77-3, § 212-57-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.	212-58-005	Definitions. [Order FM-77-3, § 212-58-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
		212-58-010	Applicability. [Order FM-77-3, § 212-58-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
		212-58-015	Compliance. [Order FM-77-3, § 212-58-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
		212-58-020	Inspections and approvals. [Order FM-77-3, § 212-58-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
		212-58-025	Right of appeal. [Order FM-77-3, § 212-58-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
		212-58-030	Building construction. [Order FM-77-3, § 212-58-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-58****GROUP HOME FOR DEVELOPMENTALLY DISABLED PERSONS, STANDARDS FOR FIRE PROTECTION**

- 212-58-035 Exiting. [Order FM-77-3, § 212-58-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-040 Fire extinguishers. [Order FM-77-3, § 212-58-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-045 Fire alarm. [Order FM-77-3, § 232-58-045 (codified as WAC 212-58-045), filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-58-050, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-055 Fire prevention. [Order FM-77-3, § 212-58-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-060 Maintenance. [Order FM-77-3, § 212-58-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 1212-58-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-070 Separability. [Order FM-77-3, § 212-58-070, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-59****MINI DAY CARE CENTER IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-59-001 Purpose. [Order FM-77-3, § 212-59-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-59-005 Definitions. [Order FM-77-3, § 212-59-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-010 Applicability. [Order FM-77-3, § 212-59-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-015 Compliance. [Order FM-77-3, § 212-59-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-020 Inspections and approvals. [Order FM-77-3, § 212-59-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-025 Right of appeal. [Order FM-77-3, § 212-59-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-030 Building construction. [Order FM-77-3, § 212-59-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-035 Exiting. [Order FM-77-3, § 212-59-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-040 Fire extinguishers. [Order FM-77-3, § 212-59-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-045 Automatic fire detection. [Order FM-77-3, § 212-59-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-050 Fire prevention. [Order FM-77-3, § 212-59-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM

- 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-055 Maintenance. [Order FM-77-3, § 212-59-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-060 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-59-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-065 Separability. [Order FM-77-3, § 212-59-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-60****MINI DAY CARE CENTER OTHER THAN IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-60-001 Purpose. [Order FM-77-3, § 212-60-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-60-005 Definitions. [Order FM-77-3, § 212-60-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-010 Applicability. [Order FM-77-3, § 212-60-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-015 Compliance. [Order FM-77-3, § 212-60-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-020 Inspections and approvals. [Order FM-77-3, § 212-60-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-025 Right of appeal. [Order FM-77-3, § 212-60-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-030 Building construction. [Order FM-77-3, § 212-60-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-035 Exiting. [Order FM-77-3, § 212-60-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-040 Fire extinguishers. [Order FM-77-3, § 212-60-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-045 Fire alarm. [Order FM-77-3, § 212-60-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-60-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-055 Fire prevention. [Order FM-77-3, § 212-60-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-060 Maintenance. [Order FM-77-3, § 212-60-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-60-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

**Title 212 WAC**

**Title 212 WAC: State Fire Marshal**

212-60-070 Separability. [Order FM-77-3, § 212-60-070, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-61**

**DAY CARE CENTER IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-61-001 Purpose. [Order FM-77-3, § 212-61-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-61-005 Definitions. [Order FM-77-3, § 212-61-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-010 Applicability. [Order FM-77-3, § 212-61-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-015 Compliance. [Order FM-77-3, § 212-61-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-020 Inspections and approvals. [Order FM-77-3, § 212-61-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-025 Right of appeal. [Order FM-77-3, § 212-61-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-030 Building construction. [Order FM-77-3, § 212-61-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-035 Exiting. [Order FM-77-3, § 212-61-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-040 Fire extinguishers. [Order FM-77-3, § 212-61-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-045 Fire alarm. [Order FM-77-3, § 212-61-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-050 Fire prevention. [Order FM-77-3, § 212-61-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-055 Maintenance. [Order FM-77-3, § 212-61-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-060 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-61-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-065 Separability. [Order FM-77-3, § 212-61-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-62**

**DAY CARE CENTER AND DAY TREATMENT PROGRAM OTHER THAN IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

212-62-001 Purpose. [Order FM-77-3, § 212-62-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.

- 212-62-005 Definitions. [Order FM-77-3, § 212-62-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-010 Applicability. [Order FM-77-3, § 212-62-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-015 Compliance. [Order FM-77-3, § 212-62-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-020 Inspections and approvals. [Order FM-77-3, § 212-62-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-025 Right of appeal. [Order FM-77-3, § 212-62-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-030 Building construction. [Order FM-77-3, § 212-62-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-035 Exiting. [Order FM-77-3, § 212-62-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-040 Fire extinguishers. [Order FM-77-3, § 212-62-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-045 Fire alarm. [Order FM-77-3, § 212-62-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-62-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-055 Fire prevention. [Order FM-77-3, § 212-62-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-060 Maintenance. [Order FM-77-3, § 212-62-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-62-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-070 Separability. [Order FM-77-3, § 212-62-070, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

**Chapter 212-63**

**CHILD CARE INSTITUTIONS, STANDARDS FOR FIRE PROTECTION**

- 212-63-001 Purpose. [Order FM-77-3, § 212-63-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-005 Definitions. [Order FM-77-3, § 212-63-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-010 Applicability. [Order FM-77-3, § 212-63-010 (codified as WAC 212-63-010), filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-015 Compliance. [Order FM-77-3, § 212-63-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-020 Inspections and approvals. [Order FM-77-3, § 212-63-020, filed 12/8/77.] Repealed by 81-14-010



- (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-025 Right of appeal. [Order FM-77-3, § 212-63-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-030 Building construction. [Order FM-77-3, § 212-63-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-035 Exiting. [Order FM-77-3, § 212-63-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-040 Fire extinguishers. [Order FM-77-3, § 212-63-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-045 Fire alarm. [Order FM-77-3, § 212-63-045, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-63-050, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-055 Fire prevention. [Order FM-77-3, § 212-63-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-060 Maintenance. [Order FM-77-3, § 212-63-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-63-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-070 Separability. [Order FM-77-3, § 212-63-070, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

### Chapter 212-02 WAC

#### DESCRIPTION OF FIRE MARSHAL'S OFFICE-- ORGANIZATION, OPERATIONS, OBTAINING INFORMATION

##### WAC

- 212-02-010 General authority, duties and goals of the fire marshal.
- 212-02-020 Organization and operations.
- 212-02-030 Functions.
- 212-02-040 Publications and information available.
- 212-02-050 Hearings of the state fire marshal.

**WAC 212-02-010 General authority, duties and goals of the fire marshal.** (1) The state insurance commissioner, an elected state official, also serves as ex officio state fire marshal without additional compensation. The commissioner appoints a chief deputy insurance commissioner and a chief deputy fire marshal for the discharge of his duties under the insurance code and Fire Marshal Act.

(2) The offices of the state insurance commissioner and the state fire marshal operate independently, even though they do share common support services, and in some instances, joint office space. Combined insurance commissioner/fire marshal offices are maintained in Spokane, Yakima, Richland, Vancouver and Mount Vernon, as well as the state capitol, Olympia. Separate fire marshal offices are also maintained in the Olympia, Seattle and Spokane offices of the state department of

social and health services, where the employees of the two agencies work jointly under a contractual state-federal institutional licensing program.

(3) The state fire marshal staff consists of twenty-four deputies and technical employees, and six clerical employees. All, with the exception of the chief fire marshal and an administrative assistant, are employed and governed by the state civil service system.

(4) The duties of the office include the administration of the state fireworks law, inspecting and issuing approvals for various categories of institutional and residential occupancies licensed by the department of social and health services, the investigation of fires of criminal, suspected and undetermined origin, and the dissemination of information to the public on the causes, prevention and reduction of damage from fire.

(5) Additional statutes authorize the fire marshal to establish standards for the prevention of fire and the protection of life and property against fire and panic, govern the use of premises, and conduct inspections to assure conformance to the standards. Subsequent legislative expressly requiring that these functions be performed by local governmental municipalities has resulted in a change in the role of the fire marshal's office from a regulatory function to a supportive function. Also, statutes requiring the fire marshal to establish standards for construction and fire prevention in all schools under the jurisdiction of the superintendent of public instruction and to make plan reviews and construction inspections, have been superseded by the legislative establishment of a state building code and the delegation of administration and enforcement to the various cities, towns and counties of this state.

(6) In addition to the specific functions required or authorized under the law, the fire marshal serves as a source of information and consultation services to other state agencies, units of local government, industry, business and the general public. Technical assistance is provided in the delivery of instructional programs to firemen and police officers in fire and arson investigation. A close liaison has been developed with several federal agencies having mutual interest and/or responsibilities in fire prevention, fire causes and the factors involved in fire origin, spread, severity and results as related to products, materials and devices.

(7) Future plans include taking the lead in the development and establishment of uniform fire reporting and data collection systems, increased emphasis on a public arson awareness program, a more aggressive role in arson investigation and prosecution by the insurance industry and the various disciplines within the criminal justice system, and the assumption of a supporting or coordinating role between the increasing regulatory involvement of the many federal agencies and the units of local government. [Order FM-77-1, § 212-02-010, filed 11/17/77; Order FMR-68-3, § 212-02-010, filed 8/23/68, effective 9/23/68.]

**WAC 212-02-020 Organization and operations.** (1) **Administration.** The administrative staff and technical specialists are situated on the capitol campus in

Olympia. The majority of the staff is assigned to specific functions and is situated at various locations throughout the state, but under the direction of the administrative division.

(2) **Health care inspection division.** A supervisor, clerical help and a team of deputy fire marshals are assigned to work directly with department of social and health services in fulfilling the fire marshal's responsibilities in inspecting and approving all hospitals, nursing homes, boarding homes, maternity homes, and facilities treating mental illness or inebriacy prior to licensing by the state. This team operates from offices within the department of social and health services in Olympia, Seattle and Spokane. Their primary duty is the inspection, at least annually, of all the aforementioned licensed facilities and issuing approvals or disapprovals for future operation. Facilities not approved must make the necessary corrections or risk denial, revocation or suspension of their license to operate. Secondary duties of this team includes training facility staffs in fire prevention and fire emergency procedures and the investigation of fires in the facilities to determine the effectiveness of fire-safety features, proficiency of the staff and evaluation of the fire prevention efforts of both the facility and the state.

Also assigned to work directly with the department of social and health services in their Olympia office is a plan review team, which reviews all plans for new construction or major remodeling of licensed facilities and makes field inspections at the construction site to insure compliance. This function is performed under a contract with the department of social and health services, rather than a statutory responsibility on the part of the fire marshal.

(3) **Residential inspection division.** A supervisor, clerical help and a team of deputy fire marshals operate out of offices in Olympia, Seattle and Spokane and work in close association with the department of social and health services in the inspection and approval for licensing of facilities encompassing several categories of full time and part time care of children, and transient accommodations. The primary duties of this team is the inspection or coordination of local inspections for the purpose of issuing approvals or disapprovals for licensing by the state. Secondary duties include fire prevention and fire investigation, in the same manner as the health care team.

(4) **Fire investigation division.** A team of deputy fire marshals operate from combination insurance commissioner/fire marshal offices in Olympia, Mount Vernon, Vancouver, Yakima, Richland and Spokane. Their primary function is the investigation of fires of criminal, suspected or undetermined origin, as reported by fire departments, police departments or insurance adjusters. Results of such investigations are referred to local prosecuting attorneys. Secondary duties include assisting in the enforcement of local fire codes, responding to complaints, answering inquiries and public education in fire-related matters. Seasonal duties also include inspections and enforcement of the fireworks law.

(5) **Technical assistance.** Specialists in fire prevention, building design, pyrotechnics, codes and related matters

are maintained in the administrative office in Olympia to provide assistance to the other deputies and local officials in technical fire-related matters. [Statutory Authority: Chapter 34.04 RCW. 78-04-076 (Order FM-78-1), § 212-02-020, filed 4/4/78; Order FM-77-1, § 212-02-020, filed 11/17/77; Order FMR-68-3, § 212-02-020, filed 8/23/68, effective 9/23/68.]

**WAC 212-02-030 Functions.** (1) The licensing function involves the adoption of recognized standards applicable to each category or licensed facility and the inspection prior to licensing to insure compliance. Where local officials are qualified and agreeable, they may make the inspections on behalf of the fire marshal. The specific requirements and manner of enforcement are covered in detail in other regulations.

(2) The fire investigation function involves all deputy fire marshals in varying degrees and for different specific purposes. Deputies assigned to inspection teams investigate fires in those specific facilities to evaluate the effectiveness/ineffectiveness of the regulations and to prevent future similar occurrences.

The fire investigation division concentrates primarily on those fires which cannot be definitely determined to be accidental by the local investigator. Where criminality can be established, the deputy works directly with the local law enforcement agency in developing sufficient factual evidence for prosecution.

With the advent of recent legislation mandating the investigation of all fires by each city, town and county to determine the cause, origin and circumstances, the role of the fire marshal has become that of a technical specialist, assisting local investigators when requested, and monitoring the effectiveness of fire investigations in general. The fire marshal assigns all fires of criminal, suspected or undetermined origin reported or made known to him to the fire investigation division for follow-up. Assistance may or may not be provided, in accordance with local needs. Deputies follow these fires through the investigation and prosecution phases in order to establish state-wide statistics and ascertain other factors which will produce better results.

Another important function in fire investigation is that of establishing responsibility for noncriminal fires. Negligence, product liability and design deficiencies play a key role in fire cause and spread. The fire marshal attempts to document these factors with sufficient certainty to allow recovery by innocent victims and establish the need and justification for additional standards by industry or regulatory agencies.

The ultimate failure in any fire is where serious injury or death results. The fire marshal attempts to expend special effort in the investigation of these fires to accurately determine not only the cause of the fire but the reason the victims were unable to escape unharmed.

(3) The fireworks function involves the administration of the fireworks law, including the regulation of fireworks and the licensing of manufacturers, wholesalers, retailers, importers/exporters, public displays, and pyrotechnic operators. Included in this general function but

the subject of separate rules, is the regulation of model and experimental rocketry.

(4) Local support, assistance. Recent legislation established building and fire codes in each city, town and county and mandated enforcement at the local level. This responsibility was new to many municipalities and an increasingly greater amount of the fire marshal's time and effort is being directed toward assisting the smaller towns and counties in fulfilling this responsibility through training, advice and assistance.

(5) Public education. The fire marshal is committed to the principle that more can be accomplished in the furtherance of fire prevention through education than by enforcement or regulation. An informed populace will voluntarily comply with the majority of fire safety standards, which are based on common sense and experience. The mandated responsibilities of the fire marshal must be accomplished first with the discretionary functions, such as public education, limited to the time and resources available. By a greater involvement of local officials in performing some of the duties required of the fire marshal, more time and resources are available to, in turn, assist these same officials in public education efforts.

(6) Other functions. The fire marshal serves as a source of information and advice to all levels of government, business, industry and the general public. The headquarters and zone offices are staffed with full time clerical persons to receive telephone, mail and personal inquiries. The deputies and the technical specialists are qualified to answer questions on most all inquiries involving fire and life safety, regulations, etc. A substantial part of the fire marshal's time is involved in this activity. [Statutory Authority: Chapter 34.04 RCW. 78-04-076 (Order FM-78-1), § 212-02-030, filed 4/4/78; Order FM-77-1, § 212-02-030, filed 11/17/77; Order FMR-68-3, § 212-02-030, filed 8/23/68, effective 9/23/68.]

**WAC 212-02-040 Publications and information available.** (1) Regulations of the fire marshal may be obtained from the Washington state code reviser's office in Olympia or any of the fire marshal's offices on the following subjects: Fire Marshal Standards, chapter 212-12 WAC

Fire protection systems and equipment, chapter 212-14 WAC

Fireworks, chapter 212-16 WAC

Model rocketry, chapter 212-20 WAC

Hospitals, chapter 212-28 WAC

Nursing homes, chapter 212-32 WAC

Boarding homes, chapter 212-36 WAC

Private establishments, chapter 212-40 WAC

Maternity homes, chapter 212-44 WAC

Transient accommodations, chapter 212-52 WAC

Group home in family abode, chapter 212-56 WAC

Group home other than in family abode, chapter 212-57 WAC

Group home for developmentally disabled persons, chapter 212-58 WAC

Mini day care center in family abode, chapter 212-59 WAC

Mini day care center other than in family abode, chapter 212-60 WAC

Day care center in family abode, chapter 212-61 WAC

Day care center and day treatment program other than in family abode, chapter 212-62 WAC

Child care institutions, chapter 212-63 WAC

Maternity service, chapter 212-64 WAC

Fire reporting (proposed)

Fire investigation (proposed)

(2) Various bulletins, publications and fire prevention items are available upon request from any of the fire marshal offices.

(3) Annual report. The fire marshal is required to make an annual report to the governor, pursuant to RCW 48.48.110. This report is contained in the insurance commissioner's annual report, available from this office. [Order FM-77-1, § 212-02-040, filed 11/17/77; Order FMR-68-3, § 212-02-040, filed 8/23/68, effective 9/23/68.]

**WAC 212-02-050 Hearings of the state fire marshal.** (1) Hearings of the fire marshal's office are conducted according to the Administrative Procedure Act (chapter 34.04 RCW) and chapter 48.04 RCW. Essentially, there are two types of hearings conducted - rule-making hearings and contested cases, the latter including appeals from disciplinary actions taken by the fire marshal. Under RCW 48.04.010 the fire marshal is required to hold a hearing upon demand by any person aggrieved by any act, threatened act, or failure of the fire marshal to act, if such failure is deemed an act under the code, or by any report, promulgation, or order of the fire marshal other than an order on a hearing of which such person was given actual notice or at which such person appeared as a party, or order pursuant to the order on such hearing. Requests for hearings must be made in writing, must specify how the person making the demand has been aggrieved by the office of the fire marshal, and the demand must specify the grounds to be relied upon as the basis for the relief sought.

(2) "Contested case" hearings of the fire marshal are informal in nature, and formal rules of pleading and evidence are not required. Generally, the fire marshal or his chief deputy sit as hearing examiner, but the fire marshal may appoint a special hearing examiner in technical matters, who would then prepare a decision for the fire marshal to approve or disapprove. A person wishing a full stenographic record of the proceeding must seasonably make a written request to the fire marshal. Where such requests are not made, the hearing is recorded on tape and transcribed if appeal from the fire marshal's order is made to the superior court. The fire marshal allows any person affected by the hearing to be present during the giving of all testimony and will allow him a reasonable opportunity to inspect all documentary evidence, to examine witnesses and to present evidence in support of his interest. Any person heard must make full disclosure of the facts pertinent to the inquiry. (The

foregoing is provided by chapter 34.04 RCW.) Unless a person aggrieved by an order of the fire marshal demands a hearing thereon within ninety days after receiving notice of such order, the right to such a hearing shall conclusively be deemed have been waived. (RCW 48.04.010(3)). The fire marshal must hold any hearing demanded with [within] thirty days after receipt of the demand, unless postponed by mutual consent.

(3) Rule-making hearings. Rule-making hearings of the fire marshal are conducted pursuant to chapter 34.04 RCW (the Administrative Procedure Act), and chapters 42.32 and 48.04 RCW. Under applicable law all interested parties must be afforded an opportunity to express their views concerning a proposed regulation of the fire marshal's office, either orally or in writing: *Provided, however,* That no rule or regulation can be adopted unless in a public meeting, as required by chapter 42.32 RCW and the Administrative Procedure Act, chapter 34.04 RCW. Notice of intention of the fire marshal to adopt a proposed rule or regulation is sent to the press, as required by chapter 42.32 RCW, to anyone who has requested in advance that the notice be given to him and to all persons whom the fire marshal determined would be interested in the proceeding. [Order FM-77-1, § 212-02-050, filed 11/17/77; Order F-75-1, § 212-02-050, filed 5/19/75.]

### Chapter 212-08 WAC PRACTICE AND PROCEDURE

**Reviser's note:** WAC 212-08-005 through 212-08-590 practice and procedure. [Rule .08.010 through .08.590 filed 3/22/60 by the state fire marshal.] Rules repealed by Order FMR 68-2, filed June 12, 1968. See material portion of the repealer below.

"I, LEE I. KUECKELHAN, ex officio state fire marshal of the state of Washington, by virtue of the power vested in me by chapter 34.04 RCW and RCW 48.02.060 through chapter 48.48 RCW, after due and regular notice, and in a meeting open to the public, held in the Insurance Commissioner's Office, Insurance Building, Olympia, Washington, at 10:00 a.m. on Tuesday, June 11, 1968, as required by chapters 34.04 and 42.32 RCW, do hereby repeal the above-entitled rules and regulations, effective July 11, 1968, on the grounds that such rules and regulations are substantially contained in Title 1 WAC, which are intended to be the uniform rules of practice and procedure for state administrative agencies."

### Chapter 212-10 WAC SMOKE DETECTION DEVICES IN DWELLING UNITS

#### WAC

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**WAC 212-10-010 Administration, authority.** These rules are adopted pursuant to chapter 50, Laws of 1980, entitled smoke detection devices in dwelling units, and to RCW 48.48.140 to provide for the installation and maintenance of smoke detection devices inside all dwelling units (1) occupied by persons other than the owner, or (2) built or manufactured in this state. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-010, filed 2/4/81.]

**WAC 212-10-015 Application and scope.** (1) The provisions of these rules shall apply to (a) all dwelling units occupied by persons other than the owner after December 31, 1981, and (b) all dwelling units built or manufactured in this state after December 31, 1980.

(2) Notwithstanding the provisions of chapter 19.27 RCW, RCW 43.22.340 through 43.22.434 and 43.22.450 through 43.22.490, the provisions of these rules shall also apply to all buildings or structures, mobile homes and factory built housing used as dwelling units. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-015, filed 2/4/81.]

**WAC 212-10-020 Definitions.** (1) **Smoke detection device.** A self-contained alarm for detecting visible or invisible particles of combustion, which consists of an assembly of electrical components including a smoke chamber, alarm sounding appliance, and provision for connection to a power supply source, either by splice leads or a cord and plug arrangement or containing integral batteries. A supplemental heat detector may be included as part of the appliance. Terminals may be included for connection to a remote, audible signaling appliance or accessory. An integral transmitter may also be included to energize a remote audible signaling appliance. The smoke detection device may be of the photoelectric and/or ionization type.

(2) **Photoelectric detector.** A smoke detection device which activates when visible smoke from a fire enters the detector. Sensitive to smoldering fires as well as smoke generated by an open flame fire.

(3) **Ionization detector.** A smoke detection device which activates in response to invisible particles created by combustion. Sensitive to open flame fire.

(4) **Combination photoelectric/ionization detector.** A smoke detection device containing both an ionization and a photoelectric element.

(5) **Dwelling unit.** A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

(6) **Factory built housing.** For the purpose of these rules, factory built housing is considered as any structure designed primarily for human occupancy other than a mobile home, the structure of any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site, and which is subject to regulation by the Washington department of labor and industries pursuant to RCW 43.22.450 through 43.22.490.

(7) **Mobile home.** For the purpose of these rules, a mobile home is considered as a factory-assembled structure or structures assembled with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit without a permanent foundation, and which is subject to regulation by the Washington department of labor and industries pursuant to RCW 43.22.340 through 43.22.434.

(8) **New building.** For the purpose of these rules, a new building is considered as any structure constructed, erected or moved onto a permanent site on or after December 31, 1980, any portion of which is used or intended for use as a dwelling unit by any person or persons.

(9) **Existing building.** For the purpose of these rules an existing building is considered as any structure in existence prior to December 31, 1981, any portion of which is used, intended for use or thereafter converted for use as a dwelling unit by any person or persons other than the owner who do not otherwise qualify as a guest or member of the household of the owner. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-020, filed 2/4/81.]

**WAC 212-10-025 Conformance with nationally accepted standards.** All smoke detection devices shall be designed and manufactured in conformance with the requirements of Underwriters Laboratories, Inc. Standard UL 217 or International Conference of Building Officials Standard 43-6, and shall be approved or listed for the purposes for which they are intended. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-025, filed 2/4/81.]

**WAC 212-10-030 Primary power supply.** The primary power supply of a smoke detection device shall be either a commercial light and power source normally available in the dwelling unit, or an integral battery or batteries. Connection to a commercial power and light source, if used, shall be in the form of permanent wiring to terminals or leads in a separate wiring compartment having provision for the connection of a conduit, metal-clad or nonmetallic sheathed cable, by means of a power supply cord and attachment-plug cap, or by means of a separate power supply. **EXCEPTION:** Smoke detection devices in dwelling units built or manufactured in this state after December 31, 1980, shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent without a disconnecting switch other than those required for overcurrent protection. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-030, filed 2/4/81.]

**WAC 212-10-035 Number of smoke detection devices.** (1) At least one smoke detection device shall be installed to protect the sleeping area within each dwelling unit. A sleeping area is defined as the area or areas of the dwelling unit in which the bedrooms (or sleeping rooms) are located. Where bedrooms or rooms ordinarily

used for sleeping are separated by other-use areas (such as kitchens or living rooms but not bathrooms or closets), or are located on different stories or floor levels, they shall be considered as separate sleeping areas for the purposes of these rules.

(2) Dwelling units with more than one sleeping area shall require the installation of additional smoke detection devices to protect each sleeping area. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-035, filed 2/4/81.]

**WAC 212-10-040 Location of smoke detection devices.** (1) Smoke detection devices shall be installed outside of bedrooms or rooms used for sleeping purposes but in the immediate vicinity of such rooms, centrally located in the corridor or area giving access to the rooms. In dwelling units without separate sleeping rooms, the smoke detection devices shall be centrally located in the main room. Smoke detection devices shall be located on or near the ceiling. **NOTE:** Smoke detection devices should be installed in those locations recommended by the manufacturer except in those cases where the space above the ceiling is open to the outside and little or no insulation is present over the ceiling. Such cases result in the ceiling being excessively cold in the winter time or excessively hot in the summer time. Where the ceiling is significantly different in temperature from the air space below, smoke has difficulty reaching the ceiling and to a detector which may be placed there. In this situation, placement of the detector on a side wall, with the top four inches to twelve inches from the ceiling is preferred. In dwelling units employing radiant heating in the ceiling, the wall location is the preferred location. Radiant heating in the ceiling can create a hot-air boundary layer along the ceiling surface which can seriously restrict the movement of smoke to a ceiling-mounted detector.

(2) A smoke detection device installed in a stairwell shall be so located as to assure that smoke rising in the stairwell cannot be prevented from reaching the detection device by an intervening door or obstruction.

(3) Smoke detection devices in rooms with ceiling slopes greater than one-foot rise per eight feet horizontally shall be located at the high side of the room.

(4) Smoke detection devices shall not be mounted in front of an air supply duct outlet or between the bedroom and the furnace cold air return. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-040, filed 2/4/81.]

**WAC 212-10-045 Installation.** (1) It is the responsibility of the builder or manufacturer of each new building, mobile home or factory built housing to install smoke detection devices within each dwelling unit.

(2) It is the responsibility of the owner of each existing building, mobile home or factory built housing to install smoke detection devices within each dwelling unit occupied by persons other than the owner.

(3) It is the responsibility of the owner of each new or existing building, mobile home or factory built housing, containing dwelling units occupied by persons other than

the owner, to inspect and test all smoke detection devices at the time of vacancy and make the necessary repairs or replacements to insure that the smoke detection devices are operational prior to reoccupancy, and to instruct the occupants of the purpose, operation and maintenance of the smoke detection device(s). [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-045, filed 2/4/81.]

**WAC 212-10-050 Maintenance.** It is the responsibility of the occupant of all new or existing dwelling units, owned by other than the occupant, to maintain and test all smoke detection devices installed within the dwelling unit by the owner. Actual costs of maintenance, repair or replacement of smoke detection devices shall be as agreed beforehand by the occupant and owner. However, failure of the owner to abide by the terms of any such agreement does not relieve the occupant of the responsibility to maintain the smoke detection devices in a fully operational condition at all times. Failure to do so can subject the occupant to the penalty provisions of WAC 212-10-055. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-050, filed 2/4/81.]

**WAC 212-10-055 Penalties.** Any person who violates any of the provisions of RCW 48.48.140 or these rules shall be punished by a fine of not more than fifty dollars. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-055, filed 2/4/81.]

**WAC 212-10-060 Severability.** If any provision of these rules or its application to any person is held invalid, the remainder of the rules or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-060, filed 2/4/81.]

### Chapter 212-12 WAC FIRE MARSHAL STANDARDS

#### WAC

212-12-010 Adoption of fire safety standards[—Effective date].

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-12-045 Standards of safety—Codes adopted as applicable to hospitals, nursing and boarding homes and private psychiatric hospitals. [Rule promulgated 4/24/57.] Repealed by Order FMR 68-1, filed 5/2/68, effective 6/1/68.

212-12-046 Safety standards for jurisdictions having no comprehensive fire protection and safety code—Nursing homes, hospitals, boarding homes, maternity homes, "private establishments," and child welfare agencies—Adoption by reference of 1961 codes—Savings clause. [Order 337 (part), filed 10/26/67, effective 11/24/67; Regulation 182, filed 3/22/63.] Repealed by Order FMR 68-1, filed 5/2/68, effective 6/1/68.

212-12-047 Existing hospitals, etc. Minimum standards for continuation of fire approval for existing use or occupancy under any savings clause heretofore applicable. Effective date. [Order FMR-69-2, § 212-12-047, filed 8/12/69; Emergency Order RMR-69-2, § 212-

12-047, filed 6/26/69; Order 337 (part), § 212-12-047, filed 10/26/67, effective 11/24/67; Regulation 238, filed 12/14/65.] Repealed by Order FM-77-2, filed 11/17/77.

212-12-050 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-055 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Definitions. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-060 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Building construction. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-065 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Exit facilities. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-070 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Aisles and corridors. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-075 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Openings in enclosure areas. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-080 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Enclosure of basement stairs, etc. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-085 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Separation of hazardous areas and sprinkler systems. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-090 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Heating. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-095 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Exterior stairs. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-100 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Lighting. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-105 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Draft stops. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-110 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Fire extinguishing equipment. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-115 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Alarm system. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-120 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Miscellaneous. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

212-12-990 Appendix A—History and background of Regulation 238 [WAC 212-12-047]. [Order 238, Appendix A (codified as WAC 212-12-990), filed 12/14/65, effective 1/15/66.] Repealed by Order FM-77-2, filed 11/17/77.

**WAC 212-12-010 Adoption of fire safety standards[—Effective date].** (1) Application. This regulation shall apply to:

(a) Transient accommodations (RCW 70.62.290).

- (b) Nursing homes (RCW 18.51.140).
- (c) Hospitals (RCW 70.41.080).
- (d) Boarding homes (RCW 18.20.130).
- (e) Private establishments; i.e. private, mental, and alcoholic hospitals (RCW 71.12.485).
- (f) Maternity homes (RCW 18.46.110).
- (g) Agencies licensed by the department of social and health services pursuant to chapter 74.15 RCW, RCW 74.32.040 through 74.32.055, and 74.13.031, except foster family homes and child placing agencies.
- (h) Schools under the jurisdiction of the superintendent of public instruction and the state board of education (RCW 48.48.045).
- (i) Private schools (RCW 28A.02.201).

(2) **Purpose.** The purpose of these standards is to specify measures which will provide a reasonable degree of public safety from fire without involving hardship or interference with the normal use and occupancy of a building.

(3) **Fire safety standards.** The fire safety standards of the state fire marshal shall be as follows:

(a) The fire safety standards or applicable portions thereof as found or referenced in the State Building Code Act, chapter 19.27 RCW.

(b) The 1976 edition of the National Fire Protection Association Life Safety Code 101.

(c) Those standards of the National Fire Protection Association applicable to and expressly or impliedly referenced in the Life Safety Code.

(4) **Enforcement.** Enforcement of these fire safety standards shall be as follows:

(a) New construction or major remodeling shall be in conformance with the Uniform Building Code, as administered by the local official having jurisdiction.

(b) Operation and maintenance shall be in conformance with the Uniform Fire Code, as administered by the local official having jurisdiction.

(c) Existing buildings shall be governed by local codes and the Life Safety Code.

(d) Existing licensed occupancies previously approved by the state fire marshal as in conformance with the standards then in effect shall have their existing use or occupancy continued, provided such continued use is not dangerous to life and is acceptable to the local fire and building officials having jurisdiction.

(e) An existing occupancy, licensed as in conformance with a previous edition of the Life Safety Code, may opt to conform to the most recent edition of the Life Safety Code, but only if the most recent code is used in its entirety as the applicable code for the occupancy.

(f) Occupancies, operations or processes not specifically covered elsewhere, in which the state fire marshal has responsibilities for the removal of fire hazards, shall be conducted and/or maintained in accordance with the latest edition of the National Fire Protection Association Fire Codes shall be deemed prima facie evidence of good practice. [Order FM-77-2, § 212-12-010, filed 11/17/77; Order F-72-1, § 212-12-010, filed 1/24/72; Order F-71-1, § 212-12-010, filed 8/10/71; Order FMR-68-1, § 212-12-010, filed 5/2/68, effective 6/1/68; filed 3/22/60.]

(1983 Ed.)

## Chapter 212-14 WAC

### FIRE PROTECTION SYSTEMS AND EQUIPMENT

#### WAC

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**WAC 212-14-001 Application, protective signaling systems.** This regulation applies to facilities licensed by the department of social and health services in which state fire marshal inspection and/or approval is required. Unless otherwise specified, the provisions apply to both new and existing facilities.

The state fire marshal may modify the application of these regulations only if the following are met:

(1) The occupancy is the same as it was prior to the adoption of this regulation.

(2) Strict compliance would be clearly impractical.

(3) Variances from the regulations do not compromise the safety of the occupants. [Order FM-77-5, § 212-14-001, filed 12/12/77.]

**WAC 212-14-005 Scope, protective signaling systems.** This regulation is intended to specify requirements covering alarm signaling systems which provide fire and extinguishing system alarm and supervisory signals. These systems are primarily intended for the protection of life by indicating abnormal conditions and secondarily to summon assistance.

A protective signaling system consists of three primary parts; signal initiating, signal control and signal indicating devices.

(1) Signal initiating devices are those devices which may be used to manually or automatically initiate an alarm signal.

(2) Signal control panels are the control units which receive alarm signals from the signal initiating devices and systematically convert and transmit them to signal indicating devices.

(3) Signal indicating devices are those devices which audible and/or visually warn occupants or authorized personnel of presence of an alarm.

The following NFPA standards cover installation details for protective signaling systems:

- (1) NFPA 71 – Central station signaling systems.
- (2) NFPA 72A – Local protective signaling systems.
- (3) NFPA 72B – Auxiliary protective signaling systems.
- (4) NFPA 72C – Remote station protective signaling systems.
- (5) NFPA 72D – Proprietary protective signaling systems.
- (6) NFPA 72E – Automatic fire detectors.
- (7) NFPA 74 – Household fire warning systems. [Order FM-77-5, § 212-14-005, filed 12/12/77.]

**WAC 212-14-010 Initiation of signal indication.** A signaling system shall provide signal indication, due to any or all of the following means of initiation:

- (1) Manual fire alarm initiation.
- (2) Automatic fire detection and alarm initiation.
- (3) Automatic smoke detection and alarm initiation.
- (4) Automatic detection and alarm initiation of extinguishing system operation.
- (5) Automatic detection and alarm initiation of industrial processes or other conditions endangering life.
- (6) Monitoring and supervisory signal initiation of conditions which would prevent operation of an extinguishing system.
- (7) Voice communication alarm initiation. [Order FM-77-5, § 212-14-010, filed 12/12/77; Order F-70-2, § 212-14-010, filed 9/21/70.]

**WAC 212-14-015 System types.** Systems contemplated by this regulation are classified into four types in accordance with the type of action of the signal indicating devices following the operation of an alarm initiating device, as follows:

(1) Noncoded systems sound a constant and continuous alarm signal until the system is restored to normal. These systems are used to evacuate buildings without audibly indicating the location of a fire although visual announcement may be provided to indicate the location of the fire.

(2) Common coded systems sound a coded alarm signal either for a fixed number of rounds or continuously until the system is restored to normal. The coded signal is common to the system and does not audibly indicate the location of a fire. These systems are used to evacuate buildings where a distinctive coded signal is desired to differentiate between the fire alarm and other audible signals.

The purpose of an alarm is to provide a signal for all occupants to leave. However, it is often advisable to give code signals to those in authority and those who will assist the occupants in leaving the building, as, for example, to principals, superintendents, managers, engineers, members of private fire brigades, etc., who require drills in the interpretation and response to code signals.

(3) Selective coded systems sound a coded alarm signal for a fixed number of rounds. The coded signal generally identifies the particular alarm initiating device

which has operated, or may identify the particular section of the premises where an alarm initiating device has been operated. These systems may be used to evacuate the building and/or notify those in authority who may assist the occupants in leaving the building. These systems may also sound a continuous alarm signal after the selective code signal has been completed to provide an evacuation signal until the system has been restored to normal.

(4) Dual coded systems sound a coded alarm signal for a fixed number of rounds at selected locations, and at the same time a constant and continuous alarm signal at all other locations until the system is restored to normal. The coded signal identifies the particular alarm initiating device which has operated or the particular section or zone of the premises where an alarm initiating device has been operated. These systems are used to evacuate the building and at the same time to notify those in authority and those who will assist the occupants in leaving the building.

Noncoded, common coded, selective coded, or dual coded systems may be used wherever protective signaling systems are required, unless otherwise prohibited, and the purpose and intent is met. [Order FM-77-5, § 212-14-015, filed 12/12/77.]

**WAC 212-14-020 Signal indicating devices.** Audible alarm indicating devices shall be of such character and so distributed to be effectively heard above the maximum noise level obtained under normal conditions of the occupancy.

Audible alarm indication shall produce signals which are distinctive from audible signaling indicating devices used for other purposes in the same area.

Audible fire alarm devices other than voice communication shall be used only for fire alarm system purposes.

The manner of sounding alarms should be standardized with a view to obtaining uniformity throughout as large a geographical area as practicable, so that persons moving from one locality to another will not be misled and confused by differences in manner of sounding alarms.

This point is of special importance in certain occupancies. For example, pending the time when state-wide uniformity in school alarm systems can be attained, uniformity of alarm signals should be strictly enforced in all public and private schools throughout each city and the adjacent suburban territory.

Visual alarm indicating devices may not be used in lieu of audible devices.

Visible alarm devices in addition to audible alarms are desirable in buildings occupied by deaf persons.

Where a protective signaling system is required for purpose of evacuation, it shall be so installed as to provide effective warning of fire in any part of the building.

**EXCEPTION:** Where a building is divided by fire walls into separate fire sections or by other means with adequate safeguards against spread of fire or smoke from one section to another, each section may be considered a separate building. [Order FM-77-5, § 212-14-020,



filed 12/12/77; Order F-70-2, § 212-14-020, filed 9/21/70.]

**WAC 212-14-025 Common requirements.** Protective signaling systems and their component devices or equipment shall be approved for the purpose for which installed.

Systems shall be under the supervision of a qualified, responsible person, who shall cause proper tests and inspection to be made at prescribed intervals and shall have general charge of all alterations and additions to the system.

Systems shall be tested periodically to insure continuous reliability.

System components or equipment shall be restored to normal condition promptly after each test or alarm and shall be kept in normal condition for operation.

Systems shall be arranged to cause effective response of all required signal indicating devices without the necessity of manual operation after the operation of any signal initiating device.

A signaling system may be arranged to automatically perform local, incidental control functions necessary to make the premises safer in event of fire or to make it possible to hear alarm signals. The performance of incidental control functions, such as the release of self-opening or self-closing doors, shutting off supplies of gas, fuel oil, or electrical power, switching on emergency lights, switching off supply ventilating fans, and the like, shall not in any way impair the effective response of all required alarm indicating devices. The performance of incidental control functions shall not interfere with the power for lighting or for operating elevators. [Order FM-77-5, § 212-14-025, filed 12/12/77.]

**WAC 212-14-030 Manual alarm initiation.** Manual fire alarm boxes shall be used only for fire protective signaling purposes.

A manual fire alarm box shall be provided in the natural path of escape from fire, near each exit from an area and shall be readily accessible, unobstructed and at visible points.

Additional fire alarm boxes shall be so located that from any part of the building not more than two hundred feet horizontal distance on the same floor must be traversed in order to reach a fire alarm box.

Manual fire alarm boxes shall be arranged such that there will be no difference between the sounding of actual alarms and drill signals.

Each manual fire alarm box on a system shall be of the same general type.

Manual fire alarm boxes shall be tested periodically. [Order FM-77-5, § 212-14-030, filed 12/12/77; Order F-70-2, § 212-14-030, filed 9/21/70.]

**WAC 212-14-035 Automatic detection and alarm initiation.** Automatic fire detection alarm initiating devices, where required, shall be located upon the ceiling, on the side walls near the ceiling, or at other appropriate locations after an engineering survey has been made. (See NFPA 72E, standard on automatic fire detectors,

for details concerning location, spacing and testing of fire detectors.)

Any automatic fire detection system for life safety from fire must have a high degree of reliability. This indicates the need for such features as: (1) An electric current supply independent of the electric power source for the building; (2) trouble signals to give warning in case of short circuits or breaks in wires, or other conditions which might interfere with the proper operation of the system; (3) gongs or other signals of such types and so located as to give assured warning even to sleeping persons; and (4) above all, a regular maintenance program. There is a very considerable diversity in types of automatic fire detection and alarm equipment commercially available, and selection of types suitable for any given situation calls for the exercise of judgment based upon experience.

Automatic fire detection alarm initiating devices shall be approved for the particular application, spacings and locations.

Automatic fire detection alarm initiation devices shall be tested at least annually to insure continuous reliability.

Certain types of heat detectors constructed with non-restorable elements cannot be tested.

The connection of automatic fire detection devices shall not impair the effectiveness and dependability of operation of manual fire alarm boxes to sound the alarm indicating signals. [Order FM-77-5, § 212-14-035, filed 12/12/77.]

**WAC 212-14-040 Automatic smoke detection and alarm initiation.** The location of automatic smoke detection initiating devices, where required, shall be based upon a survey of the area to be protected. They shall be so located and adjusted to operate reliably in case of smoke production in any part of the protected area. (See NFPA 72E, standard on automatic fire detectors, for details concerning location, spacing and testing of fire detectors.)

Automatic smoke detection devices shall be approved for the particular application, spacing and locations.

Automatic smoke detection devices shall be tested at least annually to insure continuous reliability.

The connection of smoke detection devices shall not impair the effectiveness and dependability of operation of manual fire alarm boxes to operate the alarm initiating devices. [Order FM-77-5, § 212-14-040, filed 12/12/77; Order F-70-2, § 212-14-040, filed 9/21/70.]

**WAC 212-14-045 Extinguishing system alarm initiation.** Where a sprinkler system provides automatic detection and alarm initiation it shall be provided with an alarm initiation device which will operate when the flow of water is equal to or greater than that from a single automatic sprinkler.

Extinguishing system alarm initiating devices shall be approved for the particular application and location.

Extinguishing system alarm devices shall be tested periodically to insure reliability.

Means for manually operating the extinguishing system alarm signaling system shall be provided. The manual means shall be located where designated by the state fire marshal. [Order FM-77-5, § 212-14-045, filed 12/12/77.]

**WAC 212-14-050 Extinguishing system supervisory signal initiation.** Supervisory signal initiating devices which monitor valves, pressure, water level, temperature, pumps and other conditions which could impair or prevent operation of an extinguishing system, shall be provided where required by the state fire marshal.

Audible signals from alarm devices initiated by operation of supervisory signal initiating devices shall be separate and distinct from those indicating manual or automatic system operation.

Installation of a supervisory signal initiating device shall not interfere with the normal operation of any part of the extinguishing system.

Supervisory signal initiating devices shall be tested periodically to insure reliability.

The connection of supervisory signal initiating devices shall be installed so as to not impair the effectiveness and dependability of operation of manual fire alarm boxes to sound alarm indicating signals. [Order FM-77-5, § 212-14-050, filed 12/12/77; Order F-70-2, § 212-14-050, filed 9/21/70.]

**WAC 212-14-055 Municipal fire department notification.** An alarm signaling system shall be so arranged that the normal operation of any required alarm initiating device will automatically transmit an alarm to the municipal fire department or to such other outside assistance as may be available when required by state fire marshal regulations.

It is highly desirable that fire alarm equipment installed for the notification of the occupants of buildings in localities under protection of regularly organized fire departments or private fire brigades be arranged to cause automatic transmission of alarms (directly or through an approved central office) to such fire departments or brigades upon operation of any alarm sending station or system. When no such connection is provided it is recommended that a fire alarm box arranged to signal the fire department be installed either at the main entrance to the building, at the telephone switchboard, or outside the building plainly visible by day or night and conveniently accessible from the main entrance.

An alarm signaling system may be connected to the municipal fire department by:

- (1) Direct connect by remote station system.
- (2) Auxiliary connect by municipal alarm system.
- (3) Alarm transmission by an approved central station system. [Order FM-77-5, § 212-14-055, filed 12/12/77.]

**WAC 212-14-060 Power supply.** (1) All systems shall provide a secondary power source and shall automatically transfer, within ten seconds, to that source in the event of a primary power source interruption. Such

secondary source shall provide at least twenty-four hours' power supply.

(2) All power supply equipment (batteries, battery chargers, rectifiers, switching facilities, transformers, etc.) and wiring shall be installed in conformity with the requirements of the National Fire Codes and rules and regulations of the state department of labor and industries, electrical inspection division (reference chapter 296-46 WAC.)

(3) Where there is provided in the protected premises an emergency power supply, separate from the main building supply, and available for operation of essential services, this emergency supply may be used as a secondary power supply for the alarm system. A separate source of power shall be provided for operating the trouble signals.

(4) A separate service entrance and equipment are required for emergency circuits; this may be connected at the service weather heads or transformer secondary, as in the case of underground service. Emergency equipment shall be located sufficiently separated from the main distribution equipment. In the case of an isolated power plant, a second service entrance shall be provided as above for emergency circuits.

(5) Where emergency service is provided by batteries, it shall provide at least twenty-four hour standby. [Order F-70-2, § 212-14-060, filed 9/21/70.]

**WAC 212-14-070 Alarm and supervision circuits.**

(1) All circuits for operating alarm sounding devices and appliances shall be electrically supervised, with the exception of:

(a) The circuit of an alarm sounding device installed in the same room with a system control unit provided the circuit conductors are installed in conduit or equivalently protected against mechanical injury or tampering, with a limit of three feet of conduit.

(b) A trouble signal circuit.

(c) The neutral of a three-, four-, or five-wire AC or DC supply source.

(d) Alarm signal sounding appliances when

(i) alternately connected to two or more circuits at approximately equally-distributed points throughout the building, or

(ii) connected to a return loop circuit, so that a break or ground fault does not prevent the operation of any sounding appliance, and with means provided for testing the continuity of the circuit. Note: "Approximately equally-distributed throughout" shall be interpreted to mean sounding appliances shall be installed so that failure of any one circuit or alarm signal shall not prevent the alarm from being heard in the areas served by that circuit.

(2) A fire alarm system shall be electrically supervised so that the occurrence of a break, or a ground fault of its installation wiring circuits which prevents the required operation of the system, or failure of the main power supply, shall be indicated by a distinctive trouble signal.

(3) Each manually-operated alarm signal station in a single system shall be of the same general type and all

equipment furnished by the contractor, installer, and/or manufacturer shall operate in the same fashion as the existing equipment.

(4) Manually-operated fire alarm equipment shall be provided wherever specified by the applicable provisions of WAC 212-14-080 through 212-14-120. [Order F-70-2, § 212-14-070, filed 9/21/70.]

**WAC 212-14-080 Manual sending stations.** (1) A manually-operated sending station shall be provided at each main exit and in the natural path of escape from fire, at readily-accessible and visible points which are not likely to be obstructed.

(2) Each manually-operated sending station shall be securely mounted. The bottom of the box shall not be less than four and one-half feet, and not more than six feet, from the floor level.

(3) Each manually-operated sending station shall not be more than two hundred feet distant from another station on the same floor, or more than one hundred feet and one flight of stairs from a sending station upon another floor, and shall be located in the natural path of escape from fire. [Order F-70-2, § 212-14-080, filed 9/21/70.]

**WAC 212-14-090 Alarm signal systems and functions.** (1) All systems shall test free from grounds, except those parts or circuits or equipment which are intentionally and permanently grounded to provide ground fault detection, emergency ground signaling, or circuit protective grounding. All systems shall be so designed that they do not depend upon the effectiveness of any ground connection for normal operation.

(2) All apparatus shall be restored to normal use as promptly as possible after each test or alarm, and shall be kept in normal condition for operation.

(3) A switch for silencing the trouble signal sounding appliance may be provided only if it transfers the trouble indication to a lamp or other acceptable visible indicator adjacent to the switch. The visible indicator shall remain in operation until the silencing switch is restored to its normal position unless the audible trouble signal will be obtained when a fault occurs without restoring the switch to normal, or unless the audible trouble signal is again energized upon correction of the fault.

(4) Depending upon the application, local fire alarm systems may include one or more of the following features:

(a) Locating the area of origin of the alarm by coded fire alarm signals or annunciation.

(b) Dual-coded alarm system (see WAC 212-14-130) to minimize the possibility of panic and unnecessary evacuation in buildings of public occupancy or assembly.

(5) Alarm devices shall be provided, of such character and so distributed, as to be effective regardless of the maximum noise level obtained from machinery or other equipment, or vocal sounds produced under normal conditions of occupancy.

(6) Each system shall be arranged so that no manual intervention will be required following the actuation of a

sending station or automatic detector for causing the effective response of all required sounding devices. No facilities shall be provided whereby such response can be controlled or modified, except where specifically approved, or as provided in this chapter.

(7) Where corridors in an institutional, residential, or educational building are utilized for pressurized air-handling systems, and approved automatic smoke detector system shall be installed and connected to automatically energize the fire alarm circuit, release hold-open devices on required doors in fire walls and smoke separation partitions, and simultaneously de-energize the electrical power to the mechanical equipment of the air-handling system.

(8) Annunciators shall be required on all fire alarm systems when the building complex consists of three or more separate buildings, floors, or fire divisions. Such annunciators shall have all interconnecting wiring electrically supervised. Annunciator panels shall be installed so as to be clearly visible and identifiable to personnel responding to an alarm.

(9) Where automatic alarm systems are not directly connected to the public fire department or other central reporting agencies, an external sounding device shall be provided equalling a maximum of one-half mile audibility range.

(10) Fire alarm control panel and/or trouble signal indicators shall be installed in areas which are normally staffed during the hours the building is occupied. Fire alarm control panels shall have a constantly visible indicator showing that the system is normal. Any derangement of the system circuits will be indicated by means of a trouble bell or buzzer. When the audible trouble signal is silenced manually, the visual signal shall continue to indicate that the system is not operating normally and shall be corrected immediately. When required, the control panels may be equipped with a momentary contact reset switch.

(11) A manually- or automatically-operated fire alarm system may be arranged for the accomplishment of incidental functions, such as the release of self-opening or self-closing doors, cutting off supplies of gas, fuel, oil, or electric power, switching on emergency lights, stopping of air-handling equipment fans, etc., insofar as the accomplishment of such functions does not impair the effectiveness or reliability of the required sounding devices in response to the required sending stations.

(12) Circuit diagrams shall be supplied by the company installing the system. Directions for operating, together with instructions on how to reset the system or de-energize the circuit after the alarm has been sounded, shall be conspicuously posted.

(13) Supervised circuit wiring of fire alarm systems shall be classified as Class I signal systems and shall include all wiring attached thereto. [Order F-70-2, § 212-14-090, filed 9/21/70.]

**WAC 212-14-100 Application, automatic sprinklers and other extinguishing equipment.** This regulation applies to facilities licensed by the department of social and health services in which state fire marshal inspection

and/or approval is required. Unless otherwise specified, the provisions apply to both new and existing facilities.

The state fire marshal may modify the application of this regulation only if the following are met:

(1) The occupancy is the same as it was prior to the adoption of this regulation.

(2) Strict compliance would be clearly impractical.

(3) Variances from the regulation does not compromise the safety of the occupants. [Order FM-77-5, § 212-14-100, filed 12/12/77; Order F-70-2, § 212-14-100, filed 9/21/70.]

**WAC 212-14-105 Scope, automatic sprinklers and other extinguishing equipment.** This regulation is intended to specify requirements covering automatic sprinkler systems, other automatic extinguishing equipment and manual extinguishing equipment. These systems are primarily intended for the protection of life and secondarily for protection of property. [Order FM-77-5, § 212-14-105, filed 12/12/77.]

**WAC 212-14-110 Automatic sprinklers.** Each required automatic sprinkler system shall be installed in accordance with NFPA 13, standard for the installation of sprinkler systems.

Experience shows that automatic sprinklers, properly installed and maintained, are the most effective of any of the various safeguards against loss of life by fire. Their value is psychological as well as physical, in that they give a sense of security to occupants of buildings and tend to minimize possible panic hazard in case of fire. There is no case in the NFPA records of over one hundred thousand fires in sprinklered buildings where water from automatic sprinklers has in any way contributed to panic.

NFPA 13, standard for the installation of sprinkler systems, covers installation details for standard automatic sprinkler systems. It will generally be found most desirable to provide a complete standard automatic sprinkler installation to protect the entire property, in the interest of both life safety from fire and the protection of property, even in situations where sprinklers are required only for hazardous areas.

NFPA 13, standard for the installation of sprinkler systems, provides for the installation of systems of various types appropriate for the individual building protected.

Where automatic sprinklers are installed for life safety in buildings of small or moderate size in areas where no adequate public water supplies are available, pressure tank supply will usually be found satisfactory. Pressure tanks may be filled from any small domestic water supply.

NFPA 13A, recommended practice for the care and maintenance of sprinkler systems, gives detailed information on maintenance procedures.

In areas protected by automatic sprinklers, automatic heat detection devices may be deleted.

Properly designed automatic sprinkler systems provide the dual function of both automatic alarms and automatic extinguishment.

The foregoing is not true in those cases where early detection of incipient fire and early notification of occupants are needed to initiate actions in behalf of life safety earlier than can be expected from heat-sensitive fire detectors.

Where automatic sprinkler protection is provided, other requirements of the regulations of the state fire marshal may be modified to such extent as permitted by the provisions of this regulation or the state fire marshal.

Standard automatic sprinkler protection provides a high degree of life safety from fire. This regulation, however, does not rely on any one feature as the sole safeguard for life and other regulations may specify additional safeguards in recognition of the fact that automatic sprinkler systems may, in rare instances, be inoperative. This regulation also recognizes the fact that some quality of smoke may be produced before fire is extinguished by automatic sprinklers, and that any smoke may create a panic hazard even though there may be no actual danger. [Order FM-77-5, § 212-14-110, filed 12/12/77; Order F-70-2, § 212-14-110, filed 9/21/70.]

**WAC 212-14-115 Supervision.** When supervised automatic sprinkler protection is specified in other state fire marshal regulations, a distinct supervisory signal shall be provided to indicate a condition that will impair the satisfactory operation of the sprinkler system. This shall include but not be limited to monitoring of control valves, fire pump power supplies and running conditions, water tank levels and temperatures, pressure of pressure tanks, and air pressure on dry pipe valves.

NFPA 71, standard for the installation, maintenance and use of central station signaling systems gives details of standard practice in sprinkler supervision.

Subject to other state fire marshal regulations, sprinkler supervision shall also be provided by direct connection to municipal fire departments.

NFPA Standards 72A, 72B, 72C and 72D cover such matters. Where municipal fire alarm systems are involved, reference should also be made to NFPA 73, standard for the installation, maintenance and use of municipal fire alarm systems.

Supervisory signals for sprinkler systems shall terminate in a location within the protected building or premises which is constantly attended by qualified personnel in the employ of the owner, or shall terminate in an approved remote receiving facility.

When supervised automatic sprinkler protection is required, waterflow alarms shall be transmitted to an approved proprietary alarm receiving facility, remote station, central station, or the fire department. Such connections shall be installed in accordance with appropriate NFPA standards. (NFPA 71 and 72 series.) [Order FM-77-5, § 212-14-115, filed 12/12/77.]

**WAC 212-14-120 Other automatic extinguishing equipment.** In any occupancy where the character of a potential fuel for fire is such that extinguishment or control of fire may be more effectively accomplished by a type of automatic extinguishing system other than an

automatic sprinkler system such as carbon dioxide, dry chemical, foam, Halon 1301, or water spray, a standard extinguishing system of other type may be installed in lieu of an automatic sprinkler system. Such systems shall be installed in accordance with appropriate NFPA standards.

Automatic extinguishing systems other than automatic sprinklers are covered by the following NFPA standards:

(1) NFPA 11, Standard for foam extinguishing systems.

(2) NFPA 12, Standard on carbon dioxide extinguishing systems.

(3) NFPA 12A, Standard on halogenated fire extinguishing agent systems - Halon 1301.

(4) NFPA 12B, Standard on halogenated fire extinguishing agent systems - Halon 1211.

(5) NFPA 15, Standard for water spray fixed systems.

(6) NFPA 17, Standard on dry chemical extinguishing systems. [Order FM-77-5, § 212-14-120, filed 12/12/77; Order F-70-2, § 212-14-120, filed 9/21/70.]

**WAC 212-14-12001 Appendix A--Reference table.**

APPENDIX A

Provided as a reference on systems required by WAC 212-14-120.

TYPE OF BUILDING	NO. OF STORIES	NO. OF PERSONS OR CAPACITY	SYSTEM REQUIRED
Apartment	4 or more or 12 or more units	49 - 499	Type A
Apartment	4 or more	50 - 499	Type B
Apartment	4 or more	500 or more	Type D
Boarding home	1 or 2	5 - 49	Type B
Boarding home	—	50 or more	Type D
Child care home	—	6 or more	Type A
Convalescent home	—	100 beds or more	Type D
Day care home	2 or more	35 or more	Type A
College dormitory	—	5 - 49	Type A
College dormitory	2 or more	50 or more sleeping rooms	Type D
Educational	—	6 or more	Type A
Educational (campus)	—	—	Type B
Fraternity house	—	5 - 49	Type A
Fraternity house	2 or more	50 or more sleeping rooms	Type D
Hotel	2 or more	50 or more sleeping rooms	Type D
Industrial	1 or more	500 or more	Type C
Industrial	1 or more	25 or more below street level	Type C

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TYPE OF BUILDING	NO. OF STORIES	NO. OF PERSONS OR CAPACITY	SYSTEM REQUIRED
Institutional (hospital)	—	—	Type A
Institutional (hospital)	—	100 beds or more	Type D
Lodging house	1	5 - 49	Type A
Lodging house	2 or more	50 or more sleeping rooms	Type D
Maternity home	—	6 or more	Type A
Motel	1	5 - 49	Type A
Motel	2 or more	50 or more sleeping rooms	Type D
Nursing home	—	5 - 99 beds	Type A
Nursing home	—	100 beds or more	Type D
Mercantile	2 - 19	1,000 or more	Type B
Mercantile	2 - 19	200 or more below street level	Type B
Mercantile	20 or more	—	Type D
Office	2 - 19	50 - 999	Type B
Office	2 - 19	200 or more below street level	Type B
Office	20 or more	—	Type D
Sorority house	1	5 - 49	Type A
Sorority house	2 or more	50 or more sleeping rooms	Type D

[Order F-70-2, Appendix A (codified as WAC 212-14-12001), filed 9/21/70.]

**WAC 212-14-125 Manual extinguishing equipment.**

Where required, portable fire extinguishers shall be installed in accordance with NFPA Standard No. 10, standard for the installation of portable fire extinguishers.

For description of standard types of extinguishers and their installation, maintenance and use, see NFPA 10, standards for the installation of portable fire extinguishers. The labels of recognized testing laboratories on extinguishers provide evidence of tests indicating reliability and suitability of the extinguisher for its intended use. Many unlabeled extinguishers are offered for sale which are substandard by reason of insufficient extinguishing capacity, questionable reliability, extinguishing agents not effective on fires in ordinary combustible materials, or involving a personal hazard to the user.

Where required, standpipe and hose systems shall be installed in accordance with NFPA Standard No. 14, standard for the installation of standpipe and hose systems.

For details, see NFPA 14, standard for the installation of standpipe and hose systems. [Order FM-77-5, § 212-14-125, filed 12/12/77.]

**WAC 212-14-130 Automatic fire detection systems.**

An automatic fire detection system of fixed temperature or fixed temperature/rate of rise, or smoke/products of

combustion, limited to approved photoelectric cell, refractory, or ionization, singly or in combination, dependent upon location in the occupancy or hazard, shall be installed in hazardous areas of the occupancies specified in this section. The system shall give effective warning of a fire in such hazardous areas and shall be of an approved type with detectors of a type and spacing as required by nationally-recognized testing laboratories. An automatic fire detection system, other than smoke/products of combustion, shall not be required where the building is protected by an approved automatic sprinkler system equipped with the water flow device connected to the building fire alarm system.

(1) Institutional buildings (such as, but not limited to, hospitals, nursing homes, maternity homes, buildings providing sleeping facilities for the occupants who are incapable of self-preservation because of age, physical or mental disability, or because of security measures not under the occupant's control.) Hazardous areas include, but are not restricted to, the boiler and heater rooms, laundries, kitchens, repair shops, handicraft shops, laboratories, employee locker rooms, soiled linen rooms, rooms or spaces used for storage in quantities deemed hazardous by the authority having jurisdiction of combustible supplies and equipment, trash and collection rooms, and gift shops. Stairways and corridors shall be equipped with smoke/product of combustion detectors, so as to provide protection between the sleeping area and the other areas of the building unless each unit exits directly to the exterior of the building.

(2) Residential occupancies (such as, but not limited to, hotels, apartments, dormitories, lodging and rooming houses, boarding homes and similar occupancies, fraternity and sorority houses, and ski lodges.) Hazardous areas include, but are not limited to, boiler and heater rooms, kitchens, laundry rooms, storage rooms or spaces. Stairways and corridors shall be equipped with smoke/product of combustion detectors, so as to provide protection between the sleeping area and the other areas of the building unless each unit exits directly to the exterior of the building.

(3) Wood frame, multifamily residential buildings, two or more stories in height, and more than four units. Hazardous areas include but are not limited to boiler and heater rooms, laundry rooms, storage rooms or spaces. Stairways and corridors shall be equipped with smoke/product of combustion detectors, so as to provide protection between the sleeping area and the other areas of the building unless each unit exits directly to the exterior of the building. [Order F-70-2, § 212-14-130, filed 9/21/70.]

## Chapter 212-17 WAC FIREWORKS

WAC

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## PART I—GENERAL

**WAC 212-17-001 Title.** These rules shall be known as the "rules of the state fire marshal relating to fireworks," and may be cited as such. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-001, filed 11/2/82. Formerly chapter 212-16 WAC.]

**WAC 212-17-010 Purpose.** The purpose of these rules is to implement the state fireworks law, chapter 70.77 RCW, administered and enforced by the state fire marshal. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-010, filed 11/2/82.]

**WAC 212-17-015 Scope.** These rules apply to fireworks manufacture, storage, transportation, sale, importation, possession, classification, and discharge of fireworks of every class or kind in this state.

EXCEPTIONS: (1) Explosives, as defined and regulated under the state explosives law, chapter 70.74 RCW;

(2) Firearms and ammunition, including blank cartridges and pistols of the type used at sporting events or theatrical productions;

(3) Research or experiments with rockets or missiles, including model rockets and model rocket motors designed, sold and used for the purpose of propelling recoverable aero models;

(4) Toy paper and/or plastic caps, manufactured in accordance with DOT regulations, 49 CFR 173.100(p), 1981, as of October 29, 1982, or toy pistols, toy canes, toy guns, or other devices in which toy paper and/or plastic caps are used;

(5) Emergency signaling devices. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-015, filed 11/2/82.]

**WAC 212-17-020 Authority.** These rules are adopted pursuant to the Washington Administrative Procedure Act, chapter 34.04 RCW. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-020, filed 11/2/82.]

**WAC 212-17-025 Definition—"Fireworks."** The term "fireworks" shall mean any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of "common" or "special" fireworks as set forth in the United States Department of Transportation's (DOT) Hazardous Materials Regulations, Title 49, Code of Federal Regulations, Parts 173.88 and 173.100, 1981, as of October 29, 1982. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-025, filed 11/2/82.]

**WAC 212-17-030 Definition and classification—"Trick and novelty devices."** The term "trick and novelty devices" shall mean any small firework device not classified as common or special fireworks by the United States Department of Transportation or elsewhere in these rules, including:

(1) Snakes, glow worm. Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.

(2) Trick noisemaker. Item that produces a small report intended to surprise the user. These devices include:

(a) Party popper. Small plastic or paper item containing not more than 16 mg of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.

(b) Booby trap. Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction sensitive composition, producing a small report.

(c) Snapper. Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes, producing a small report.

(d) Trick match. Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match, a small report or a shower of sparks is produced.

(e) Cigarette load. Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.

(f) Auto burglar alarm. Tube which contains pyrotechnic composition that produces a loud whistle and/or smoke when ignited. A small quantity of explosive, not exceeding 50 mg, may also be used to produce a small report. A squib is used to ignite the device. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-030, filed 11/2/82.]

**WAC 212-17-035 Definition and classification—"Common fireworks."** The term "common fireworks" shall mean any small firework device designed primarily to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the United States Consumer

Product Safety Commission, as set forth in Title 16, Code of Federal Regulations, Part 1507, 1981, as of October 29, 1982. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less explosive composition, and aerial devices containing 130 mg or less of explosive composition. Common fireworks are classified as Class C explosives by the United States Department of Transportation and include the following:

(1) Ground and hand-held sparkling devices.

(a) Dipped stick, sparkler. Stick, or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed 5 grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item, not Class C explosives under DOT regulations, are included in this category.

(b) Cylindrical fountain. Cylindrical tubes not more than 3/4 inch (19 mm) inside diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain).

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held.

(e) Wheel. Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units; tubes not exceeding 1/2 inch (12.5 mm) inside diameter and containing up to 60 grams of pyrotechnic composition. Total pyrotechnic composition of each wheel shall not exceed 240 grams. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) Aerial devices.

(a) Sky rocket. Tubes not exceeding 1/2 inch (12.5 mm) inside diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color or noise or both is produced at the height of flight.

(b) Missile-type rocket. A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability.

(c) Helicopter, aerial spinner. A tube not more than 1/2 inch (12.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

(d) Roman candles. Heavy paper or cardboard tube not exceeding 3/8 inch (9.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several-second intervals.

(e) Mine, shell. Heavy cardboard or paper tube up to 2 1/2 inches (63.5 mm) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars," firecrackers, or other devices are propelled into the air. The tube remains on the ground.

(3) Audible ground devices.

(a) Firecrackers, salutes. Small paper-wrapped or cardboard tube containing not more than 50 mg of pyrotechnic composition. Upon ignition, noise and a flash of light is produced. External dimensions shall not exceed 1 1/2 inches in length or 1/4 inch in diameter.

(b) Chaser. Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 mg.

(4) Combination items. Fireworks devices containing combinations of two or more of the effects described in subsections (1), (2) or (3) of this section.

(5) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-035, filed 11/2/82.]

**WAC 212-17-040 Definition and classification-- "Special fireworks."** The term "special fireworks" shall mean large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. The term includes, but is not limited to, firecrackers containing more than 2 grains (130 mg) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as "common fireworks." Special fireworks are classified as Class B explosives by the United States Department of Transportation. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-040, filed 11/2/82.]

**WAC 212-17-045 Definition and classification-- "Agricultural and wildlife fireworks."** The term "agricultural and wildlife fireworks" shall mean fireworks devices, including but not limited to, firecrackers containing more than 50 mg (.772 grains) of pyrotechnic



composition designed to produce audible effects, which are distributed to farmers, ranchers and growers through a wildlife management program administered by the United States Department of Interior (or by equivalent state or local governmental agencies); and, such distribution is in response to a written application describing the wildlife management problem that requires use of such devices, is of a quantity no greater than required to control the problem described, and is where other means of control is unavailable or inadequate. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-045, filed 11/2/82.]

**WAC 212-17-050 Firework device chemical content, construction.** All fireworks devices shall meet the following chemical content, design, and construction requirements.

(1) Prohibited chemicals. Fireworks devices shall not contain any of the following chemicals:

- (a) Arsenic sulfide, arsenates, or arsenites.
- (b) Boron.
- (c) Chlorates, except:
  - (i) In colored smoke mixtures in which an equal or greater amount of sodium bicarbonate is included;
  - (ii) In caps and party poppers;
  - (iii) In those small items wherein the total powder content does not exceed four grams of which not greater than fifteen percent is potassium, sodium, or barium chlorate.
- (d) Gallates or gallic acid.
- (e) Magnesium (magnesium/aluminum alloys, called magalium, are permitted).
- (f) Mercury salts.
- (g) Phosphorus (red or white). EXCEPT that red phosphorus is permissible in caps and party poppers.
- (h) Picrates or picric acid.
- (i) Thiocyanates.
- (j) Titanium, except in particle size greater than 100-mesh.
- (k) Zirconium.

(2) Fuses.

(a) Fireworks devices that require a fuse shall:

(i) Utilize only a fuse that has been treated or coated in such manner as to reduce the possibility of side ignition. Devices such as ground spinners that require a restricted orifice for proper thrust and contain less than 6 grams of pyrotechnic composition are exempt from this requirement.

(ii) Utilize only a fuse which will burn at least three seconds but not more than six seconds before ignition of the device.

(b) The fuse shall be securely attached so that it will support either the weight of the fireworks device plus eight ounces dead weight or double the weight of the device, whichever is less, without separation from the fireworks device.

(3) Bases. The base or bottom of fireworks devices that are operated in a standing upright position shall

have the minimum horizontal dimensions or the diameter of the base equal to at least one-third of the height of the device including any base or cap affixed thereto.

(4) Pyrotechnic leakage. The pyrotechnic chamber in fireworks devices shall be sealed in a manner that prevents leakage of the pyrotechnic composition during shipping, handling and normal operation.

(5) Burnout and blowout. The pyrotechnic chamber in fireworks devices shall be constructed in a manner to allow functioning in a normal manner without burnout or blowout.

(6) Handles and spikes. Fireworks devices that are intended to be hand-held and are so labeled shall incorporate a handle at least four inches in length. Handles shall remain firmly attached during transportation, handling and full operation of the device, or shall consist of an integral section of the device at least four inches below the pyrotechnic chamber. Spikes provided with fireworks devices shall protrude at least two inches from the base of the device and shall have a blunt tip not less than 1/8 inch in diameter or 1/8 inch square.

(7) Wheel devices. Drivers in fireworks devices commonly known as "wheels" shall be securely attached to the device so that they will not come loose in transportation, handling, and normal operation. Wheel devices intended to operate in a fixed location shall be designed in such a manner that the axle remains attached to the device during normal operation.

(8) Toy smoke devices and flitter devices.

(a) Toy smoke devices shall be so constructed that they will neither burst nor produce external flame (excluding the fuse and firstfire upon ignition) during normal operation.

(b) Toy smoke devices and flitter devices shall not be of such color and configuration so as to be confused with banned fireworks such as M-80 salutes, silver salutes, or cherry bombs.

(c) Toy smoke devices shall not incorporate plastic as an exterior material if the pyrotechnic composition comes in direct contact with the plastic.

(9) Rockets with sticks. Rockets with sticks (including sky rockets and bottle rockets) shall utilize a straight and rigid stick to provide a direct and stable flight. Such sticks shall remain straight and rigid and attached to the driver so as to prevent the stick from being damaged or detached during transportation, handling, or normal operation.

(10) Party poppers. Party poppers (also known by other names such as "Champagne party poppers" and "party surprise poppers" shall not contain more than 0.25 grains of pyrotechnic composition. Such devices may contain soft paper or cloth inserts provided any such inserts do not ignite during normal operation. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-050, filed 11/2/82.]

**WAC 212-17-055 Firework device, labeling.** (1) Any fireworks device not required to have a specific label by 16 CFR 1500.14(b)(7), 1981, as of October 29, 1982, shall carry a warning label indicating to the user

where and how the item is to be used and necessary safety precautions to be observed.

(2) Every fireworks device, or fireworks device container where the device is packaged in an immediate container intended or suitable for delivery to the ultimate consumer, shall be conspicuously labeled with the name and place of business of the manufacturer, packer, distributor, or seller and the United States department of transportation designation as "Class C common fireworks" or "Class B special fireworks."

(3) All label wording shall be prominently located, in the English language, and in conspicuous and legible type in contrast by typography, layout, or color with the printed matter on the fireworks device or container. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-055, filed 11/2/82.]

**WAC 212-17-060 Public purchase of fireworks.** (1) The public may purchase common fireworks only from licensed retail fireworks stands between noon, June 28th and noon, July 6th of each year. Possession and discharge of fireworks is lawful during this period only, except as provided in subsection (2).

(2) Religious organizations or private organizations or adult persons may be authorized to purchase specific common fireworks from licensed wholesalers for use on prescribed dates and locations for religious or private purposes, when approved by the fire chief or other designated local official. Application shall be on forms provided by the state fire marshal and shall contain the following information: (a) The name and mailing address of the organization or person desiring to purchase and discharge the fireworks; (b) the date and time of the proposed discharge; (c) the location of the proposed discharge; (d) the quantity and type of fireworks desired to be purchased and discharged; (e) the reason or purpose of the discharge; and (f) the signature of the applicant, following a statement that: "The applicant understands and agrees to comply with all provisions of the application and requirements of the approving authority, will discharge the fireworks only in a manner that will not endanger persons or property or constitute a nuisance, and assumes full responsibility for all consequences of the discharge, intended or not." Upon approval by the fire official, the applicant may submit a copy of the approval to any licensed wholesaler as proof of authorization to purchase the fireworks listed therein. The applicant shall retain the approval and have it available for inspection by any public official at the actual discharge of the fireworks. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-060, filed 11/2/82.]

## PART II--MANUFACTURER

**WAC 212-17-065 Fireworks manufacturer--General.** Persons intending to manufacture fireworks in this state shall procure a license from the state fire marshal and a permit from the local governmental agency having jurisdiction prior to engaging in business. Applications

for license shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-065, filed 11/2/82.]

**WAC 212-17-070 Fireworks manufacturer--Licensing.** Upon receipt of application and license fee, the state fire marshal will cause an investigation to be made. If the investigation discloses compliance with state laws governing the manufacture of fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-070, filed 11/2/82.]

**WAC 212-17-075 Fireworks manufacturer--Local ordinances.** Applicants, before applying for a license, should determine that their facilities conform to local zoning, health and building safety standards, fire safety requirements, and any other local ordinances pertaining to manufacture and storage of fireworks. (See appendix.) [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-075, filed 11/2/82.]

**WAC 212-17-080 Fireworks manufacturer--License limitations.** (1) A fireworks manufacturer license, together with a permit from local authorities having jurisdiction, authorizes the holder to engage only in the business of manufacturing fireworks of all types and their sale and transportation to licensed wholesalers in Washington. If they desire to engage in other types of fireworks business, they shall first procure the necessary license.

(2) By virtue of its license, a licensed fireworks manufacturer is permitted to sell fireworks for direct shipment out of this state. Such shipment must be made by a public carrier or by the manufacturer in vehicles owned or leased by the manufacturer. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-080, filed 11/2/82.]

**WAC 212-17-085 Fireworks manufacturer--Records and reports.** Manufacturers shall, when requested to do so, submit written reports on production, sale and distribution of fireworks and name of the person to whom such fireworks were sold to the state fire marshal. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-085, filed 11/2/82.]

**WAC 212-17-090 Fireworks manufacturer--Restrictions.** The storage, transportation, sale and transfer of ownership of all classes and types of fireworks by manufacturers shall be subject to the restrictions and

provisions of the state fireworks law and these rules. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-090, filed 11/2/82.]

**WAC 212-17-095 Fireworks manufacturer--Building and structures.** All buildings and structures used for manufacturing fireworks are subject to the provisions of these rules as well as all local ordinances relating to building, design, construction, location and zoning. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-095, filed 11/2/82.]

**WAC 212-17-100 Fireworks manufacturer--Personnel.** All employees who handle fireworks in any stage of storage, manufacture, or assembly shall be instructed in the hazards of the materials involved and of the processes in which they are engaged, and shall be made familiar with the rules and safety precautions governing such materials and processes. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-100, filed 11/2/82.]

**WAC 212-17-105 Fireworks manufacturer--Visitors.** No persons other than employees shall be permitted in portions of the premises where live fireworks or components are manufactured, processed, assembled, stored, or exposed. Visitors having business on the premises shall be restricted to the areas directly related to the purpose of their visit. No loitering shall be permitted on the premises. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-105, filed 11/2/82.]

**WAC 212-17-110 Fireworks manufacturer--Fire nuisance.** The premises of a fireworks manufacturing establishment shall be maintained in a clean, neat and orderly condition at all times and be free from any condition that would create a "fire nuisance." (See RCW 70.77.165.) [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-110, filed 11/2/82.]

### PART III--WHOLESALE

**WAC 212-17-115 Fireworks wholesaler--General.** Fireworks wholesaler licenses cover those persons engaged in the business of selling fireworks at wholesale to licensed persons in this state. Wholesale licensees may transport the class of fireworks for which they hold a valid license. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-115, filed 11/2/82.]

**WAC 212-17-120 Fireworks wholesaler--Licensing.** Persons intending to engage in the sale of fireworks at wholesale in this state shall procure a license from the state fire marshal. A permit from the local governmental

agency having jurisdiction shall also be obtained for the storage of all classes and types of fireworks in possession of the wholesaler licensee. The application shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-120, filed 11/2/82.]

**WAC 212-17-125 Fireworks wholesaler--Investigation.** Upon receipt of an application and the license fee, the state fire marshal will cause an investigation to be made. If the investigation discloses compliance with state laws governing fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why the license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-125, filed 11/2/82.]

**WAC 212-17-130 Fireworks wholesaler--Local ordinances.** Applicants, before applying for a license should determine that their facilities conform to local zoning, health and building safety standards, fire safety requirements, and any other local ordinances pertaining to storage of fireworks. (See appendix.) [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-130, filed 11/2/82.]

**WAC 212-17-135 Fireworks wholesaler--License limitations.** (1) A fireworks wholesaler's license authorizes the holder to engage only in the sale of fireworks at wholesale. A fireworks wholesaler's license entitles him to sell fireworks to licensed retailers, licensed public display operators, other licensed wholesalers, religious organizations or private organizations or adult persons authorized to purchase specific fireworks items in accordance with WAC 212-17-060(2). Fireworks wholesaler licensees desiring to engage in other types of fireworks business shall first secure the necessary license as required by the state fireworks law.

(2) By virtue of its license, a licensed fireworks wholesaler is permitted to sell fireworks for direct shipment out of this state. Such shipment must be made by a public carrier or by the wholesaler in vehicles owned or leased by the wholesaler. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-135, filed 11/2/82.]

**WAC 212-17-140 Fireworks wholesaler--Records and reports.** The licensee shall maintain and make available to the state fire marshal full and complete records including imports, purchases, sales, and consumption of fireworks items by kind and class. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-140, filed 11/2/82.]

**WAC 212-17-145 Fireworks wholesaler--Importing.** Wholesalers who engage in the business of importing fireworks shall first procure a state license as is required for import licensees. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-145, filed 11/2/82.]

**WAC 212-17-150 Fireworks wholesaler--Personnel.** All employees who handle fireworks in any stage of storage or assembly shall be instructed in the hazards of the materials involved and of the processes in which they are engaged, and shall be made familiar with the rules and safety precautions governing such materials and processes. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-150, filed 11/2/82.]

**WAC 212-17-155 Fireworks wholesaler--Visitors.** No persons other than employees shall be permitted in portions of the premises where live fireworks or components are assembled, stored, or exposed. Visitors having business on the premises shall be restricted to the areas directly related to the purpose of their visit. No loitering shall be permitted on the premises. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-155, filed 11/2/82.]

**WAC 212-17-160 Fireworks wholesaler--Fire nuisance.** The premises of a fireworks wholesaling establishment shall be maintained in a clean, neat or orderly condition at all times and be free from any condition that would create a "fire nuisance." (See RCW 70.77.165.) [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-160, filed 11/2/82.]

#### PART IV--IMPORTER

**WAC 212-17-165 Importers of fireworks--General.** Importer fireworks licenses are for the importation of fireworks to this state. Such a license does not authorize the licensee to engage in wholesale or retail trade or in any other activity requiring a special fireworks license. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-165, filed 11/2/82.]

**WAC 212-17-170 Importers of fireworks--Licensing.** Every person who desires to import fireworks to this state shall file application and procure a license. Application shall be made on forms provided by the state fire marshal and shall be accompanied by the required license fee. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-170, filed 11/2/82.]

**WAC 212-17-175 Importers of fireworks--License scope.** An importer fireworks license shall authorize the licensee to engage only in importing fireworks. Importer

licensees desiring to engage in any type of fireworks distribution shall first procure the necessary license. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-175, filed 11/2/82.]

**WAC 212-17-180 Importers of fireworks--Restrictions.** The storage of all classes and types of fireworks in possession of an import licensee shall be subject to the restrictions and provisions of the local fire official. (See appendix.) [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-180, filed 11/2/82.]

#### PART V--RETAILER

**WAC 212-17-185 Retailers of fireworks--General.** Persons desiring to engage in the business of selling fireworks at retail shall secure a license from the state fire marshal. In addition to the state license, a permit must be obtained from the local governmental officials having jurisdiction. The application shall be made on forms provided by the state fire marshal and shall be accompanied by the license fee of ten dollars. Applicants are cautioned to first determine whether a local retail sales permit for fireworks can be obtained. A retailer's license to sell fireworks shall not authorize licensee to engage in any other fireworks activity. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-185, filed 11/2/82.]

**WAC 212-17-190 Retailers of fireworks--Sales dates.** Retail fireworks licenses are for the retail sales of fireworks from 12 noon on the twenty-eighth day of June to 12 noon on the sixth day of July. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-190, filed 11/2/82.]

**WAC 212-17-195 Retailers of fireworks--Sales locations.** (1) Fireworks sold at retail shall be sold only:

- (a) In roadside stands; or
- (b) Buildings used for no other purpose.

(2) Each retail fireworks location shall have not less than two water-type extinguishers of not less than two and one-half gallon capacity or alternate equipment deemed equivalent by the local fire authority.

(3) During the hours that a fireworks stand or location is not open for business, it shall be closed and locked unless all fireworks have been removed. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-195, filed 11/2/82.]

**WAC 212-17-200 Retailers of fireworks--Safety inspection.** Retail fireworks stands and sales areas are subject to inspection by local fire officials. Such stands and sales areas shall be free from any condition which increases, or may cause an increase of, the hazard or menace of fire or explosion, or which may become the

cause of any obstruction, delay or hindrance to the prevention, suppression or extinguishment of fire. Adequate and safe unobstructed means of exit shall be provided from all areas where fireworks are stored or displayed. At least one adult person shall be present at all times the fireworks stand or building is open to the public. No person under sixteen years of age shall be allowed to sell fireworks or remain within a fireworks stand when it is open to the public. [Statutory Authority: RCW 70.77-.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-200, filed 11/2/82.]

**WAC 212-17-205 Retailers of fireworks--No smoking signs.** Approved "No Smoking" signs shall be posted at conspicuous locations designated by the inspection authority. Each sign shall have the words "No Smoking" in red letters not less than two inches in height on a white background. Metal signs may be used in locations exposed to the weather, but all signs shall be maintained in a legible condition. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-205, filed 11/2/82.]

**WAC 212-17-210 Retailers of fireworks--Smoking and discharge of fireworks.** Smoking shall be prohibited within twenty-five feet of any building in which fireworks are sold at retail. No fireworks shall be discharged within one hundred feet of any retail fireworks sales location. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-210, filed 11/2/82.]

**WAC 212-17-215 Retailers of fireworks--Disposition of unsold stock.** All retail fireworks licensees shall return unsold fireworks stocks either to the wholesaler, from whom they were purchased, for safe storage, or store them in a place and in a manner approved by the fire authority having jurisdiction not later than the thirty-first of July of each year. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-215, filed 11/2/82.]

## PART VI--PYROTECHNIC OPERATOR

**WAC 212-17-220 Pyrotechnic operators--General.** Pyrotechnic operators are licensed to conduct public displays of special fireworks. No public display license is issued unless at least one licensed pyrotechnic operator is listed on the application as being responsible for conducting the display. [Statutory Authority: RCW 70.77-.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-220, filed 11/2/82.]

**WAC 212-17-225 Pyrotechnic operators--Application for license.** Application for license shall be made on forms prepared by the state fire marshal and shall be accompanied by the annual license fee. Every applicant for a pyrotechnic operators license shall take and pass a written examination administered by the state fire marshal and shall submit evidence attesting to the qualifications and experience of the applicant, including

participation in the firing of at least six public displays as an assistant, at least one of which shall have been in the current or preceding year. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-225, filed 11/2/82.]

**WAC 212-17-230 Pyrotechnic operators--Examination, investigation and licensing.** Upon receipt of application and license fee, the state fire marshal shall cause an investigation to be made as to the experience and competency of the applicant to conduct and supervise a public display of fireworks in a safe manner. Past experience in assisting in public displays shall be verified with the licensed pyrotechnic operator under whose supervision the applicant assisted. If experience requirements are satisfactory, the state fire marshal shall schedule a written examination for the applicant. A passing score of at least seventy percent shall be attained on the written examination. An applicant failing the written examination may reapply within thirty days to retake the examination. No reexamination shall be taken within thirty days of the previous and no more than two examinations may be taken by the applicant in the same calendar year. Any applicant failing to appear for the written examination at the time and location established or who fails the written examination and fails to reapply within thirty days, or fails the examination on the second attempt, is deemed to have forfeited the license fee. The state fire marshal shall grant or deny the license on the basis of the investigation and examination. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-230, filed 11/2/82.]

**WAC 212-17-235 Pyrotechnic operators--Responsibility.** The pyrotechnic operator shall be responsible for properly setting up the fireworks public display in accordance with the rules and regulations of the state fire marshal. He shall determine that all the mortars, set pieces, are properly installed and that the proper safety precautions have been taken to insure the safety of persons and property. He shall have charge of all activities directly related to handling, preparing and firing all fireworks at the public display, including fixing lifting charges and quick match as needed to aerial shells.

The pyrotechnic operator shall refuse to fire any fireworks that are deemed by him to be unsafe or where its discharge might jeopardize life or property. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-235, filed 11/2/82.]

**WAC 212-17-240 Pyrotechnic operators--Observance of laws, rules and regulations.** Pyrotechnic operators shall strictly observe the provisions of the state fireworks law and these rules. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-240, filed 11/2/82.]

## PART VII--PUBLIC DISPLAY LICENSE

**WAC 212-17-245 Public displays of fireworks--General.** Persons desiring to hold a public display of fireworks shall secure a license from the state fire marshal and a permit from the governmental agency having jurisdiction. Application for local permit must be made at least ten days in advance. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-245, filed 11/2/82.]

**WAC 212-17-250 Application, state license.** Application for fireworks public display license shall be made on forms provided by the state fire marshal and shall be accompanied by the prescribed license fee. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-250, filed 11/2/82.]

**WAC 212-17-255 Type of license.** A public display license authorizes the applicant to conduct a public display of fireworks at a given location only. A "general" license for public display of fireworks authorizes public displays of fireworks at any locations or dates within the current year. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-255, filed 11/2/82.]

**WAC 212-17-260 General licenses.** Application for a "general" license to hold public displays of fireworks shall be accompanied by a surety bond or a certificate evidencing public liability insurance. Such bond and public liability insurance shall be noncancellable except upon fifteen days' written notice by the insurer to the state fire marshal. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-260, filed 11/2/82.]

**WAC 212-17-265 Reports.** General public display permit application licensees shall submit Part III of the fireworks display permit application to the state fire marshal, prior to date of each display contemplated under their general license. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-265, filed 11/2/82.]

**WAC 212-17-270 Local permit, application for.** When applying for permit, applicant shall submit information and evidence to local fire authorities covering the following:

- (1) The name of the organization sponsoring the display, if other than the applicant.
- (2) The date the display is to be held.
- (3) The exact location for the display.
- (4) The name and license number of the pyrotechnic operator who is to supervise discharge of the fireworks and the name of at least one experienced assistant.
- (5) The number of set pieces, shells (specify single or multiple break), and other items.
- (6) The manner and place of storage of such fireworks prior to the display.

(7) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways, and other lines of communication, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.

- (8) Documentary proof of procurement of:
- Surety bond;
  - Public liability insurance; or
  - A state fire marshal's "general license" for the public display of fireworks.

(10) Permittee shall be responsible for compliance with the provisions under which a public display permit has been granted. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-270, filed 11/2/82.]

**WAC 212-17-275 Investigation.** The officer to whom the application for permit is made shall make, or cause to be made, investigation of site of the proposed display for the purpose of determining if the fireworks will be of such a character or so located as to be hazardous to property or dangerous to any person. He shall also determine whether the provisions of the state fireworks law and these rules and regulations are complied with in the case of a particular display. He shall, in the exercise of reasonable discretion, grant or deny the application subject to reasonable conditions, if any, as he may prescribe, taking into account locations, parking of vehicles, controlling spectators, storage and firing fireworks, and precautions in general against danger to life and property from fire, explosion, and panic. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-275, filed 11/2/82.]

**WAC 212-17-280 Permits may not be granted, when.** No permit shall be granted for any public display of fireworks where the discharge, failure to fire, faulty firing, or fallout of any fireworks or other objects would endanger persons, buildings, structures, forests, brush, or other grass covered land. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-280, filed 11/2/82.]

**WAC 212-17-285 Spectators.** Spectators at public displays of fireworks shall be restrained behind lines or barriers as designated by local authorities. Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, or firing of fireworks. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-285, filed 11/2/82.]

**WAC 212-17-290 Pyrotechnic operators.** No public display permit shall be granted unless at least two experienced pyrotechnic operators are provided, one of whom shall be a licensed pyrotechnic operator. The licensed operator shall:

(1) Be responsible for and have charge of the display with respect to preparation for transporting, unloading, storing, preparing special effects, set and mechanical pieces, setting mortars and rocket launchers, loading, arming and firing and disposing of all unfired or defective (dud) rockets, missiles and fireworks articles or items;

(2) Be responsible for setting all fireworks including mortars, finale batteries (hedgehogs) and rocket launchers at locations designated by the authority having jurisdiction and take into account wind direction and velocity predicted for the firing time in setting the firing angles. Shells, rockets and/or missiles shall not be permitted to cross or burst above areas occupied by persons;

(3) Be held responsible for acts of his assistants in connection with the display, from delivery to final firing who, through smoking, drinking, carelessness or negligence or any other act, endangers the safety of himself, any other person, or any property. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-290, filed 11/2/82.]

## PART VIII--PUBLIC DISPLAYS

**WAC 212-17-295 Public display--General.** This section shall apply to the construction, handling, and use of Class B special fireworks intended solely for public display. It shall also apply to the general conduct and operation of the display. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-295, filed 11/2/82.]

**WAC 212-17-300 Public display--Definitions.** For the purpose of this section, the following terms shall have the meanings shown:

(1) **Black match.** A fuse made from thread impregnated with black powder and used for igniting pyrotechnic devices.

(2) **Boxed finale.** A number of mortars grouped closely together and contained by a suitable frame. The mortars are loaded prior to the display and fused for rapid sequence firing.

(3) **Break.** An individual effect from an aerial shell; generally either color (stars) or noise (salute). Aerial shells can be single-break (having only one effect) or multiple-break (having two or more effects).

(4) **Colored pot.** A paper tube containing pyrotechnic composition that produces a colored flame on ignition. Colored pots are used in the construction of ground display pieces.

(5) **Discharge site.** The area immediately surrounding the mortars used to fire the aerial shells.

(6) **Finale rack.** A row of closely spaced two-inch (51 mm) or three-inch (76 mm) inside diameter, mortars held in a wooden frame. It is similar to a boxed finale.

(7) **Ground display piece.** A pyrotechnic device that functions on the ground (as opposed to an aerial shell which functions in the air). Typical ground display pieces include fountains, roman candles, wheels, "set pieces."

(8) **Lance.** A thin cardboard tube packed with color-producing pyrotechnic composition used to construct ground display pieces. Lances are mounted on a wooden frame and fused so that ignition of all tubes is simultaneous.

(9) **Lift charge.** That part of an aerial shell which actually lifts the shell into the air. It usually consists of a black powder charge ignited by a quick match fuse. A delay fuse then ignites the main part of the shell, producing the desired effect.

(10) **Mortar.** A metal or heavy cardboard tube from which aerial shells are fired.

(11) **Movable ground piece.** A ground display piece having movable parts, such as a revolving wheel.

(12) **Operator.** The licensed pyrotechnician (pyrotechnic operator) responsible for setting up and firing a public fireworks display.

(13) **Potential landing area.** The area over which shells are fired. The shells will normally burst over this area, but debris and malfunctions will fall into this area; therefore, it must be kept clear of spectators.

(14) **Quick match.** Black match that is encased in a loose-fitting paper sheath. While exposed black match burns slowly, quick match propagates flame extremely rapidly, almost instantaneously. Quick match is used in fuses for aerial shells and for simultaneous ignition of a number of pyrotechnic devices, such as lances in a ground display piece.

(15) **Safety cap.** A paper tube, closed at one end, that is placed over the end of the fuse of an aerial shell to protect it from accidental ignition. The cap is not removed until just before firing of the shell.

(16) **Shell (aerial).** A cylindrical or spherical cartridge containing pyrotechnic composition, a long fuse, and a black powder lift charge. The shells are most commonly three-inch (76 mm) to six inch (152 mm) outside diameter and are fired from mortars. Upon firing, the fuse and lift charge are consumed. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-300, filed 11/2/82.]

**WAC 212-17-305 Public display--Construction of shells.** (1) Shells shall be classified and described only in terms of the inside diameter of the mortar in which they can be safely used (e.g., 3-inch shells are only for use in 3-inch mortars).

(2) Shells shall be constructed so that the difference between the inside diameter of the mortar and the outside diameter of the shell is no less than 1/8 inch (3.2 mm) and no more than 1/4 inch (6.4 mm) for two-inch (51 mm) and three-inch (76 mm) shells or 1/2 inch (12.7 mm) for shells larger than three-inch (76 mm).

(3) Shells shall be labeled with the type of shell, the diameter measurement, and the name of the manufacturer or distributor. Shells shall also carry a warning label complying with 16 CFR 1500.121, 1981.

(4) The length of the internal delay fuse and the amount of lift charge shall be sized to insure proper functioning of the shells in their mortars. Quick match fuse shall be long enough to allow not less than 6 inches

(152 mm) of fuse to protrude from the mortar after the shell has been properly inserted.

(5) The length of exposed black match on a shell shall not be less than 3 inches (76 mm) and the fuse shall not be folded or doubled back under the safety cap. Also, the time delay between ignition of the tip of the exposed black match and ignition of the lift charge shall not be less than 4 seconds to allow the operator to retreat safely.

(6) A safety cap shall be installed over the exposed end of the fuse. The safety cap shall be of a different color than that used for the paper of the fuse. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-305, filed 11/2/82.]

**WAC 212-17-310 Public display--Storage of shells.** (1) As soon as the fireworks have been delivered to the display site, they shall not be left unattended nor shall they be allowed to become wet.

(2) All shells shall be inspected upon delivery to the display site by the display operators. Any shells having tears, leaks, broken fuses, or showing signs of having been wet shall be set aside and shall not be fired. After the display, any such shells shall either be returned to the supplier or be destroyed according to the supplier's instructions.

(3) All shells shall be separated according to diameter and stored in tightly covered containers of metal, wood, or plastic or in fiber drums or corrugated cartons meeting United States Department of Transportation specifications for transportation of fireworks. A flame-resistant tarpaulin shall be permitted to be used as a covering over the containers, if additional protection is desired.

(4) The shell storage area shall be located at a minimum distance of not less than 25 feet (7.6 m) from the discharge site.

(5) During the display, shells shall be stored upwind from the discharge site. If the wind should shift during the display, the shell storage area should be relocated so as to again be upwind from the discharge site. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-310, filed 11/2/82.]

**WAC 212-17-315 Public display--Installation of mortars.** (1) Mortars shall be inspected for dents, bent ends, and cracked or broken plugs prior to ground placement. Mortars found to be defective in any way shall not be used. Any scale on the inside surface of the mortars shall be removed.

(2) Mortars shall be positioned so that the shells are carried away from spectators and into a clear area acceptable to the authority having jurisdiction.

(3) Mortars shall be either buried securely into the ground to a depth of 2/3 to 3/4 of their length or fastened securely in mortar boxes or drums. In soft ground, heavy timber (e.g. 4-inch thick) or rock slabs shall be placed beneath the mortars to prevent their sinking or

being driven into the ground during firing. **EXCEPTION:** Boxed finales and finale racks.

(4) In damp ground, a weather-resistant bag shall be placed under the bottom of the mortar prior to placement in the ground to protect the mortar against moisture.

(5) Weather-resistant bags shall be placed over the open end of the mortar in damp weather to keep moisture from accumulating on the inside surface of the mortar.

(6) Sand bags, dirt boxes, or other suitable protection shall be placed around the mortars to protect the operator from ground bursts. This requirement shall not apply to the down-range side of the discharge site.

(7) Mortars shall be inspected before the first shells are loaded to be certain no water or debris has accumulated in the bottom of the mortar.

(8) Metal mortars shall be deemed acceptable for use with all shells. Paper mortars shall only be used for discharge of single-break and double-break shells. A thirty-second cooling period shall be allowed between firing and reloading of paper mortars.

(9) Paper mortars shall be constructed of convolute wound paper, except that spiral wound paper shall be permitted for 3-inch (76 mm) diameter mortars only. Wall thickness of paper mortars shall conform to the following:

WALL THICKNESS OF PAPER MORTARS

Mortar Type	Mortar Diameter		Wall Thickness	
	In.	(mm)	In.	(mm)
Convolute	2-inch	(51)	1/4 inch	(6.4)
Convolute or Spiral	3-inch	(76)	3/8 inch	(9.5)
Convolute	4-inch	(102)	1/2 inch	(12.7)
Convolute	5-inch	(127)	3/4 inch	(19.0)
Convolute	6-inch	(152)	3/4 inch	(19.0)

**EXCEPTION:** For 3-inch (76 mm) single-fire mortars, such as used in finales, a wall thickness of 1/4-inch (6.4 mm) shall be permitted.

(10) A cleaning tool shall be provided for cleaning debris out of the mortars between firings. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-315, filed 11/2/82.]

**WAC 212-17-320 Public display--Site selection.** The intent of this section is to provide minimum clearances between the discharge site and permanent buildings and spectator viewing areas, and recommended guidelines for overall site dimensions and other separation distances. Where unusual conditions exist, dimensions and separations may vary in accordance with the joint agreement of the operator and the local fire official. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-320, filed 11/2/82.]



**WAC 212-17-325 Public display--Discharge site.**

(1) The area selected for the discharge of aerial shells shall be so located that the trajectory of the shells will not come within 25 feet (7.6 m) of any overhead object.

(2) Ground display pieces shall be located at a minimum distance of 75 feet (22.9 m) from spectator viewing areas and parking areas. EXCEPTION: For movable ground pieces, such as wheels, this minimum distance shall be increased to 150 feet (45.7 m).

(3) Mortars shall be separated from spectator viewing areas, parking areas and permanent structures as follows:

2-inch mortar.....50 feet (15.2 m)	5-inch mortar...100 feet (30.5 m)
3, 4-inch mortar...75 feet (22.9 m)	6-inch mortar...150 feet (45.7 m)

(4) Mortars shall be separated from public buildings or hazardous storage facilities by a minimum distance of 500 feet (152.4 m).

(5) A clear landing area of at least 150 feet (45.7 m) shall be provided in the trajectory direction of the mortar.

(6) The potential landing area shall be a large, clear, open area which has been approved by the local fire official.

(7) Spectators, vehicles, or any readily combustible materials shall not be located within the potential landing area during the display. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-325, filed 11/2/82.]

**WAC 212-17-330 Public display--Operation. General requirements.**

(1) The licensee of the display shall provide adequate fire protection for the display, as required by the local fire official.

(2) The licensee shall consult with the local fire official to determine the level of fire protection and crowd control necessary.

(3) Monitors whose sole duty shall be the enforcement of crowd control shall be located around the display area by the licensee. The local fire and/or police officials shall determine the number of monitors needed and their placement.

(4) Monitors shall be located around the discharge site to prevent spectators or any other unauthorized persons from entering the discharge site. The discharge site shall be so restricted throughout the display and until the discharge site has been inspected after the display. Where practical, fences and rope barriers shall be used to aid in crowd control.

(5) If, in the opinion of local fire and/or police officials or the pyrotechnic operator, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected.

(6) If, at any time, high winds or unusually wet weather prevail, such that in the opinion of local officials or the pyrotechnic operator a definite danger exists, the public display shall be postponed until weather conditions improve to an acceptable level.

(7) Light snow or mist need not cause cancellation of the display; however, all materials used in the display

shall be protected from the weather by suitable means until immediately prior to use.

(8) Display operators and assistants shall use only flashlights or electric lighting for artificial illumination.

(9) No smoking or open flames shall be allowed in the shell storage area as long as shells are present. Signs to this effect shall be conspicuously posted. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-330, filed 11/2/82.]

**WAC 212-17-335 Public display--Firing of shells.**

(1) Shells shall be carried from the storage area to the discharge site only by their bodies, never by their fuses.

(2) Shells shall be checked for proper fit in their mortars prior to the display.

(3) When loaded into mortars, shells shall be held by the thick portion of their fuses and carefully lowered into the mortar. At no time shall the operator place any part of his body over the throat of the mortar.

(4) The operator shall be certain that the shell is properly seated in the mortar.

(5) Shells shall not, under any circumstances, be forced into a mortar too small to accept them. Shells that do not fit properly into the mortars shall not be fired; they shall be disposed of according to the supplier's instructions.

(6) Shells shall be ignited by lighting the tip of the fuse with a fusee, torch, portfire, or similar device. The operator shall never place any part of his body over the mortar at any time. As soon as the fuse is ignited, the operator shall retreat from the mortar area.

(7) The safety cap protecting the fuse shall not be removed by the operator responsible for igniting the fuse until immediately before the shell is to be fired.

(8) The first shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the shell functions over, and any debris falls into, the potential landing area.

(9) The mortars shall be re-angled or reset if necessary at any time during the display.

(10) In the event of a shell failing to ignite in the mortar, the mortar shall be left alone for a minimum of five minutes, then carefully flooded with water. Immediately following the display, the mortar shall be emptied into a bucket of water. The supplier shall be contacted as soon as possible for proper disposal instructions.

(11) Operators shall never attempt to repair a damaged shell nor shall they attempt to dismantle a dry shell. In all such cases, the supplier shall be contacted as soon as possible for proper disposal instructions.

(12) Operators shall never dry a wet shell, lance, or pot for reuse. In such cases, the shell, lance, or pot shall be handled according to disposal procedures.

(13) The entire firing range shall be inspected immediately following the display for the purpose of locating any defective shells. Any shells found shall be immediately doused with water before handling. The shells shall then be placed in a bucket of water. The supplier shall then be contacted as soon as possible for proper disposal instructions.

(14) When fireworks are displayed at night, the licensee shall insure that the firing range is inspected early the following morning.

(15) The operator of the display shall keep a record, on a form provided by the state fire marshal, of all shells that failed to ignite or fail to function. The form shall be completed and returned to the state fire marshal. Failures shall also be reported to the supplier. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-335, filed 11/2/82.]

**WAC 212-17-340 Public display--Ground pieces.**

(1) All ground pieces shall be positioned out of the firing range of aerial displays. Mortars shall be positioned so that they do not fire towards any ground pieces.

(2) No dry grass or combustible material shall be located beneath ground pieces. If dry, the area should be thoroughly wet down before the display.

(3) Poles for ground pieces shall be securely placed and firmly braced so that they will not fall over when they function.

(4) Specific instructions from the supplier shall accompany ground pieces. A list of required accessories shall also be supplied. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-340, filed 11/2/82.]

**WAC 212-17-345 Reports.** After every public display, it shall be the responsibility of the licensed pyrotechnic operator in charge of the display to submit a written report to the state fire marshal, within ten days following the display, covering:

(1) A brief report of any duds, defective shells, with manufacturer's name, and the type and size of shell.

(2) A brief account of the cause of injury to any person(s) from fireworks and such person's name and address.

(3) A brief account of any fires caused by fireworks.

(4) Any violation of the state fireworks law or of these regulations relating to public display fireworks, with special observations on any irregularities on the part of persons present at the firing site.

(5) The names of pyrotechnic assistants who satisfactorily assisted in all phases of the display, if other than those shown on the license.

Failure to file this report shall constitute grounds for revocation of the operator's current license and/or rejection of his application for his license renewal. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-345, filed 11/2/82.]

**PART IX--TRANSPORTATION**

**WAC 212-17-350 Transportation--General.** Licensees are authorized to transport the class and quantity of fireworks for which they have a license to possess from the point of acceptance from a licensed source to an approved storage facility or use site. Transportation shall

be in accordance with the regulations of the United States Department of Transportation and the laws of the state of Washington governing the transportation of Class B and C explosives. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-350, filed 11/2/82.]

**PART X--STORAGE**

**WAC 212-17-355 Storage--General.** Storage of fireworks shall be free from any condition which increases or may cause an increase of the hazard or menace of fire or explosion or which may obstruct, delay or hinder, or may become the cause of any obstruction, delay or hindrance, to the prevention or extinguishment of fire. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-355, filed 11/2/82.]

**WAC 212-17-360 Storage--Explosive safety.** Any person storing fireworks shall have a license for the possession (manufacturer, wholesaler, importer, retailer, display) and, in addition, a permit from the local fire authority for the storage site. Storage shall be in accordance with requirements of the local fire official, who may use the safety practices in the appendix of these rules as guidelines in approving the storage permit. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-360, filed 11/2/82.]

**WAC 212-17-900 Appendix.** This appendix is not a part of this rule but is included to provide guidelines, based on nationally-recognized standards, for use by licensees in establishing safe practices involving the manufacture or storage of fireworks and for use by local fire officials in determining compliance with safety standards for the purpose of issuing permits for fireworks manufacture or storage.

In addition to the definitions in chapter 70.77 RCW and this rule, the following definitions apply to this appendix:

**Barricade.** A natural or artificial barrier that will effectively screen a magazine, building, railway, or highway from the effects of an explosion in a magazine or building containing explosives. It shall be of such height that a straight line from the top of any sidewall of a building or magazine containing explosives to the cave line of any magazine, or building, or to a point twelve feet above the center of a railway or highway, will pass through such natural or artificial barrier.

**Natural barricade.** Natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures that require protection cannot be seen from the magazine or building containing explosives when the trees are bare of leaves.

**Artificial barricade.** An artificial mound or revetted wall of earth of a minimum thickness of three feet.

**Breakaway construction.** A general term which applies to the principle of purposely providing a weak wall

so that the explosive effects can be directed and minimized. The term "weak wall" as used in this code refers to a weak wall, weak wall and roof, or weak roof.

The term "weak wall" is used in a relative sense as compared to the construction of the entire building. The design strength of a "weak wall" will vary as to the building construction, as well as to the type and quantity of explosive or pyrotechnic materials in the building. The materials used for "weak wall" construction are usually light gauge metal, plywood, hardboard or equivalent lightweight material, and the material is purposely selected to minimize the danger from flying missiles. Method of attachment of the weak wall shall be such as to aid the relief of blast pressure and fireball.

**Fireworks plant.** Means all lands, and buildings thereon, used for or in connection with the manufacture or processing of fireworks. It includes storage buildings used with or in connection with plant operation.

**Highway.** Means any public street, public alley or public road.

**Inhabited building.** Means a building or structure regularly used in whole or part as a place of human habitation. The term "inhabited building" shall also mean any church, school, store, passenger station, airport terminal for passengers, and any other building or structure where people are accustomed to congregate or assemble, but excluding any building or structure occupied in connection with the manufacture, transportation, and storage of explosive materials or fireworks.

**Magazine.** Means any building or structure, other than a manufacturing building, meeting the requirements specified in chapter 3 of this code.

**Manufacture of fireworks.** Means the preparation of fireworks mixes and the loading and assembling of all fireworks, except pyrotechnic display items made on site by qualified personnel for immediate use when such operation is otherwise lawful.

**Mixing building.** Means any building used primarily for mixing and blending pyrotechnic composition, excluding wet sparkler mixes.

**Motor vehicle.** Means any self-propelled passenger vehicle, truck, tractor, semitrailer, or truck-full trailer used for the transportation of freight over public highways.

**Nonprocess building.** Means office buildings, warehouses, and other fireworks plant buildings where no fireworks or explosive compositions are processed or stored.

**Person.** Means any individual, firm, copartnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee, or personal representative thereof.

**Process building.** Means any mixing building, any building in which pyrotechnic or explosive composition is pressed or otherwise prepared for finishing and assembling, or any finishing and assembling building, including a building used for preparation of fireworks for shipment. If a pyrotechnic or explosive composition while in the state of processing is stored in a process building, the building is classified as a process building. See also storage building.

**Public conveyance.** Means any vehicle carrying passengers for hire.

**Pyrotechnic composition.** Means a chemical mixture which on burning and without explosion produces visible or brilliant displays or bright lights, or whistles.

**Railway.** Means any steam, electric, diesel electric or other railroad or railway which carries passengers for hire on the particular line or branch in the vicinity where explosives or fireworks are stored or where fireworks manufacturing buildings are situated.

**Screen type barricade.** Means any of several barriers for containing embers and debris from fires and deflagrations in process buildings that could cause fires and explosions in other buildings. Screen type barricades are constructed of metal roofing, one-quarter-inch and one-half-inch mesh screen or equivalent material. A screen type barricade extends from the floor level of the donor building to such height that a straight line from the top of any side wall of the donor building to the cave line of the acceptor building will go through the screen at a point not less than five feet from the top of the screen. The top five feet of the screen are inclined at an angle of between 30 and 45 degrees, toward the donor building.

**Squib.** Means a device containing a small quantity of ignition compound in contact with a bridge wire.

**Storage building.** Means any building, structure, or facility in which Class C fireworks in any state of processing, or finished Class C fireworks are stored, but in which no processing or manufacturing is performed.

**Warehouse.** Means any building or structure used exclusively for the storage of materials, except fireworks or combustible or explosive compositions used to manufacture fireworks.

#### PART I

#### MANUFACTURING OPERATIONS

##### 1. General

11. All fireworks plants shall comply with the requirements of this section except that those plants that meet all of the conditions of the following paragraphs a, b and c need not comply with Articles 2 and 6:

a. Making only customized fireworks not for general sale.

b. Having not more than five pounds of explosive composition, including not more than one-half pound of initiating explosive, in a building at one time.

c. All explosive and pyrotechnic compositions are removed to an appropriate storage magazine at the end of each work day.

##### 2. Building site security

21. All fireworks plants shall be completely surrounded by a substantial fence having a minimum height of six feet. All buildings, except office buildings in which no processing or storage is permitted, must be located within the fence. All openings in the fence shall be equipped with suitable gates which shall be kept securely locked at all times, except when in actual use; except that the main gate of the plant may be left open during the regular hours of plant operation while in plain view

of and under observation by authorized responsible employees or guards. Conspicuous signs indicating "WARNING—NO SMOKING—NO TRESPASSING" shall be posted along the plant fence at intervals not to exceed 500 feet.

22. No person other than authorized employees or representatives of departments of Federal, state, or political subdivisions of the state governments having jurisdiction over the establishment shall be allowed in any fireworks plants, except by special permission secured from the plant office.

### 3. Separation distances

31. All process buildings shall be separated from inhabited buildings, public highways and passenger railways in accordance with Table 1.

32. The separation distance between process buildings shall be in accordance with Table 2.

33. Separation distances of nonprocess buildings from process buildings and magazines shall be in accordance with Table 2.

34. Separation of magazines containing black powder or salutes classified as Class B fireworks from inhabited buildings, highways, and other magazines containing black powder or salutes classified as Class B fireworks shall be in accordance with Table 3.

### 4. Building construction

41. Process buildings, except buildings in which customers' orders are prepared for shipment, shall embody breakaway construction. The exterior of process buildings constructed after this Code is adopted shall be constructed of materials no more combustible than painted wood.

42. No building shall have a basement or be more than one story high. Interior wall surfaces and ceilings of buildings shall be smooth, free from cracks and crevices, noncombustible, and with a minimum of horizontal ledges upon which dust may accumulate. Wall joints and openings for wiring and plumbing shall be sealed to prevent entry of dust. Floors and work surfaces shall not have cracks or crevices in which explosives or pyrotechnic compositions may lodge.

43. Mixing and pressing buildings shall have conductive flooring, properly grounded.

44. The number and location of exits in buildings in which fireworks are being processed shall comply with a, b and c.

a. From every point in every undivided floor area of more than one hundred square feet there shall be at least two exits accessible in different directions. Where building floors are divided into rooms, there shall be at least two ways of escape from every room of more than one hundred square feet; toilet rooms need have only one exit and shall be so located that the points of access thereto are away from or suitably shielded from fireworks processing areas.

b. Exits shall be so located that it will not be necessary to travel more than twenty-five feet from any point to reach the nearest exit. The routes to the exits shall be unobstructed.

c. Exit doors shall open outward, and shall be capable of being pressure-actuated from the inside.

### 5. Heat, light, electrical equipment

51. No stoves, exposed flames, or electric heaters may be used in any part of a building except in a boiler room, machine shop, office building, pumphouse, or lavatory in which the presence of fireworks, fireworks components, or flammable liquids are prohibited. Heating shall be by means of steam, indirect hot air radiation, hot water, or any other means approved by local authorities. Unit heaters, located inside buildings that at any time contain explosive or pyrotechnic composition, shall be equipped with motors and switches suitable for use in Class II, Division 1 locations.

52. Where artificial lighting is required in fireworks processing buildings it shall be by electricity. Temporary or loose electrical wiring shall not be used. Extension lights are prohibited except that during repair operations approved portable lighting equipment may be used after the area has been cleared of all pyrotechnic or explosive composition and after all dust has been removed by washing down.

53. All wiring in process buildings shall be in rigid metal conduit or be Type MI cable. The wiring, lighting fixtures, and switches shall comply with the requirements for Class II, Division 1 locations in Article 502 of the National Electrical Code, 1981 Edition.

54. Wiring, switches, and fixtures in storage buildings shall comply with the requirements for Class II, Division 2 locations in Article 502 of the National Electrical Code, 1981 Edition.

55. All presses and other mechanical devices shall be properly grounded.

56. A master switch shall be provided at the point where electric current enters the plant, which will, upon being opened, immediately cut off all electric current to the plant, except that to emergency circuits such as a supply to a fire pump or emergency lighting.

### 6. Maximum building occupancy and quantities of explosive or pyrotechnic compositions permitted

61. The number of occupants in each process building and magazine shall be limited to that number necessary for the proper conduct of those operations.

NOTE: This requirement is for purposes of minimizing personnel exposure and is distinct from any requirement on maximum building occupancy that may be in the local building code.

62. The maximum number of occupants permitted in each process building and magazine shall be posted in a conspicuous location.

63. No more than 500 pounds of pyrotechnic and explosive composition shall be permitted at one time in any mixing building or any building in which pyrotechnic and explosive compositions are pressed or otherwise prepared for finishing and assembling.

64. No more than 500 pounds of pyrotechnic and explosive composition shall be permitted in a finishing and assembling building at one time.

### 7. Fire, explosion prevention

71. All buildings shall be kept clean, orderly, and free from accumulation of dust or rubbish. Powder or other

explosive or pyrotechnic materials, when spilled, shall be immediately cleaned up and removed from the building.

72. Rags, combustible, pyrotechnic or explosive scrap, and paper shall be kept separate from each other and placed in approved marked containers. All waste and reject hazardous material shall be removed from all buildings daily and removed from the plant at regular intervals and destroyed by submersion in water or by burning in a manner acceptable to local authorities.

73. No smoking or carrying of lighted pipes, cigarettes, cigars, matches, lighters, or open flame, is permitted within the plant fence; except that smoking may be permitted in office buildings or buildings used exclusively as lunchrooms or rest rooms and in which the presence of fireworks or any explosive composition is prohibited. Authorized smoking locations shall be so marked, contain suitable receptacles for cigarette and cigar butts and pipe residue, and contain at least one serviceable fire extinguisher suitable for use on Class A fires. Persons whose clothing is contaminated with explosives, pyrotechnic, or other dangerous materials to the degree that may endanger the safety of personnel shall not be permitted in smoking locations.

74. Matches, cigarette lighters or other flame-producing devices shall not be brought into any process building or magazine.

75. No employee or other person shall enter or attempt to enter any fireworks plant with liquor or narcotics in his possession, or while under the influence of liquor or narcotics, or partake of intoxicants or narcotics or other dangerous drugs while in a fireworks plant.

76. All persons working at or supervising the operations in fireworks mixing and pressing buildings shall be provided with, and wear, cotton working uniforms. In addition, conductive shoes and cotton socks shall be required for all Class B fireworks operations and all mixing, pressing, loading, and matching related to Class C fireworks. Facilities for changing into these uniforms, and safekeeping for the employees' street clothes shall be provided. The uniforms shall be frequently washed, to prevent accumulation of explosive or other pyrotechnic compounds, and shall not be worn outside the fireworks plant. Washing and shower facilities for employees shall be provided. All persons working in or supervising the operations in a process building shall wear protective clothing and eye protection as needed. All persons working in or supervising mixing areas shall wear respirators when the situation dictates their need.

77. Each fireworks plant shall have an employee designated as safety officer. All employees of a fireworks plant, upon commencing employment and at least annually thereafter, shall be given formal instruction by this safety officer, regarding proper methods and procedures in fireworks plants and safety requirements and procedures for handling explosives, pyrotechnics and fireworks.

78. In areas where there is a danger of ignition of materials by sparks, properly maintained and nonferrous safety hand tools shall be used.

79. In no case shall oxidizers such as nitrates, chlorates, or perchlorates be stored in the same building with

combustible powdered materials such as charcoal, gums, metals, sulfur, or antimony sulfide.

#### 8. Testing fireworks

81. Testing of fireworks and components of fireworks shall be performed in an area set aside for that purpose and located at a safe distance, considering the nature of the materials being tested, from any plant building or other structure.

#### 9. Fire extinguishers; emergency procedures

91. Fire extinguishers shall be provided in all buildings except those in which pyrotechnic mixtures are exposed. The number and location of extinguishers shall be in accordance with the requirements of the local fire official.

92. Emergency procedures shall be formulated for each plant which will include personnel instruction in any emergency that may be anticipated. All personnel shall be made aware of an emergency warning signal.

93. Emergency procedures shall include instruction in the use of portable fire extinguishers and instructions on the type of fires on which they may and may not be used.

a. The employees shall be told that if a fire is involving or is in danger of spreading to pyrotechnic mixtures, they are to leave the building at once and follow prescribed procedures for alerting other employees.

b. Extinguishers may be used on fires involving ordinary combustible materials, if the fire can be fought and extinguished without exposing pyrotechnic mixtures.

### PART II

#### STORAGE OF CLASS B FIREWORKS

##### 1. General provisions

11. Class B fireworks shall be stored in magazines that meet the requirements of this section.

12. Class B fireworks shall be stored in magazines unless they are in process of manufacture, being physically handled in the operating process, being packaged or being transported.

13. Magazines required by this section shall be constructed in accordance with Articles 2 and 3.

14. Class B fireworks that are bullet-sensitive, shall be stored in Type 1, 2, or 3 magazines.

a. Black powder, and Class B fireworks that are not bullet-sensitive shall be stored in a Type 1, 2, 3, or 4 magazine.

15. Magazines containing black powder shall be separated from inhabited buildings, passenger railways, and public highways, and other magazines in accordance with Table 3.

16. Magazines containing Class B fireworks shall be separated from inhabited buildings, passenger railways and public highways in accordance with Table 1.

17. Magazines containing Class B fireworks shall be separated from other magazines and from fireworks plant buildings by barricades or screen-type barricades and the distances from other magazines and process buildings shall be in accordance with Table 2.

##### 2. Construction of magazines—general

21. Magazines shall be constructed in conformity with the provisions of this section or may be of substantially equivalent construction.

22. The ground around magazines shall be graded in such a manner that water will drain away from the magazines.

23. Magazines requiring heat shall be heated by either hot water radiant heating within the magazine building, or air directed into the magazine building over either hot water or low pressure steam (15 psig maximum) coils located outside the magazine building.

24. The magazine heating systems shall meet the following requirements:

1. The radiant heating coils within the building shall be installed in such a manner that the fireworks containers cannot contact the coils and air is free to circulate between the coils and the fireworks.

2. The heating ducts shall be installed in such a manner that the hot air discharge from the duct is not directed against the fireworks or fireworks containers.

3. The heating device used in connection with a magazine shall have controls that prevent the ambient building temperature from exceeding 130° F.

4. The electric fan or pump used in the heating system for a magazine shall be mounted outside and separate from the wall of the magazine and shall be grounded.

5. The electric fan motor and the controls for an electrical heating device used in heating water or steam shall have overloads and disconnects, which comply with the National Electrical Code, 1981. All electrical switch gear shall be located a minimum distance of 25 feet from the magazine.

6. The heating source for water or steam shall be separated from the magazine by a distance of not less than 25 feet when electric and 50 feet when fuel-fired. The area between the heating unit and the magazine shall be cleared of all combustible materials.

7. The storage of fireworks and fireworks containers in the magazine shall allow uniform air circulation so temperature uniformity can be maintained throughout the stored materials.

25. When lights are necessary inside the magazine, electric safety flashlights or electric safety lanterns shall be used.

a. The authority having jurisdiction may authorize interior lighting of special design for magazines provided that adequate safety is maintained.

26. When ventilation is required in a magazine, sufficient ventilation shall be provided to protect the stored materials in storage for the specific area in which the magazine is located. Stored materials shall be so placed in the magazine as not to interfere with ventilation and shall be stored so as to prevent contact with masonry walls or with any steel or other ferrous metal by means of a nonsparking lattice or equivalent lining.

### 3. Construction of magazines

31. Type 1 magazine. A Type 1 magazine shall be a permanent structure such as a building or an igloo that is bullet-resistant, fire-resistant, theft-resistant, weather-resistant, and ventilated.

a. Walls. Examples of wall construction considered suitable for Type 1 magazines are:

1. Hollow masonry block construction with 8-inch blocks having the hollow spaces filled with well-tamped dry sand or a well-tamped cement/sand mixture.

2. Brick or solid cement block construction 8 inches thick.

3. Wood construction covered with 26-gauge metal having 3/4-inch plywood or wood sheathing with a 6-inch space between the exterior and interior sheathing and the space between the sheathing filled with well-tamped dry sand or well-tamped cement/dry sand mixture, with not less than 1-to-8 ratio of cement to sand.

4. Fourteen-gauge metal construction lined with 4 inches of brick, solid cement block or hardwood; or filled with 6 inches of sand.

b. Doors. Examples of door construction considered suitable for Type 1 magazines are:

1. Steel plate 3/8-inches thick lined with four layers of 3/4-inch tongue and groove hardwood flooring.

2. Metal plate not less than 14 gauge lined with four inches of hardwood.

c. Roof. The roof of a Type 1 magazine may be constructed of metal not less than 14 gauge; or 3/4-inch wood sheathing covered by metal not less than 26 gauge or other noncombustible roofing material. All exposed wood on the exterior including the eaves shall be protected by metal not less than 26 gauge.

d. Ceiling. Where the natural terrain around a Type 1 magazine makes it possible to shoot a bullet through the roof at such an angle that a bullet could strike the explosives stored in the magazine, then either the roof or the ceiling shall be of bullet-resistant construction. A bullet-resistant ceiling may be constructed at the eave line, covering the entire area of the magazine except the space necessary for ventilation. Examples of ceiling construction that are considered bullet-resistant are:

1. A tray having a depth of not less than 4 inches of sand.

2. A hardwood ceiling not less than 4 inches thick.

e. Foundation. The foundation may be of masonry, wood, or metal and shall be completely enclosed except for openings to provide cross ventilation. A wooden foundation enclosure shall be covered on the exterior with not less than 26-gauge metal.

f. Floor. The floor may be constructed of wood or other suitable floor materials. Floors constructed of materials that may cause sparks shall be covered with a surface of nonsparking material or the packages of explosives shall be placed on pallets of nonsparking material. Magazines constructed with foundation ventilation shall have at least a 2-inch air space between the side walls and the edge of the floor.

g. Ventilation. Type 1 magazines shall be ventilated to prevent dampness and heating of stored explosives. Ventilating openings shall be screened to prevent the entrance of sparks. Ventilators in side walls shall be offset or shielded. Magazines having foundation and roof ventilators with the air circulating between the side walls and the floor and between the side walls and the ceiling

shall have constructed a wooden lattice lining or equivalent to prevent the packages of explosives from being stacked against the side walls and blocking the air circulation.

h. Locks. Each door of a Type 1 magazine shall be equipped with two mortise locks; or with two padlocks fastened in separate hasps and staples; or with a combination of mortise lock and a padlock; or with a mortise lock that requires two keys to open; or a three-point lock, or equivalent type of lock that secures a door to the frame at more than one point. Padlocks shall be steel having at least five tumblers and at least a 7/16-inch-diameter case-hardened shackle. All padlocks shall be protected by steel hoods that are installed in a manner to discourage insertion of bolt cutters. Doors that are secured by a substantial internal bolt do not require additional locking devices. Hinges and hasps shall be securely fastened to the magazine and all locking hardware shall be secured rigidly and directly to the door frame.

32. Type 2 magazine. A Type 2 magazine shall be a portable or mobile structure, such as a box, skid-magazine, trailer or semitrailer, that is fire-resistant, theft-resistant, weather-resistant, and ventilated. It shall also be bullet-resistant except when used for indoor storage.

a. Type 2 outdoor box magazine

1. The sides, bottom, top and covers or doors of Type 2 outdoor box magazines shall be constructed of metal, lined with at least 4 inches of hardwood or equivalent bullet-resistant material. The floor shall be of wood or other suitable nonsparking floor materials. Floors constructed of ferrous metal shall be covered with a surface of nonsparking material. Magazines with top opening shall have a lid that overlaps the sides by at least 1 inch when in closed position.

2. Type 2 outdoor box magazines shall be supported in such a manner as to prevent the floor from having direct contact with the ground. Small magazines shall be securely fastened to a fixed object to prevent theft of the entire magazine.

3. Hinges, hasps, locks, and locking hardware shall conform to the provisions for Type 1 magazines as specified in paragraph 31(h).

b. Type 2 vehicular magazine

1. The sides and roof shall be not less than 20 gauge metal. The walls shall be lined with 4 inches of brick or solid cement block or hardwood, or 6 inches of sand, or other bullet-resistant material. The exposed interior walls may be lined with wood. The roof shall be protected by a bullet-resistant ceiling meeting the construction requirements for bullet-resistant ceilings in paragraph 31(d).

2. The doors shall be of metal, lined with not less than 4 inches of hardwood, or a metal exterior with a hardwood inner door not less than 4 inches in thickness.

3. The floors shall be in accordance with the provisions for Type 1 magazines in paragraph 31(f).

4. The doors shall be locked with at least two padlocks for each door opening, either two padlocks on the exterior door fastened on separate hasps and staples or one

padlock on the exterior door and one padlock on the interior door. The padlocks shall be steel having at least five tumblers and at least a 7/16-inch-diameter case-hardened shackle. The padlocks need not be protected by steel hoods. Hinges and hasps shall be securely fastened to the magazine and all locking hardware shall be secured rigidly and directly to the door frame. When unattended, vehicular magazines shall have wheels removed, or be locked with a kingpin locking device, or otherwise be effectively immobilized.

c. Type 2 indoor magazine

1. An indoor Type 2 magazine shall be provided with substantial wheels or casters to facilitate removal from a building in an emergency. The cover for the magazine shall have substantial strap hinges and a means for locking. The magazine shall be kept locked except during the placement or removal of explosive materials with one five-tumbler padlock or equivalent.

2. Type 2 indoor magazines shall be painted red and shall bear lettering in white, on top, at least three inches high, "Explosives—Keep fire away."

3. Type 2 indoor magazines constructed of wood shall have sides, bottoms, and covers or doors constructed of 2-inch hardwood and shall be well braced at corners. The magazines shall be covered with sheet metal of not less than 20 gauge. Nails exposed to the interior of such magazines shall be countersunk.

4. Type 2 indoor magazines constructed of metal shall have sides, bottoms, and covers or doors constructed of 12-gauge metal and shall be lined inside with a nonsparking material. Edges of metal covers shall overlap sides at least 1 inch.

33. Type 3 magazine. Type 3 magazines shall be portable structures that are bullet-resistant, fire-resistant, theft-resistant, and weather-resistant.

a. Type 3 magazines shall be equipped with a five-tumbler padlock.

b. Type 3 magazines constructed of wood shall have sides, bottoms, and covers or doors constructed of 4-inch hardwood and shall be well braced at corners. They shall be covered with sheet metal of not less than 20 gauge. Nails exposed to the interior of such magazines shall be countersunk.

c. Type 3 magazines constructed of metal shall have sides, bottoms, and covers or doors constructed of 12-gauge metal and shall be lined inside with a nonsparking material. Edges of metal covers shall overlap sides at least 1 inch.

34. Type 4 magazine. A Type 4 magazine shall be a permanent, portable, or mobile structure, such as a building igloo, box, semitrailer, or other mobile container that is fire-resistant, theft-resistant, and weather-resistant.

a. Type 4 outdoor magazine

1. A Type 4 outdoor magazine shall be constructed of masonry, wood covered with metal, fabricated metal or a combination of these materials. The doors shall be metal or wood covered with metal. Permanent magazines shall be constructed in accordance with those provisions for Type 1 magazines pertaining to: foundations (paragraph 31(e)); ventilation (paragraph 31(g)); and locks, hinges,

hasps and locking hardware (paragraph 31(h)). Vehicular Type 4 magazines shall be in accordance with the provisions for Type 2 vehicular magazines for locks, hinges, hasps and locking hardware (paragraph 32(b)4) and shall be immobilized when unattended (paragraph 32(b)2).

b. Type 4 indoor magazine

1. A Type 4 indoor magazine shall be in accordance with the provisions of a Type 2 indoor magazine (paragraph 32(d)).

4. Magazine operations

41. Storage within magazines

a. Magazines shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions. The competent person shall keep an up-to-date inventory of the contents of magazines.

b. All magazines containing Class B fireworks or black powder shall be opened and inspected at intervals of not greater than three days to determine whether there has been an unauthorized entry or attempted entry into the magazines; or to determine whether there has been unauthorized removal of the magazines or the contents of the magazines.

c. Magazine doors shall be kept locked, except during the time of placement and removal of stocks or during inspection.

d. Safety rules covering the operations of magazines shall be posted on the interior of the magazine door.

e. Corresponding grades and brands shall be stored together in such a manner that brands and grade marks show. All stocks shall be stored so as to be easily counted and checked.

f. Containers shall be piled in a stable manner.

g. Containers of Class B fireworks shall be laid flat with top side up.

h. Black powder in shipping containers, when stored in magazines with other explosives, shall be segregated. Black powder stored in kegs shall be stored on ends, bungs down, or on side, seams down.

i. Open containers shall be securely closed before being returned to a magazine. Only fiberboard containers may be opened in the magazine. No container without a closed lid may be stored in the magazine.

j. Wooden packages of Class B fireworks or black powder shall not be unpacked or repacked in a magazine nor within 50 feet of a magazine or in close proximity to other explosive materials.

k. Tools used for opening containers of Class B fireworks or black powder shall be constructed of nonsparking material, except that metal slitters may be used for opening fiberboard containers. A wood wedge and a fiber, rubber or wood mallet shall be used for opening or closing wood containers of explosives.

l. Magazines shall be used exclusively for the storage of Class B fireworks and black powder. Metal tools other than nonferrous transfer conveyors, shall not be stored in any magazine containing Class B fireworks or black powder. Ferrous metal conveyor stands may be stored in the magazine when the stands are protected by a coat of paint.

m. Magazine floors shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings from floors of magazines shall be properly disposed of, in accordance with the instructions of the manufacturer.

n. When magazines need interior repairs, all fireworks and black powder shall be removed therefrom and the floors cleaned.

o. In making exterior magazine repairs, when there is a possibility of causing sparks or fire, the fireworks and black powder shall be removed from the magazine.

p. Fireworks and black powder removed from a magazine under repair shall either be placed in another magazine or placed a safe distance from the magazine, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the fireworks and black powder shall be promptly returned to the magazine.

42. Miscellaneous safety precautions

a. Smoking, matches, open flames, spark-producing devices and firearms (except firearms carried by authorized guards) shall not be permitted inside of or within 50 feet of magazines.

b. The land surrounding magazines shall be kept clear of brush, dried grass, leaves and similar combustibles for a distance of at least 25 feet.

c. Combustible materials shall not be stored within 50 feet of magazines.

d. Property upon which magazines are located shall be posted with signs reading "Explosives—Keep off." Such signs shall be located so as to minimize the possibility of a bullet's traveling in the direction of the magazine if anyone shoots at the sign.

PART III

STORAGE OF CLASS C FIREWORKS

1. General provisions

11. Class C fireworks shall be kept in storage buildings that meet the requirements of this section.

12. Class C fireworks shall be stored in storage buildings unless they are in process of manufacture, being physically handled in the operating process, being used, packaged, or being transported.

13. Storage buildings required by this section shall be constructed in accordance with Article 2.

14. Storage buildings containing Class C fireworks shall be separated from inhabited buildings, passenger railways and public highways, in accordance with Table 1.

15. Storage buildings containing Class C fireworks shall be separated from other storage buildings, magazines and fireworks plant buildings in accordance with Table 2.

2. Construction of storage buildings

21. Storage buildings for Class C fireworks may be a building, igloo, box, trailer, semi-trailer or other mobile facility. They shall be constructed to resist fire from an outside source and to be weather-resistant and theft-resistant.



22. Storage buildings for Class C fireworks shall be vented, or in the alternative, shall be constructed in such a manner that venting will occur by yielding of weaker parts of the structure under pressure generated by burning fireworks.

23. All storage buildings shall be equipped with locking means for all openings.

24. All doors shall open outward and all exits must be clearly marked. Aisles and exit doors shall be kept free of any obstructions.

25. Only dust-ignition proof type electrical fixtures shall be used and wiring shall comply with Section 502-4(b) of the National Electrical Code. No wall receptacles are permitted. All light fixtures must have guards.

26. An outside master electrical switch shall be provided at each storage building where electricity is used.

3. Storage building operations

31. Storage.

a. Storage buildings shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions.

b. Doors shall be kept locked, except during hours of operation.

c. Safety rules covering the operations of storage buildings shall be posted.

d. Containers shall be piled in a stable manner.

e. Class C fireworks shall be stored in their original packaging and in unopened cases or cartons so as to take advantage of the insulation provided by such packaging; provided, however, unpackaged fireworks which have been returned by retailers may be temporarily retained in bins for repackaging.

f. Tools used for opening containers of Class C fireworks shall be constructed of nonsparking material, except that metal slitters may be used for opening fiberboard containers.

g. Storage buildings shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings shall be properly disposed of.

h. When storage buildings need interior repairs, all fireworks shall be removed therefrom and the interior cleaned.

i. In making exterior storage building repairs, when there is a possibility of causing sparks of fire, the fireworks shall be removed from the storage building.

j. Fireworks removed from a storage building under repair shall either be placed in another storage building or placed a safe distance from the storage building, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the fireworks shall be promptly returned to the storage building.

32. Miscellaneous safety precautions

a. Smoking, matches, open flames, spark-producing devices and firearms (except firearms carried by authorized guards) shall not be permitted inside of or within 25 feet of storage buildings.

b. The land surrounding storage buildings shall be kept clear of brush, dried grass, leaves and similar combustibles for a distance of at least 25 feet, unless equivalent protection is provided.

c. Smoking shall not be permitted in storage buildings or within 25 feet of the storage building. There shall be conspicuously posted signs with the words "FIREWORKS—NO SMOKING" in letters not less than four inches high.

PART IV

QUANTITY-DISTANCE SEPARATION TABLES

Table 1. Minimum Separation Distances of Fireworks Processing Buildings, Fireworks Magazines, and Fireworks Storage Buildings from Inhabited Buildings, Passenger Railways, and Public Highways.<sup>1</sup>

Net Weight of Fireworks <sup>2</sup>	Distance from Passenger Railways and Public Highways <sup>3,4,5</sup>		Distance from Inhabited Buildings <sup>3,4,5</sup>	
	Class C Fireworks	Class B Fireworks <sup>5</sup>	Class C Fireworks	Class B Fireworks <sup>5</sup>
Pounds	Feet	Feet	Feet	Feet
100	25	200	50	200
200	30	200	60	200
400	35	200	70	200
600	40	200	80	208
800	45	200	90	252
1,000	50	200	100	292
2,000	58	230	115	459
3,000	62	296	124	592
4,000	65	352	130	704
5,000	68	400	135	800
6,000	70	441	139	882
8,000	73	509	140	1,018
10,000	75	565	150	1,129
15,000	80	668	159	1,335
20,000	83	745	165	1,490
30,000	87	863	174	1,725
40,000	90	953	180	1,906
50,000	93	1,030	185	2,060
60,000	95	1,095	189	2,190
80,000	98	1,205	195	2,410
100,000	100	1,300	200	2,600
150,000	105	1,488	209	2,975
200,000	108	1,638	215	3,275
250,000	110	1,765	220	3,530

NOTE 1: This table does not apply to separation distances at fireworks manufacturing buildings, and magazines for storage of Class B fireworks and storage buildings for Class C fireworks. Those separation distances are given in Table 2.

NOTE 2: Net weight is the weight of all pyrotechnic and explosive composition and fuse only.

NOTE 3: See definitions of "passenger railways," "public highways" and "inhabited buildings."

NOTE 4: Class B fireworks processing buildings and Class B fireworks magazines, including

buildings located on the property of a fireworks plant shall be separated from passenger railways, public highways, and inhabited buildings by a minimum distance of 200 feet except that the separation from hospitals, schools and bulk storages of flammable liquids or flammable gases shall be by a minimum distance of 500 feet.

NOTE 5: The separation distances shall apply to all Class B fireworks except salutes. The separation distances in Table 3 shall apply for salutes. When salutes and Class B fireworks are stored in the same magazine, the net weight of salute is applied to Table 3 and the net weight of Class B fireworks, including the net weight of salutes, is applied to Table 1. Whichever distance is the greater shall determine the separation distances of the magazine.

NOTE 6: All distances in Table 1 are to be applied with or without barricades or screen-type barricades.

Table 2.  
Minimum Separation Distances at Fireworks Manufacturing Plants

Net Weight Fireworks <sup>1</sup>	Distance of Magazines and Storage Buildings from		Distance Between Process Buildings and Between Process and Nonprocess Buildings <sup>2</sup>	
	Process Buildings and Nonprocess Buildings <sup>2,5</sup>		Nonprocess Buildings <sup>2</sup>	
	Class C Fireworks <sup>3</sup>	Class B Fireworks <sup>4</sup>	Class C Fireworks <sup>3</sup>	Class B Fireworks <sup>4</sup>
Pounds	Feet	Feet	Feet	Feet
100	30	30	37	57
200	30	35	37	69
400	30	44	37	85
600	30	51	37	97
800	30	56	37	105
1,000	30	60	37	112
2,000	30	76	37	172
3,000	35	87	48	222
4,000	38	95	60	264
5,000	42	103	67	300
6,000	45	109	72	331

Net Weight Fireworks <sup>1</sup>	Distance of Magazines and Storage Buildings from		Distance Between Process Buildings and Between Process and Nonprocess Buildings <sup>2</sup>	
	Process Buildings and Nonprocess Buildings <sup>2,5</sup>		Nonprocess Buildings <sup>2</sup>	
	Class C Fireworks <sup>3</sup>	Class B Fireworks <sup>4</sup>	Class C Fireworks <sup>3</sup>	Class B Fireworks <sup>4</sup>
Pounds	Feet	Feet	Feet	Feet
8,000	50	120	78	382
10,000	54	129	82	423

NOTE 1: Net weight is the weight of all pyrotechnic and explosive compositions and fuse only.

NOTE 2: For the purposes of applying the separation distances in Table 2 a process building includes a mixing building, any building in which pyrotechnic or explosive compositions is pressed or otherwise prepared for finishing and assembling, and any finishing and assembling building. A nonprocess building means office buildings, warehouses, and other fireworks plant buildings where no fireworks or explosive compositions are processed or stored.

NOTE 3: Distances apply with or without barricades or screen-type barricades.

NOTE 4: Distances apply only with barricades or screen-type barricades.

NOTE 5: Distances include those between magazines, between storage buildings, between magazines and storage buildings, between magazines or storage buildings from process buildings and nonprocess buildings.

Table 3. Minimum Separation Distances of Magazines for Storage of Black Powder or Class B Salutes from Inhabited Buildings, Highways, and Other Magazines for Storage of Black Powder or Class B Salutes.

American Table of Distances for Storage of Explosives as Revised and Approved by The Institute of Makers of Explosives—November 5, 1971. Distances in feet.

Explosives	Inhabited Buildings		Public Highways Class A to D		Passenger Railways—Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines		
	Pounds Over	Pounds Not Over	Barri-caded	Unbarri-caded	Barri-caded	Unbarri-caded	Barri-caded	Unbarri-caded	
2	5	70	140	30	60	51	102	6	12
5	10	90	180	35	70	64	128	8	16
10	20	110	220	45	90	81	162	10	20
20	30	125	250	50	100	93	186	11	22
30	40	140	280	55	110	103	205	12	24
40	50	150	300	60	120	110	220	14	28
50	75	170	340	70	140	127	254	15	30
75	100	190	380	75	150	139	278	16	32

Fireworks

212-17-900

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
100	125	200	400	80	160	150	300	18	36
125	150	215	430	85	170	159	318	19	38
150	200	235	470	95	190	175	350	21	42
200	250	255	510	105	210	189	378	23	46
250	300	270	540	110	220	201	402	24	48
300	400	295	590	120	240	221	442	27	54
400	500	320	640	130	260	238	476	29	58
500	600	340	680	135	270	253	506	31	62
600	700	355	710	145	290	266	532	32	64
700	800	375	750	150	300	278	556	33	66
800	900	390	780	155	310	289	578	35	70
900	1,000	400	800	160	320	300	600	36	72
1,000	1,200	425	850	165	330	318	636	39	78
1,200	1,400	450	900	170	340	336	672	41	82
1,400	1,600	470	940	175	350	351	702	43	86
1,600	1,800	490	980	180	360	366	732	44	88
1,800	2,000	505	1,010	185	370	378	756	45	90
2,000	2,500	545	1,090	190	380	408	816	49	98
2,500	3,000	580	1,160	195	390	432	864	52	104
3,000	4,000	635	1,270	210	420	474	948	58	116
4,000	5,000	685	1,370	225	450	513	1,026	61	122
5,000	6,000	730	1,460	235	470	546	1,092	65	130
6,000	7,000	770	1,540	245	490	573	1,146	68	136
7,000	8,000	800	1,600	250	500	600	1,200	72	144
8,000	9,000	835	1,670	255	510	624	1,248	75	150
9,000	10,000	865	1,730	260	520	645	1,290	78	155
10,000	12,000	875	1,750	270	540	687	1,374	82	164
12,000	14,000	885	1,770	275	550	723	1,446	87	174
14,000	16,000	900	1,800	280	560	756	1,512	90	180
16,000	18,000	940	1,880	285	570	786	1,572	94	188
18,000	20,000	975	1,950	290	580	813	1,626	98	196
20,000	25,000	1,055	2,000	315	630	876	1,752	105	210
25,000	30,000	1,130	2,000	340	680	933	1,866	112	224
30,000	35,000	1,205	2,000	360	720	981	1,962	119	238
35,000	40,000	1,275	2,000	380	760	1,026	2,000	124	248
40,000	45,000	1,340	2,000	400	800	1,068	2,000	129	258
45,000	50,000	1,400	2,000	420	840	1,104	2,000	135	270
50,000	55,000	1,460	2,000	440	880	1,140	2,000	140	280
55,000	60,000	1,515	2,000	455	910	1,173	2,000	145	290
60,000	65,000	1,565	2,000	470	940	1,206	2,000	150	300
65,000	70,000	1,610	2,000	485	970	1,236	2,000	155	310
70,000	75,000	1,655	2,000	500	1,000	1,263	2,000	160	320
75,000	80,000	1,695	2,000	510	1,020	1,293	2,000	165	330
80,000	85,000	1,730	2,000	520	1,040	1,317	2,000	170	340
85,000	90,000	1,760	2,000	530	1,050	1,344	2,000	175	350
90,000	95,000	1,790	2,000	540	1,080	1,368	2,000	180	360
95,000	100,000	1,815	2,000	545	1,090	1,392	2,000	185	370

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
100,000	110,000	1,835	2,000	550	1,100	1,437	2,000	195	390
110,000	120,000	1,855	2,000	555	1,110	1,479	2,000	205	410
120,000	130,000	1,875	2,000	560	1,120	1,521	2,000	215	430
130,000	140,000	1,890	2,000	565	1,130	1,557	2,000	225	450
140,000	150,000	1,900	2,000	570	1,140	1,593	2,000	235	470
150,000	160,000	1,935	2,000	580	1,160	1,629	2,000	245	490
160,000	170,000	1,965	2,000	590	1,180	1,662	2,000	255	510
170,000	180,000	1,990	2,000	600	1,200	1,695	2,000	265	530
180,000	190,000	2,010	2,010	605	1,210	1,725	2,000	275	550
190,000	200,000	2,030	2,030	610	1,220	1,755	2,000	285	570
200,000	210,000	2,055	2,055	620	1,240	1,782	2,000	295	590
210,000	230,000	2,100	2,100	635	1,270	1,836	2,000	315	630
230,000	250,000	2,155	2,155	650	1,300	1,890	2,000	335	670
250,000	275,000	2,215	2,215	670	1,340	1,950	2,000	360	720
275,000	300,000	2,275	2,275	690	1,380	2,000	2,000	385	770

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-900, filed 11/2/82.]

**Chapter 212-20 WAC**

**MODEL AND EXPERIMENTAL ROCKETRY**

WAC

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**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

212-20-020	Licenses, permits, and fees. [Regulation IV, V, VI, and VIII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
212-20-030	Supervision. [Regulations II, III, IX, and XI, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
212-20-040	Model rocket engines—Sale, consignment, and shipment. [Regulation VII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
212-20-050	Launching site procedures. [Regulation X, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1),

- filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
- 212-20-060 Public view. [Regulation XII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
- 212-20-070 Necessity of complying with rules of aeronautics commission. [Regulation XIII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
- 212-20-080 Penalties. [Regulation XIV, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).

**WAC 212-20-001 Declaration of intent.** The intent of this regulation is to provide permissive, instructional guidelines and standards for the design, construction, limitation of charge and power, and reliability of unmanned rocket engines manufactured for sale; for the design and construction of unmanned rockets propelled by these rocket engines; for the conduct of launchings, tests and other operations involving unmanned rockets; and to prohibit the making and launching of dangerous, homemade rocket devices or the experimentation with explosive rocket fuels. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-001, filed 8/8/79.]

**WAC 212-20-010 Definitions.** For the purposes of this regulation, the following terms shall be defined as follows:

- (1) "Aero model" shall mean a miniature, unmanned replica of a flying device and includes the category of model rocket, as defined elsewhere in this regulation.
- (2) "Cold propellant rocket motor" shall mean a rocket motor which produces force or thrust by change of state of the substance contained, i.e., not by a process involving combustion.
- (3) "Hybrid rocket motor" shall mean a rocket motor in which the fuel is in a different physical state (solid, liquid or gaseous) than the oxidizer and which derives its force or thrust from the combination thereof.
- (4) "Liquid propellant rocket motor" shall mean a rocket motor which contains a fuel and an oxidizer in liquid form or in a combined monopropellant liquid form as a single chemical and which derives its force or thrust from the combustion thereof.
- (5) "Model rocket" shall mean a rocket that is propelled by a model rocket motor, that contains a device for returning it to the ground in a condition to fly again, whose structural parts are made of paper, wood or breakable plastic and containing no substantial metal parts, except cold propellant rocket motors, and whose primary use is for purposes of education, recreation, and sporting competition.
- (6) "Model rocket motor" shall mean a solid propellant, cold propellant, or pressurized liquid rocket motor that conforms to the standards for rocket motors as set forth in this regulation.
- (7) "Pressurized liquid rocket motor" shall mean a rocket motor that derives its force or thrust from a liquid expelled from the rocket motor by pressurized gas and involving no combustion or change of state.

(8) "Rocket" shall mean a device which ascends into the air without use of aerodynamic lifting forces acting against gravity and which is propelled by a rocket motor.

(9) "Rocket engine" shall mean the same as rocket motor.

(10) "Rocket motor" shall mean a device, or combination of devices, that provides the necessary force or thrust to cause a rocket to move. The force or thrust shall be created by the discharge of gas generated by combustion, decomposition, change of state, or other operation of materials contained, carried, or stored solely within said rocket motor or rocket and not dependent upon the outside environment for reaction mass.

(11) "Rocket vehicle" shall mean the same as rocket.

(12) "Skyrocket or rockets with sticks" shall mean commercially manufactured fireworks rockets not intended for reuse and which have been classified as Class B or Class C fireworks in accordance with U.S. Department of Transportation regulations, Code of Federal Regulations, Title 49, Part 173.

(13) "Solid propellant rocket motor" shall mean a rocket motor containing a fuel and an oxidizer in solid form and which derives its force or thrust from the combustion thereof.

(14) "Steam rocket motor" shall mean a rocket motor which produces its force or thrust by means of steam carried or stored within the rocket motor or rocket vehicle or produced in the rocket motor or rocket vehicle by the heating of water therein.

(15) "Thrust augmenter" shall mean a device for increasing the force or motive power of a rocket motor by imparting a portion of the momentum of the rocket motor's exhaust jet to the surrounding environmental medium, and is considered to be a part of a rocket motor when and where used. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-010, filed 8/8/79; Section I, filed 8/6/63.]

**WAC 212-20-015 Application--Rocket motors.** This regulation shall apply to the design, construction, limitation of propellant mass and power, and reliability of all rocket motors, other than fireworks rockets, produced commercially for sale to and/or use by the public for purposes of education, recreation and sporting competition. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-015, filed 8/8/79.]

**WAC 212-20-025 Application--Rocket vehicles.** This regulation shall also apply to the design and construction of rocket vehicles propelled by rocket motors. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-025, filed 8/8/79.]

**WAC 212-20-035 Application--Rocket launching.** This regulation shall also apply to the conduct of launch operations of rocket vehicles. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-035, filed 8/8/79.]

**WAC 212-20-045 Application--Exempt activities.** This regulation shall not apply to the design, construction, production, manufacture, fabrication, maintenance, launching, flight, test, operation, use, or other activity in connection with a rocket or rocket motor when carried out or engaged in by:

- (1) The government of the United States of America;
- (2) Any state or local government;
- (3) Any individual, firm, partnership, joint venture, corporation, or other business entity engaged, as a licensed business, in research, development, production, test, maintenance, or supply of rockets, rocket motors, rocket propellant chemicals, or rocket components or parts;
- (4) Any college or university. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-045, filed 8/8/79.]

**WAC 212-20-055 Application--Exempt model aircraft.** This regulation shall not apply to the design, construction, fabrication, production, manufacture, maintenance, launching, flight, test, operation, or use of rocket-propelled model aircraft which sustain their mass against the force of gravity by aerodynamic lifting surfaces that support the aircraft during the entire duration of their flight in the air or to the rocket motors which provide the propulsion for such model aircraft. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-055, filed 8/8/79.]

**WAC 212-20-065 Application--Exempt toy rockets.** This regulation shall not apply to model or toy rockets propelled by pressurized liquid rocket motors containing less than 250 milliliters (8.45 liquid ounces) of water. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-065, filed 8/8/79.]

**WAC 212-20-075 Application--Exempt fireworks.** This regulation shall not apply to skyrockets, rockets with sticks, and other fireworks rockets as defined elsewhere in this regulation. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-075, filed 8/8/79.]

**WAC 212-20-085 Purpose--Availability.** The purpose of this regulation is to insure the wide and easy availability of commercial model rocket motors that meet standards of safety and reliability, thereby insuring that the creative and experimental urges of the public regarding rocket devices has reasonably safe outlets. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-085, filed 8/8/79.]

**WAC 212-20-090 Purpose--Prohibited rockets.** The purpose of this code shall also be to prohibit the making and launching of homemade rockets and other rocketlike vehicles propelled or intended to be propelled by homemade rocket propulsion devices. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-090, filed 8/8/79.]

**WAC 212-20-095 Purpose--Prohibited propellants.** The purpose of this regulation shall also be to prohibit experiments with explosive or highly energetic rocket propellants, construction of homemade rocket propulsion motors, and attempted launchings or operations of these homemade rocket devices, thereby minimizing tragic deaths and injuries. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-095, filed 8/8/79.]

**WAC 212-20-100 Rocket construction and operation.** A rocket shall at all times comply with the requirements of construction and operation as set forth in Section 307, 72 Statute 749, 49 U.S. Code 1348, "Air-space Control and Facilities"; Federal Aviation Act of 1958 covering Federal Aviation Regulations, Part 101, Subpart A, pp. 101.1, (a)(3)(ii)(a) through (d), or later revisions or amendments thereto. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-100, filed 8/8/79.]

**WAC 212-20-200 Solid propellant rocket motors--General.** A solid propellant rocket motor shall be a device produced by a commercial manufacturer and shall have all of the propellant preloaded into the motor casing in such a manner that they cannot be removed without destroying the motor. Delay trains and ejection charges may be included as an integral part of the motor or may be preloaded and packaged separately if (1) the auxiliary package is a single preassembled unit containing all of the remaining combustible material, and (2) the auxiliary package is so designed that an individual would have no difficulty handling and using it safely. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-200, filed 8/8/79.]

**WAC 212-20-205 Solid propellant rocket motors--Casing material.** A solid propellant rocket motor casing shall be made of nonmetallic material of low thermal conductivity such that the temperature of the external surface of the motor casing cannot exceed 150 degrees C. (302 degrees F.) during or after operation. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-205, filed 8/8/79.]

**WAC 212-20-210 Solid propellant rocket motors--Casing design.** A solid propellant motor casing shall be so designed and constructed that it will not fragment if it should rupture. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-210, filed 8/8/79.]

**WAC 212-20-215 Solid propellant rocket motors--Incapable of spontaneous ignition.** A solid propellant rocket motor shall be so designed and constructed as to be incapable of spontaneous ignition in air, in water, as a result of physical shocks, jarring, impacts, or motion under conditions that would reasonably be expected to occur during shipment, storage, and use, or when subjected to a temperature of 80 degrees C. (176 degrees F.) or less. [Statutory Authority: RCW 70.77.250 (3)(a). 79-

09-012 (Order FM-79-1), § 212-20-215, filed 8/8/79.]

**WAC 212-20-220 Solid propellant rocket motors-- Propellant.** A solid propellant rocket motor shall contain not more than 62.5 grams (2.2 ounces) of propellant materials and shall produce less than 80 Newton-seconds (17.92 pound-seconds) of total impulse with a thrust duration of not less than 50 milliseconds (0.050 seconds). [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-220, filed 8/8/79.]

**WAC 212-20-225 Solid propellant rocket motors-- Manufacturer sampling.** A manufacturer of solid propellant rocket motors shall subject a random sample of one percent of each motor production lot to a static test which shall measure and record the rocket motor thrust, duration, thrust-time profile, delay time, and action of the ejection charge if included. Solid propellant rocket motor lots shall be corrected or destroyed by the manufacturer under any of the following conditions:

(1) The total impulse of any test item departs more than twenty percent from the established mean total impulse value of the rocket motor type;

(2) The time delay of any test item departs more than twenty percent from the established mean time delay value of the rocket motor type, but in no case shall this variation exceed three seconds;

(3) The ejection charge, if any, of any test item does not function properly;

(4) If any test item malfunctions in any other manner that effects the safety of its shipment, storage, handling, or use. Static tests shall be conducted with the test items at ambient temperature. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-225, filed 8/8/79.]

**WAC 212-20-230 Solid propellant rocket motors-- Manufacturer dating.** A solid propellant rocket motor type whose performance deviates from the sample test criteria and performance limits detailed above within one year from the date of manufacture shall be withdrawn from commercial sale and redesigned to provide reliable operation when ignited within a period of one year from the date of manufacture. All solid propellant rocket motors shall have imprinted upon the exterior surface of their motor casing the date of manufacture or equivalent coding. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-230, filed 8/8/79.]

**WAC 212-20-235 Solid propellant rocket motors-- Safe shipment.** A solid propellant rocket motor shall be shipped and stored with no ignition element installed that can be activated by an open flame at a temperature of less than 150 degrees C. (302 degrees F.), or by incident radio frequency radiation normally encountered in shipping, storage, handling, or use. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-235, filed 8/8/79.]

**WAC 212-20-240 Solid propellant rocket motors-- Flame ignition prohibited.** No manufacturer, distributor, or other person shall sell, expose for sale, or otherwise make available to the public any type of rocket motor ignition device that is intended to be initiated by a hand-held flame. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-240, filed 8/8/79.]

**WAC 212-20-245 Solid propellant rocket motors-- Instructions.** A solid propellant rocket motor shall be shipped and sold with complete instructions for its storage, handling, and use. These instructions shall contain a warning to read and follow all instructions carefully and to use the rocket motor only in accordance with instructions. In addition, the instructions shall contain the following information:

(1) How to safely ignite the rocket motor by electrical means;

(2) Performance data on the rocket motor type to include propellant weight, total impulse, average thrust, time delay, and representative thrust-time curve;

(3) Any special first aid data or action to be taken in the event of burns or oral ingestion of the propellant;

(4) Proper and safe disposal of the rocket motor if it has become too old, been subjected to conditions that may impair its performance or, in the opinion of the user, may have become unsafe;

(5) Any special action that must be taken to fight any fire in which stored rocket motors may be involved. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-245, filed 8/8/79.]

**WAC 212-20-250 Solid propellant rocket motors-- Sealing.** A solid propellant rocket motor containing more than 25 grams (0.88 ounces) of propellant material shall be sealed at the factory with a nonflammable, nonmetallic seal over the nozzle end and over the forward end. The seals shall be readily removable by the user unless the motor is designed to function with the seals in place. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-250, filed 8/8/79.]

**WAC 212-20-305 Cold propellant rocket motors-- Sold assembled.** A cold propellant rocket motor shall be sold as a completely prefabricated assembled device ready for attachment to a rocket vehicle and ready for the user to fill with cold propellant material. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-305, filed 8/8/79.]

**WAC 212-20-310 Cold propellant rocket motors-- Propellant.** A cold propellant rocket motor shall use dichlorodifluoromethane (fluorocarbon - 12) as a propellant. This cold propellant material shall be shipped, stored, sold and made available separately from the rocket motor and shall be transferred to the rocket motor only after the rocket motor and rocket vehicle to be propelled by the motor is on a launching device and/or otherwise ready for operation. [Statutory Authority:

RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-310, filed 8/8/79.]

**WAC 212-20-315 Cold propellant rocket motors—Working pressures.** A cold propellant rocket motor shall be designed for a working internal pressure not greater than 7 atmospheres gauge (103 psig or 7.231 kilograms per square centimeter) and shall be equipped with a nonadjustable, nonremovable safety valve or pressure release means that will operate when the internal pressure exceeds 10 atmospheres gauge (147 psig or 10.33 kilograms per square centimeter). The cold propellant rocket motor casing shall be so designed and constructed that it possesses a minimum burst pressure of 20 atmospheres gauge (294 psig or 20.66 kilograms per square centimeter). [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-315, filed 8/8/79.]

**WAC 212-20-320 Cold propellant rocket motors—Construction materials.** Materials used in the construction of a cold propellant rocket motor shall not be adversely effected by the cold propellant material; aluminum alloy may be used for major structural components of a cold propellant rocket motor in order to satisfy this requirement. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-320, filed 8/8/79.]

**WAC 212-20-405 Pressurized liquid rocket motors—Sold assembled.** A pressurized liquid rocket motor shall be sold as a completely prefabricated, assembled device ready for the user to fill, pressurize, and use. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-405, filed 8/8/79.]

**WAC 212-20-410 Pressurized liquid rocket motors—Nontoxic propellant.** A pressurized liquid rocket motor shall use water in the liquid state or other nontoxic liquid as a propellant or reaction mass. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-410, filed 8/8/79.]

**WAC 212-20-415 Pressurized liquid rocket motors—Working pressures.** A pressurized liquid rocket motor shall be designed for an internal working pressure not greater than 7 atmospheres gauge (103 psig or 7.231 kilograms per square centimeter) and shall be equipped with a nonadjustable, nonremovable safety valve or pressure release means that will operate when the internal pressure exceeds 10 atmospheres gauge (147 psig or 10.33 kilograms per square centimeter). The pressurized liquid rocket motor casing shall be designed and constructed to possess a minimum burst pressure of 20 atmospheres gauge (294 psig or 20.66 kilograms per square centimeter). [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-415, filed 8/8/79.]

**WAC 212-20-420 Pressurized liquid rocket motors—Shipped empty.** A pressurized liquid rocket motor shall be shipped and stored with no propellant material

inside it and vented to atmospheric pressure. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-420, filed 8/8/79.]

**WAC 212-20-425 Pressurized liquid rocket motors—Pressurizing.** The pressure used by a pressurized liquid rocket motor shall be either generated or produced by a pressure source such as a pump outside the rocket motor or generated by the noncombustible chemical reaction of chemicals within the rocket motor or rocket vehicle. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-425, filed 8/8/79.]

**WAC 212-20-430 Pressurized liquid rocket motors—Construction materials.** Materials used in the construction or fabrication of a pressurized liquid rocket motor shall be nonmetallic. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-430, filed 8/8/79.]

**WAC 212-20-500 Nationally recognized testing labs, associations.** Model rocket motor types offered for sale, sold, used, or made available to the public shall be examined and tested by a nationally recognized testing laboratory or an organization such as the National Association of Rocketry or its successor organization affiliated with the National Aeronautic Association (the National Aeronautical Club of the United States of America having jurisdiction over the sporting and competitive aspects of model rocketry as the United States representative to the Federation Aeronautique Internationale). Only those rocket motor types tested and certified by the testing laboratory or association as meeting the requirements of this regulation shall be sold, offered for sale, exposed for sale, or otherwise made available to the public. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-500, filed 8/8/79.]

**WAC 212-20-600 Use of rocket motors for spectacular display.** The use of rocket motors for the primary purpose of producing a spectacular display of color, light, sound or any combination thereof is prohibited. This shall not prohibit the public demonstration of model rockets done in accordance with the provisions of this regulation, the launch site dimensions and provisions of the National Fire Protection Association's Code 1122L, and the Model Rocket Safety Code of the National Association of Rocketry-Hobby Industry Association of America. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-600, filed 8/8/79.]

**WAC 212-20-605 Use of rocket or rocket motor as a weapon.** The use of a rocket or rocket motor as a weapon against a target is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-605, filed 8/8/79.]

**WAC 212-20-610 Use of rocket motor contrary to Federal Aviation Agency regulations.** The use of a rocket



motor contrary to the instructions for its use and contrary to the provisions of Federal Air Regulations Part 101.1(a)(3)(ii) is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-610, filed 8/8/79.]

**WAC 212-20-615 Tampering with rocket motor.** Tampering with any rocket motor in any manner or degree which is contrary to the purpose for which said rocket motor is designed and intended to be used is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-615, filed 8/8/79.]

**WAC 212-20-620 Sale of noncomplying rocket motors.** The sale, offering for sale, exposing for sale or otherwise making available to the public any rocket motor that does not comply with the requirements of this regulation and has not been tested and so certified is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-620, filed 8/8/79.]

**WAC 212-20-625 Operation of rockets contrary to Federal Aviation Agency regulations.** The operation, discharge or activation of a rocket contrary to the provisions of federal air regulations is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-625, filed 8/8/79.]

**WAC 212-20-630 Use of noncomplying rockets.** The manufacture, production, fabrication, making, operation, maintenance, launch, flight, test, activation, discharge or other experimentation with rockets or rocket motors, including but not limited to hybrid rocket motors, liquid propellant rocket motors, steam rocket motors, rocket propellant chemicals for solid, liquid, and hybrid rocket motors including monopropellants, not in compliance with this regulation, is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-630, filed 8/8/79.]

**WAC 212-20-635 Sale or use of hand-held igniters.** The sale, offering for sale, exposing for sale, making, or using of fuse, wick, or other ignition devices intended to be activated by a hand-held flame for the purpose of starting or igniting a rocket motor is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-635, filed 8/8/79.]

**WAC 212-20-640 False certification.** Affixing to a rocket motor a statement of compliance with this regulation or a statement of certification by a nationally-recognized testing laboratory or association, or writing in advertising or on the package that certification has been obtained, when such certification has not been obtained, has been withdrawn, or has been denied, is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-640, filed 8/8/79.]

**WAC 212-20-645 Reloading solid propellant rocket motor.** Reloading any solid propellant rocket motor with any material, once said motor has been operated, is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-645, filed 8/8/79.]

**WAC 212-20-650 Refilling cold propellant rocket motor.** Reloading or refilling any cold propellant rocket motor with any material not specifically recommended or made available by the manufacturer is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-650, filed 8/8/79.]

**WAC 212-20-655 Refilling pressurized liquid rocket motor.** Reloading, refilling or pressurizing any pressurized liquid rocket motor with any material or by any means not specifically provided or recommended by the manufacturer is prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-655, filed 8/8/79.]

**WAC 212-20-660 Permits.** The storage of more than 100 kilograms (220 pounds) of solid propellant model rocket motors and/or the launching of any rocket shall be subject to the permit requirements, if any, of the local authority having jurisdiction. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-660, filed 8/8/79.]

**WAC 212-20-665 Penalty.** Violation of any provision of this regulation shall be deemed a misdemeanor, and upon conviction, shall be punishable as such. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-665, filed 8/8/79.]

**WAC 212-20-990 Appendix--Supplementary information.** (This appendix is not a part of the regulation but is included for information purposes only.)

(1) Excerpt from Section 307, 72 Statute 749, 49 United States Code 1348, "Airspace Control and Facilities," Federal Aviation Act of 1958 covering Federal Air Regulations, Part 101, Subpart A, Part 101.1 (a)(3)(iii):

"The Part prescribes rules governing the operation in the United States of the following: . . .

- (3) Any unmanned rocket except . . .
  - (i) Model rockets
    - (a) Using not more than four ounces of propellant;
    - (b) Using a slow-burning propellant;
    - (c) Made of paper, wood or breakable plastic, containing no substantial metal parts, and weighing not more than sixteen ounces, including the propellant; and
    - (d) Operated in a manner that does not create a hazard to persons, property or other aircraft."

NOTE: By waiver letter dated December 27, 1968, the Federal Aviation Agency exempted cold propellant model rockets from the nonmetallic provisions of FAR 101(a)(3)(ii)(c) above.

(2) Model Rocketry Safety Code of the National Association of Rocketry-Hobby Industry Association of America.

## Solid Propellant.

1. Construction – My model rockets will be made of lightweight materials such as paper, wood, plastic, and rubber without any metal as structural parts.

2. Engines – I will use only preloaded factory-made model rocket engines in the manner recommended by the manufacturer.

3. Recovery – I will always use a recovery system in my model rockets that will return them safely to the ground so that they may be flown again.

4. Weight Limits – My model rockets will weigh no more than 453 grams (16 ounces) at lift-off, and the engines will contain no more than 113 grams (4 ounces) of propellant.

5. Stability – I will check the stability of my model rockets before their first flight, except when launching models of already proven stability.

6. Launching System – The system I use to launch my model rockets must be remotely controlled and electrically operated, and will contain a switch that will return to "off" when released. I will remain at least 15 feet away from any rocket that is being launched.

7. Launch Safety – I will not let anyone approach a model rocket on a launcher until I have made sure either the safety interlock key has been removed or the battery has been disconnected from my launcher.

8. Flying Conditions – I will not launch my model rockets in high winds, near buildings, power lines, tall trees, low-flying aircraft, or under any conditions that might be dangerous to people or property.

9. Launch Area – My model rockets will always be launched from a cleared area, free of any easy-to-burn materials, and I will use only nonflammable recovery wadding in my rockets.

10. Jet Deflector – My launcher will have a jet deflector device to prevent the engine exhaust from hitting the ground directly.

11. Launch Rod – To prevent accidental eye injury, I will always place the launcher so the end of the rod is above eye level, or cap the end of the rod with my hand when approaching it. I will never place my head or body over the launching rod. When my launcher is not in use, I will always store it so that the launch rod is not in an upright position.

12. Power Lines – I will never attempt to recover my model rocket from a power line or other dangerous place.

13. Launch Targets and Angle – I will not launch rockets so their flight path will carry them against targets on the ground, and will never use any explosive warhead nor a payload that is intended to be flammable. My launching device will always be pointed within 30 degrees of vertical.

14. Prelaunch Test – When conducting research activities with unproven designs or methods, I will, when possible, determine their reliability through prelaunch tests. I will conduct launchings of unproven designs in complete isolation.

## Cold Propellant.

1. Engines – I will use only factory-made model rocket engines in the manner recommended by the manufacturer. I will reload rocket engines only with the propellant recommended by the manufacturer.

2. Recovery – I will always use a recovery system in my model rockets that will safely return them so they may be used again. I will conduct preflight tests to assure the recovery system functions properly before launching the rocket.

3. Weight Limits – My model rockets will weigh no more than 453 grams (16 ounces) at lift-off.

4. Stability – I will check the stability of my model rockets before their first flight except when launching models of proven design.

5. Flying Conditions – I will not launch my model rockets in high winds, near buildings, power lines, tall trees, low-flying aircraft, or under any conditions that might be dangerous to people or property. I will never attempt to recover a model rocket from a power line or other dangerous place.

6. Launch Rod – To prevent accidental eye injury, I will always place the launcher so the end of the rod is above eye level, or cap the end of the rod with my hand when approaching it. I will never place my head or body over the launching rod. When my launcher is not in use, I will always store it so that the launch rod is not in an upright position.

7. Launch Targets and Angle – I will not launch rockets so their flight path will carry them against targets on the ground, and will never use an explosive warhead nor a payload that is intended to be flammable. My launching device will always be pointed within 30 degrees of vertical.

8. Loaded Rockets – I will never store or leave a loaded rocket unattended. I will always keep a loaded rocket on a launcher or firmly restrained. I will never point a loaded rocket or its rocket nozzle at anyone, nor allow anyone to be in the flight path of a rocket during flight preparations.

9. Construction – I will never use metal nose cones or metal fins.

NOTE: This NAR-HIAA Model Rocket Safety Code is included as an Appendix to provide the local authority having jurisdiction with guidelines as to nationally accepted safety practices so that the public may be advised concerning them if desired. Copies of this NAR-HIAA Safety Code are voluntarily included in every model rocket kit by the model rocket manufacturer members of the HIAA.

## (3) Suggested launch site dimensions and provisions.

NOTE: These launching site dimensions and provisions are included as an Appendix to provide the local authority having jurisdiction and the interested public with a guideline concerning recommended, but not required, conditions for flying model rockets of the type permitted by this regulation.

**Launch Site Dimensions**

Type Motor	Total Impulse (N-sec)	Max. Recom-mended Model Weight (ounces)	Max. Recom-mended Time Delay (seconds)*	Minimum Site Dimensions (feet)
1/4A & 1/2A	0-1.25	3	2	50
A	1.26-2.50	4	3	100
B	2.56-5.00	6	2	200
C	5.01-10	6	3	400
D	10.01-20	13	3	500
E	20.01-40	16	4	1000
F	40.01-80	16	4	1000

\*Maximum time delay for maximum model weight shown. Add one second of time delay for each ounce less than the maximum recommended model weight shown.

Launch times: Models should be launched only during hours of daylight.

Recovery wadding: The recovery device protective material (wadding) ejected from the model during the flight sequence when the recovery device is deployed, should be of a flame-resistant material.

Launch site conditions: The area for a radius of five feet around the launching device should be clear of dry grass or other flammable substances. It is recommended that the launch device be set atop a flame-resistant tarpaulin or canvas sheet if the launch area is grass covered. The launch site should not be located in a grain field or forested land. [Statutory Authority: RCW 70-.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-990, filed 8/8/79.]

**Chapter 212-26 WAC**

**HOSPICE CARE CENTERS--STANDARDS FOR FIRE PROTECTION**

**WAC**

- 212-26-001 Purpose.
- 212-26-005 Definitions.
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- 212-26-015 Compliance.
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- 212-26-050 Modernization or renovation.
- 212-26-055 Additions.
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- 212-26-065 Smoke detection.
- 212-26-070 Fire alarm.
- 212-26-075 Emergency lighting.
- 212-26-080 Sprinkler protection.
- 212-26-085 Fire and evacuation plan.
- 212-26-090 Smoke control.
- 212-26-095 Fire drills.
- 212-26-100 Equipment maintenance.
- 212-26-105 Severability.

**WAC 212-26-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 70.41.080, with respect to all facilities to be licensed as hospice care centers by

the department of social and health services. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-001, filed 5/11/82.]

**WAC 212-26-005 Definitions.** The following definitions shall apply to this regulation:

(1) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(2) "Fire chief" means the chief of the fire department providing fire protection services to the facility.

(3) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(4) "Hospice care center" means any building, facility, place or equivalent organized, maintained and operated specifically to provide beds, accommodations, facilities and services over a continuous period of twenty-four hours or more for palliative care of two or more individuals, not related to the operator, who are diagnosed as being in the latter stages of an advanced disease, as well as support and care of the family during and immediately following death.

(5) "Licensing agency" means the Washington state department of social and health services.

(6) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes, and mandates enforcement by each city, town and county.

(7) "Central station" means a fire alarm receiving service listed by the Underwriters Laboratories or authorized by the state fire marshal to report alarms to the local fire department. [Statutory Authority: RCW 70-.41.080. 82-11-029 (Order FM 82-1), § 212-26-005, filed 5/11/82.]

**WAC 212-26-010 Applicability.** This regulation applies to all facilities licensed or subject to licensure by the department of social and health services, pursuant to RCW 70.41.090. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-010, filed 5/11/82.]

**WAC 212-26-015 Compliance.** All facilities licensed by the department of social and health services as hospice care centers shall comply with the provisions of this regulation. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-015, filed 5/11/82.]

**WAC 212-26-020 Inspection.** The licensing agency, upon receipt of an application for a license, or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the

facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-020, filed 5/11/82.]

**WAC 212-26-025 Approval.** Upon the completion of the inspection, if the facility is in reasonable compliance with applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-025, filed 5/11/82.]

**WAC 212-26-030 Right of appeal.** A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-030, filed 5/11/82.]

**WAC 212-26-035 Local codes.** Approvals are issued or denied on the basis of applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-035, filed 5/11/82.]

**WAC 212-26-040 Standards.** The following standards, WAC 212-26-045 through 212-26-100, shall be applicable to all facilities built or licensed after the effective date of this regulation. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-040, filed 5/11/82.]

**WAC 212-26-045 Construction requirements.** New construction or major remodeling shall comply with the Group I, Division 1 requirements of the 1979 Uniform Building Code, regardless of the number of occupants. This classification is advisory but not binding on local building officials charged with the administration and enforcement of the State Building Code Act. This minimum requirement is mandatory; however, local fire and building officials charged with the administration and enforcement of the State Building Code Act, chapter 19.27 RCW, may exceed these requirements. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-045, filed 5/11/82.]

**WAC 212-26-050 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of

new building services equipment shall be accomplished as nearly as possible in conformance with the requirements for new construction. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-050, filed 5/11/82.]

**WAC 212-26-055 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible fire partition having at least a two hour fire-resistance rating. Communicating openings in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-055, filed 5/11/82.]

**WAC 212-26-060 Design, operation.** All facilities shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency requiring the evacuation of patients. The protection of patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following:

- (1) Proper design, construction and compartmentation.
- (2) Provision for detection, alarm and extinguishment.
- (3) Fire prevention and planning, training and drilling programs for the isolation of fire, transfer of patients to areas of refuge or evacuation of the building. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-060, filed 5/11/82.]

**WAC 212-26-065 Smoke detection.** An approved, automatic smoke detection system shall be installed in all corridors. Detectors shall not be spaced further than thirty feet apart nor more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system.

EXCEPTION: Where each patient sleeping room is protected by such an approved detection system and a local detector is provided at the smoke partition and horizontal exits, such corridor systems will not be required on the sleeping room floors. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-065, filed 5/11/82.]

**WAC 212-26-070 Fire alarm.** Every hospice care center shall have an approved, electrically supervised manual fire alarm system. Operation of any fire alarm initiating device shall automatically, without delay, activate a general alarm and audible and visual indication throughout the building. The fire alarm system shall automatically transmit off the premises by the most direct and reliable method approved by the state fire marshal. These include, but are not limited to, in order of priority:

- (1) A direct connection of the building alarm to the municipal alarm system, including radio alarm boxes.
- (2) A direction connection of the building alarm to an approved central station.

Annunciators shall be provided where the system serves more than one floor, one building or one fire division. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-070, filed 5/11/82.]

**WAC 212-26-075 Emergency lighting.** Emergency lighting for means of egress shall be provided for every facility and shall comply with the following provisions:

(1) Where maintenance of illumination depends upon changing from one energy source to another, there shall be no appreciable interruption of illumination during the changeover. Where emergency lighting is provided by a prime mover-operated electric generator, a delay of not more than ten seconds shall be permitted.

(2) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged conditions.

(3) Emergency lighting facilities shall be arranged to maintain illumination to values of not less than one footcandle measured at the floor for a period of one and one-half hours in the event of failure of normal lighting.

(4) An emergency lighting system shall be so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as any failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s), including accidental opening of a switch controlling normal lighting facilities. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-075, filed 5/11/82.]

**WAC 212-26-080 Sprinkler protection.** Complete, approved automatic fire extinguisher protection shall be provided throughout all hospice care centers. The main sprinkler control valve(s) shall be electrically supervised and the system electrically interconnected with the fire alarm system. The fire department connection shall be located as directed by the fire chief. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-080, filed 5/11/82.]

**WAC 212-26-085 Fire and evacuation plan.** The administration of every hospice care center shall have in effect, and available to all supervisory personnel, written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building, when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-085, filed 5/11/82.]

**WAC 212-26-090 Smoke control.** Every sleeping room shall have an outside window or outside door arranged and located so that it can be opened from the inside without the use of tools or keys to permit the venting of products of combustion and to permit any occupant to have direct access to fresh air in case of emergency.

**EXCEPTION:** Buildings designed with an engineered smoke control system in accordance with the 1978 edition of National Fire Protection Association Pamphlet 90A need not comply with this requirement. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-090, filed 5/11/82.]

**WAC 212-26-095 Fire drills.** At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarm. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions, except that the movement of infirm or bedridden patients to safe areas is not required. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-095, filed 5/11/82.]

**WAC 212-26-100 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other items or equipment required by this regulation or the applicable building and/or fire codes shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-100, filed 5/11/82.]

**WAC 212-26-105 Severability.** If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-105, filed 5/11/82.]

## Chapter 212-28 WAC HOSPITALS, STANDARDS FOR FIRE PROTECTION

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212-28-050	Construction requirements.
212-28-055	Modernization or renovation.
212-28-060	Additions.
212-28-065	Mixed occupancies.
212-28-070	Design, operation.
212-28-075	Compartmentation.
212-28-080	Smoke detection.
212-28-085	Fire alarm.

212-28-090	Sprinkler protection.
212-28-095	Fire and evacuation plan.
212-28-100	Fire drills.
212-28-105	Equipment maintenance.
212-28-110	Separability.

**WAC 212-28-001 Purpose.** The purpose of this regulation is to establish minimum fire and life safety standards necessary for obtaining fire marshal approval for facilities licensed as hospitals by the department of social and health services. [Order FM-77-4, § 212-28-001, filed 12/8/77.]

**WAC 212-28-010 Definitions.** The following definitions shall apply to this regulation:

(1) "Hospital," an institution, place, building or agency which provides accommodations, facilities and services over a continuous period of twenty-four hours or more for observation, diagnosis or care, of two or more individuals not related to the operator, who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this regulation does not include hotels, or similar places furnishing only food and lodging, or simply domiciliary care; nor does it include clinics, or physicians' offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include nursing homes, maternity homes, psychiatric hospitals, nor any other hospital or institution specifically intended for use for the diagnosis and care of those suffering from mental illness, mental retardation, convulsive disorders, or other abnormal mental condition.

(2) "Licensing agency," the Washington state department of social and health services.

(3) "Building official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(4) "Fire official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(5) "Fire chief," the chief of the fire department providing fire protection services to the hospital.

(6) "State Building Code Act," chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county. [Order FM-77-4, § 212-28-010, filed 12/8/77.]

**WAC 212-28-015 Applicability.** This regulation applies to all facilities licensed or contemplating licensing as hospitals by the department of social and health services. [Order FM-77-4, § 212-28-015, filed 12/8/77.]

**WAC 212-28-020 Compliance.** All facilities licensed as hospitals shall comply with the provisions of

this regulation. [Order FM-77-4, § 212-28-020, filed 12/8/77.]

**WAC 212-28-025 Inspection.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Order FM-77-4, § 212-28-025, filed 12/8/77.]

**WAC 212-28-030 Approval.** Upon the completion of the inspection, if the facility is in reasonable compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency. [Order FM-77-4, § 212-28-030, filed 12/8/77.]

**WAC 212-28-035 Right of appeal.** A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Order FM-77-4, § 212-28-035, filed 12/8/77.]

**WAC 212-28-040 Local requirements.** All hospitals shall comply with the applicable portions of the uniform building code and the uniform fire code, as administered by the local building official and fire official. [Order FM-77-4, § 212-28-040, filed 12/8/77.]

**WAC 212-28-045 Standards.** The following standards shall be applicable to all hospitals built or licensed after the effective date of this regulation. Hospitals licensed prior to the effective date of this regulation shall be subject to the construction requirements in effect at the time of licensing, provided continued use does not compromise patient safety, and the use and maintenance standards of this regulation. [Order FM-77-4, § 212-28-045, filed 12/8/77.]

**WAC 212-28-050 Construction requirements.** New construction or major remodeling shall comply with the Group I, Division 1 requirements of the 1976 uniform building code. [Order FM-77-4, § 212-28-050, filed 12/8/77.]

**WAC 212-28-055 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements

for new construction. [Order FM-77-4, § 212-28-055, filed 12/8/77.]

**WAC 212-28-060 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible or limited-combustible fire partition having at least a two hour fire resistance rating. Communications in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Order FM-77-4, § 212-28-060, filed 12/8/77.]

**WAC 212-28-065 Mixed occupancies.** Sections of hospitals not providing customary services such as housing or treatment may be classified as other occupancies, if adequately separated by construction having a fire resistance rating of at least two hours and not interfering with the required means of egress from the hospital. [Order FM-77-4, § 212-28-065, filed 12/8/77.]

**WAC 212-28-070 Design, operation.** All hospitals shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency requiring the evacuation of patients. The protection of patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and compartmentation; (2) provision for detection, alarm and extinguishment; and (3) fire prevention and the planning, training and drilling in programs for the isolation of fire, transfer of patients to areas of refuge or evacuation of the building. [Order FM-77-4, § 212-28-070, filed 12/8/77.]

**WAC 212-28-075 Compartmentation.** Every story used by inpatients for sleeping or treatment or any story having an occupant load of fifty or more persons, shall be divided into at least two compartments by smoke partitions having a fire resistance of at least one hour. No compartment shall contain more than 22,500 square feet or be over 150 feet in length or width. EXCEPTION: Protection may be accomplished in conjunction with the provision of horizontal exits. [Order FM-77-4, § 212-28-075, filed 12/8/77.]

**WAC 212-28-080 Smoke detection.** An approved, automatic smoke detection system shall be installed in all corridors. Detectors shall not be spaced further than thirty feet apart or more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system. EXCEPTION: Where each patient sleeping room is protected by such an approved detection system and a local detector is provided at the smoke partition and horizontal exits, such corridor systems will not be required on the patient sleeping room floors. [Order FM-77-4, § 212-28-080, filed 12/8/77.]

**WAC 212-28-085 Fire alarm.** Every hospital shall have an approved electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm in

the affected fire zone. Coded systems shall be permitted. The fire alarm system shall be so arranged to transmit an alarm automatically to the fire department legally committed to serve the area in which the hospital is located, by the most direct and reliable method, approved by the fire chief. [Order FM-77-4, § 212-28-085, filed 12/8/77.]

**WAC 212-28-090 Sprinkler protection.** Complete, approved automatic fire extinguishing protection shall be provided throughout all hospitals. The main sprinkler control valve(s) shall be electrically supervised and the system electrically interconnected with the fire alarm system. The fire department connection shall be located as directed by the fire chief. EXCEPTION: In hospitals of fire resistive construction the automatic fire extinguishing system may be omitted from operating rooms, x-ray rooms, delivery rooms, cardiac and intensive care rooms and patient sleeping rooms not exceeding six hundred square feet in area when each such room is provided with smoke detectors, electrically interconnected with the fire alarm system. [Order FM-77-4, § 212-28-090, filed 12/8/77.]

**WAC 212-28-095 Fire and evacuation plan.** The administration of every hospital shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Order FM-77-4, § 212-28-095, filed 12/8/77.]

**WAC 212-28-100 Fire drills.** At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarms. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions except that the movement of infirm or bed-ridden patients to safe areas is not required. [Order FM-77-4, § 212-28-100, filed 12/8/77.]

**WAC 212-28-105 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item of equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturers' recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Order FM-77-4, § 212-28-105, filed 12/8/77.]

**WAC 212-28-110 Separability.** If any provision of this regulation or its application to any person is held

invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Order FM-77-4, § 212-28-110, filed 12/8/77.]

### Chapter 212-32 WAC

## NURSING HOMES, STANDARDS FOR FIRE PROTECTION

### WAC

212-32-001	Purpose.
212-32-005	Definitions.
212-32-010	Applicability.
212-32-015	Compliance.
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212-32-025	Approval.
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212-32-040	Standards.
212-32-045	Construction requirements.
212-32-050	Modernization or renovation.
212-32-055	Additions.
212-32-060	Mixed occupancies.
212-32-065	Design, operation.
212-32-070	Compartmentation.
212-32-075	Smoke detection.
212-32-080	Fire alarm.
212-32-085	Sprinkler protection.
212-32-090	Fire and evacuation plan.
212-32-095	Fire drills.
212-32-100	Equipment maintenance.
212-32-105	Separability.

**WAC 212-32-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 18.51.140, with respect to all facilities to be licensed as nursing homes. [Order FM-77-3, § 212-32-001, filed 12/8/77.]

**WAC 212-32-005 Definitions.** The following definitions shall apply to this regulation:

(1) "Nursing home," means any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable properly to care for themselves, or as further defined or limited by RCW 18.51.010.

(2) "Ambulatory," physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(3) "Mobile nonambulatory," capable of taking appropriate action for self-preservation under emergency conditions but not necessarily able to walk or traverse stairs.

(4) "Nonambulatory," unable, because of physical and/or mental condition or restraint, to take appropriate action for self-preservation under emergency conditions.

(5) "Licensing agency," the Washington state department of social and health services.

(6) "Building official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the

Uniform Fire Code, adopted by reference by the State Building Code Act.

(7) "Fire official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(8) "Fire chief," the chief of the fire department providing fire protection services to the nursing home.

(9) "State Building Code Act," chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county. [Order FM-77-3, § 212-32-005, filed 12/8/77.]

**WAC 212-32-010 Applicability.** This regulation applies to all facilities licensed or subject to licensure as nursing homes by the department of social and health services. [Order FM-77-3, § 212-32-010, filed 12/8/77.]

**WAC 212-32-015 Compliance.** All facilities licensed as nursing homes shall comply with the provisions of this regulation. EXCEPTION: Facilities certified as meeting the fire and life safety requirements for skilled nursing facilities pursuant to Titles 18 and 19 of the Social Security Act 42 U.S.C., shall be accepted as meeting the fire and life safety standards of this regulation. [Order FM-77-3, § 212-32-015, filed 12/8/77.]

**WAC 212-32-020 Inspection.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Order FM-77-3, § 212-32-020, filed 12/8/77.]

**WAC 212-32-025 Approval.** Upon the completion of the inspection, if the facility is in reasonable compliance with applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency. [Order FM-77-3, § 212-32-025, filed 12/8/77.]

**WAC 212-32-030 Right of appeal.** A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Order FM-77-3, § 212-32-030, filed 12/8/77.]

**WAC 212-32-035 Local requirements.** All nursing homes shall comply with the applicable portions of the Uniform Building Code and the Uniform Fire Code, as



administered by the local building official and fire official. [Order FM-77-3, § 212-32-035, filed 12/8/77.]

**WAC 212-32-040 Standards.** The following standards shall be applicable to all nursing homes built or licensed after the effective date of this regulation. Nursing homes licensed prior to the effective date of this regulation shall be subject to the construction requirements in effect at this time of licensing, provided continued use does not compromise patient safety, and the use and maintenance standards of this regulation. [Order FM-77-3, § 212-32-040, filed 12/8/77.]

**WAC 212-32-045 Construction requirements.** New construction or major remodeling shall comply with the Group I, Division 1 requirements of the 1976 Uniform Building Code, or to Group I, Division 2, if occupancy is limited to ambulatory patients. **EXCEPTION:** Nursing homes housing not more than fifteen ambulatory or mobile nonambulatory developmentally disabled persons shall conform to the Lodging and Rooming House Section of the 1976 Life Safety Code, National Fire Protection Association Publication #101, and the "R" (residential) Occupancy Section of the 1976 Uniform Building Code. If any of the residents are other than ambulatory, the building shall also be equipped with an automatic sprinkler system throughout. If occupancy is limited to ambulatory persons, direct means of egress to the outside, such as doors or emergency escape windows, shall be provided from each sleeping room, and an automatic fire detection system, including smoke detectors in each sleeping room and all public areas, may be substituted in lieu of sprinkler protection. [Statutory Authority: RCW 18.51.140. 82-13-025 (Order FM 82-5), § 212-32-045, filed 6/8/82; Order FM-77-3, § 212-32-045, filed 12/8/77.]

**WAC 212-32-050 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level or new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction. [Order FM-77-3, § 212-32-050, filed 12/8/77.]

**WAC 212-32-055 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible or limited-combustible fire partition having at least a two hour fire resistance rating. Communications in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Order FM-77-3, § 212-32-055, filed 12/8/77.]

**WAC 212-32-060 Mixed occupancies.** Sections of nursing homes not providing customary services such as housing or treatment may be classified as [as] other occupancies, if adequately separated by construction having a fire resistance rating of at least two hours and not interfering with the required means of egress from the

nursing home. [Order FM-77-3, § 212-32-060, filed 12/8/77.]

**WAC 212-32-065 Design, operation.** All nursing homes shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency requiring the evacuation of patients. The protection of patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and compartmentation; (2) provision for detection, alarm and extinguishment; and (3) fire prevention and the planning, training and drilling programs for the isolation of fire, transfer of patients to areas of refuge or evacuation of the building. [Order FM-77-3, § 212-32-065, filed 12/8/77.]

**WAC 212-32-070 Compartmentation.** Every story used by inpatients for sleeping or treatment or any story having an occupant load of fifty or more persons, shall be divided into at least two compartments by smoke partitions having a fire resistance of at least one hour. No one compartment shall contain more than twenty-two thousand five hundred square feet or be over one hundred fifty feet in length or width. **EXCEPTION:** Protection may be accomplished in conjunction with the provision of horizontal exits. [Order FM-77-3, § 212-32-070, filed 12/8/77.]

**WAC 212-32-075 Smoke detection.** An approved, automatic smoke detection system shall be installed in all corridors. Detectors shall not be spaced further than thirty feet apart or more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system. **EXCEPTION:** Where each patient sleeping room is protected by such an approved detection system and a local detector is provided at the smoke partition and horizontal exits, such corridor systems will not be required on the patient sleeping room floors. [Order FM-77-3, § 212-32-075, filed 12/8/77.]

**WAC 212-32-080 Fire alarm.** Every nursing home shall have an approved electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm in the affected fire zone. Coded systems shall be permitted. The fire alarm system shall be arranged to transmit an alarm automatically to the fire department legally committed to serve the area in which the nursing home is located, by the most direct and reliable method, approved by the fire chief. [Order FM-77-3, § 212-32-080, filed 12/8/77.]

**WAC 212-32-085 Sprinkler protection.** Complete, approved automatic fire extinguishing protection shall be provided throughout all nursing homes. The main sprinkler control valve(s) shall be electrically supervised and the system electrically interconnected with the fire alarm system. The fire department connection shall be located

as directed by the fire chief. [Order FM-77-3, § 212-32-085, filed 12/8/77.]

**WAC 212-32-090 Fire and evacuation plan.** The administration of every nursing home shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Order FM-77-3, § 212-32-090, filed 12/8/77.]

**WAC 212-32-095 Fire drills.** At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarms. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions, except that the movement of infirm or bedridden patients to safe areas is not required. [Order FM-77-3, § 212-32-095, filed 12/8/77.]

**WAC 212-32-100 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item or equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturers recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Order FM-77-3, § 212-32-100, filed 12/8/77.]

**WAC 212-32-105 Separability.** If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Order FM-77-3, § 212-32-105, filed 12/8/77.]

### Chapter 212-36 WAC

#### BOARDING HOMES, STANDARDS FOR FIRE PROTECTION

##### WAC

212-36-001	Purpose.
212-36-005	Definitions.
212-36-010	Applicability.
212-36-015	Compliance.
212-36-020	Inspection.
212-36-025	Approval.
212-36-030	Right of appeal.
212-36-035	Local requirements.
212-36-040	Standards.
212-36-045	Construction requirements.
212-36-050	Modernization or renovation.
212-36-055	Additions.
212-36-060	Mixed occupancies.

212-36-065	Design, operation.
212-36-070	Number of exits, separation.
212-36-075	Smoke detection.
212-36-080	Fire alarm.
212-36-085	Fire and evacuation plan.
212-36-090	Fire drills.
212-36-095	Equipment maintenance.
212-36-100	Separability.

**WAC 212-36-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 18.20.130, with respect to all facilities to be licensed as boarding homes. [Order FM-77-3, § 212-36-001, filed 12/8/77.]

**WAC 212-36-005 Definitions.** The following definitions shall apply to this regulation:

(1) "Boarding home," means any home or other institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof.

(2) "Ambulatory," physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(3) "Aged person" means a person of the age sixty-five years or more, or a person of less than sixty-five years who by reason of infirmity requires domiciliary care.

(4) "Infirmity" means a disability which materially limits normal activity but does not cause an individual to need inpatient medical or nursing care of a type provided by institutions licensed under the provisions of chapter 18.46, 18.51, 70.41 or 71.12 RCW. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, developmental disability, chemical addiction or habitual or mental confusion, disability or disturbance.

(5) "Licensing agency," the Washington state department of social and health services.

(6) "Building official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(7) "Fire official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(8) "Fire chief," the chief of the fire department providing fire protection services to the boarding home.

(9) "State Building Code Act," chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county. [Order FM-77-3, § 212-36-005, filed 12/8/77.]

**WAC 212-36-010 Applicability.** This regulation applies to all facilities licensed or subject to licensure as boarding homes by the department of social and health services. [Order FM-77-3, § 212-36-010, filed 12/8/77.]

**WAC 212-36-015 Compliance.** All facilities licensed as boarding homes shall comply with the provisions of this regulation. [Order FM-77-3, § 212-36-015, filed 12/8/77.]

**WAC 212-36-020 Inspection.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Order FM-77-3, § 212-36-020, filed 12/8/77.]

**WAC 212-36-025 Approval.** Upon completion of the inspection, if the facility is in reasonable compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency. [Order FM-77-3, § 212-36-025, filed 12/8/77.]

**WAC 212-36-030 Right of appeal.** A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Order FM-77-3, § 212-36-030, filed 12/8/77.]

**WAC 212-36-035 Local requirements.** All boarding homes shall comply with the applicable portions of the Uniform Building Code and the Uniform Fire Code, as administered by the local building official and fire official. [Order FM-77-3, § 212-36-035, filed 12/8/77.]

**WAC 212-36-040 Standards.** The following standards shall be applicable to all boarding homes built or licensed after the effective date of this regulation. Boarding homes licensed prior to the effective date of this regulation shall be subject to the construction requirements in effect at the time of licensing, provided continued use does not compromise resident safety, and the use and maintenance standards of this regulation. [Order FM-77-3, § 212-36-040, filed 12/8/77.]

**WAC 212-36-045 Construction requirements.** New construction shall comply with the 1976 Uniform Building Code - Group R, Division I, for basic construction and the Group I exit requirements of chapter 33, plus the additional standards as contained in this regulation. [Order FM-77-3, § 212-36-045, filed 12/8/77.]

**WAC 212-36-050 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction. [Order FM-77-3, § 212-36-050, filed 12/8/77.]

**WAC 212-36-055 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible or limited-combustible fire partition. Communications in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Order FM-77-3, § 212-36-055, filed 12/8/77.]

**WAC 212-36-060 Mixed occupancies.** Sections of boarding homes not providing customary services such as board or domiciliary care may be classified as other occupancies, if adequately separated by fire-resistive construction and not interfering with the required means of egress from the boarding home. [Order FM-77-3, § 212-36-060, filed 12/8/77.]

**WAC 212-36-065 Design, operation.** All boarding homes shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency endangering the residents. The protection of residents from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and separation; (2) provision for detection, alarm and evacuation; and (3) fire prevention and the planning, training and drilling in programs for the notification of fire and the safe evacuation of residents from the building. [Order FM-77-3, § 212-36-065, filed 12/8/77.]

**WAC 212-36-070 Number of exits, separation.** At least two exits, located remote from each other, shall be provided from each resident-occupied floor. Walls of corridors shall be of not less than one hour fire-resistive construction and the ceilings shall be not less than that required for a one hour fire-resistive floor or roof system in other than fully sprinklered buildings. [Order FM-77-3, § 212-36-070, filed 12/8/77.]

**WAC 212-36-075 Smoke detection.** An approved, automatic smoke detection system shall be installed in all corridors and in each room used for sleeping purposes. Corridor detectors shall not be spaced further than thirty feet apart or more than fifteen feet from any wall. The smoke detection system shall be electrically interconnected with the fire alarm system. [Order FM-77-3, § 212-36-075, filed 12/8/77.]

**WAC 212-36-080 Fire alarm.** Every boarding home shall have an approved electrically supervised manual fire alarm system. Operation of any fire alarm activating

device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm throughout the building or affected portion thereof. The fire alarm system shall be so arranged to transmit an alarm automatically to the fire department legally committed to serve the area in which the boarding home is located, by the most direct and reliable method, approved by the fire chief. [Order FM-77-3, § 212-36-080, filed 12/8/77.]

**WAC 212-36-085 Fire and evacuation plan.** The administration of every boarding home shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Order FM-77-3, § 212-36-085, filed 12/8/77.]

**WAC 212-36-090 Fire drills.** At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarms. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire condition except that evacuation of residents is not required. [Order FM-77-3, § 212-36-090, filed 12/8/77.]

**WAC 212-36-095 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item of equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Order FM-77-3, § 212-36-095, filed 12/8/77.]

**WAC 212-36-100 Separability.** If any provision of this regulation or its [its] application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not offered [affected]. [Order FM-77-3, § 212-36-100, filed 12/8/77.]

### Chapter 212-40 WAC

#### PRIVATE ESTABLISHMENTS, STANDARDS FOR FIRE PROTECTION

##### WAC

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**WAC 212-40-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 71.12.485, with respect to all facilities to be licensed as private establishments. [Order FM-77-3, § 212-40-001, filed 12/8/77.]

**WAC 212-40-005 Definitions.** The following definitions shall apply to this regulation:

(1) "Psychiatric hospital," an institution receiving and/or caring for any insane, alleged insane, mentally ill or other incompetent person requiring psychiatric treatment.

(2) "Alcoholism treatment facility," a facility operated primarily for the treatment of alcoholism, including alcoholism receiving and detoxification, alcoholism intensive treatment, alcoholism rehabilitative services and alcoholism domiciliary service.

(3) "Alcohol detoxification services," are those services required for the care and/or treatment of persons intoxicated or incapacitated by alcohol during the period in which the system is cleared of alcohol and the individual recovers from the transitory effects of intoxication. These include screening of intoxicated persons; detoxification of intoxicated persons; counseling of alcoholics regarding their illness to stimulate motivation to obtain further treatment and referral of detoxicated alcoholics to other appropriate alcoholism treatment programs.

(4) "Alcoholism intensive inpatient treatment services," are those services provided to the detoxified alcoholic in a residential setting which include, as a minimum, limited medical evaluation and health supervision, alcoholism education, organized individual and group counseling, discharged referral to necessary supportive services, and a client follow-through program after discharge.

(5) "Alcoholism recovery house services," is the provision of alcohol-free residential setting which provides social and recreational activities for detoxicated alcoholics to aid their adjustment to normal patterns of living and their engagement in occupational training, gainful employment or other types of normal community activities.

(6) "Alcoholism long term treatment services," is long term (ninety days or more) provision of a residential

care setting with personal care services for alcoholics with impaired self-maintenance capabilities who need personal guidance and assistance to maintain sobriety and optimum health status.

(7) "Licensing agency," the Washington state department of social and health services.

(8) "Building official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(9) "Fire official," the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(10) "Fire chief," the chief of the fire department providing fire protection services to the psychiatric hospital or alcoholism treatment facility.

(11) "State Building Code Act," chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county. [Order FM-77-3, § 212-40-005, filed 12/8/77.]

**WAC 212-40-010 Applicability.** This regulation applies to all facilities licensed or subject to licensure as psychiatric hospitals or alcoholism treatment facilities by the department of social and health services. [Order FM-77-3, § 212-40-010, filed 12/8/77.]

**WAC 212-40-015 Compliance.** All facilities licensed as psychiatric hospitals or alcoholism treatment facilities shall comply with the provisions of this regulation. [Order FM-77-3, § 212-40-015, filed 12/8/77.]

**WAC 212-40-020 Inspection.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Order FM-77-3, § 212-40-020, filed 12/8/77.]

**WAC 212-40-025 Approval.** Upon completion of the inspection, if the facility is in reasonable compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency. [Order FM-77-3, § 212-40-025, filed 12/8/77.]

**WAC 212-40-030 Right of appeal.** A facility aggrieved by the orders of the state fire marshal or his authorized representative may appeal to the state fire

marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Order FM-77-3, § 212-40-030, filed 12/8/77.]

**WAC 212-40-035 Local requirements.** All psychiatric hospitals and alcoholism treatment facilities shall comply with the applicable portions of the Uniform Building Code and the Uniform Fire Code, as administered by the local building official and fire official. [Order FM-77-3, § 212-40-035, filed 12/8/77.]

**WAC 212-40-040 Standards.** The following standards shall be applicable to all psychiatric hospitals and alcoholism treatment facilities built or licensed after the effective date of this regulation. Psychiatric hospitals or alcoholism treatment facilities licensed prior to the effective date of this regulation shall be subject to the construction requirements in effect at the time of licensing, provided continued use does not compromise patient or resident safety, and the use and maintenance standards of this regulation. [Order FM-77-3, § 212-40-040, filed 12/8/77.]

**WAC 212-40-045 Construction requirements.** Psychiatric hospitals or alcoholic treatment facilities providing detoxification services shall comply with the nursing home standards, chapter 212-32 WAC.

Alcoholism treatment facilities limited to intensive inpatient treatment, alcoholism recovery house services or alcoholism long term treatment services shall comply with the requirements for hotels, as found in chapter 13, Uniform Building Code 1976 Edition. Facilities currently licensed as transient accommodations wishing to qualify for intensive inpatient treatment, alcoholism recovery house services or alcoholism long term treatment services need not meet any additional requirements, if in full compliance with chapter 212-52 WAC. [Order FM-77-3, § 212-40-045, filed 12/8/77.]

**WAC 212-40-050 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements of new construction. [Order FM-77-3, § 212-40-050, filed 12/8/77.]

**WAC 212-40-055 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible or limited-combustible fire partition. Communications in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Order FM-77-3, § 212-40-055, filed 12/8/77.]

**WAC 212-40-060 Mixed occupancies.** Sections of psychiatric hospitals or alcoholism treatment facilities providing medical or nursing care shall be separated from sections limited to residential care by construction

having a fire-resistance rating of at least one hour. [Order FM-77-3, § 212-40-060, filed 12/8/77.]

**WAC 212-40-065 Design, operation.** All psychiatric hospitals and alcoholism treatment facilities shall be so designed, constructed and operated as to minimize the possibility of a fire emergency endangering the residents or patients. The protection of residents or patients from fire shall be provided by appropriate arrangements of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and separation; (2) provision for detection, alarm and evacuation; and (3) fire prevention and planning, training and drilling in programs for the notification of fire and the safe evacuation of residents or patients from the building or affected fire area. [Order FM-77-3, § 212-40-065, filed 12/8/77.]

**WAC 212-40-070 Smoke detection.** An approved, automatic smoke detection system shall be installed in all corridors of psychiatric hospitals and alcoholism treatment facilities providing detoxification services. Detectors shall not be spaced further than thirty feet apart or more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system. EXCEPTION: Where each patient sleeping room is protected by such an approved detection system and a local detector is provided at the smoke partition and horizontal exits, such corridor systems will not be required on the patient sleeping room floors.

Every room in alcoholism treatment facilities limited to intensive treatment, rehabilitative services or domiciliary service used for sleeping purposes shall be provided with smoke detectors conforming to U.B.C. Standard 43B. When activated, the detector shall provide an alarm in the sleeping room. [Order FM-77-3, § 212-40-070, filed 12/8/77.]

**WAC 212-40-075 Fire alarm.** An approved electrically supervised fire alarm system shall be installed in all psychiatric hospitals and alcoholism treatment facilities. EXCEPTION: Alcoholism treatment facilities limited to intensive inpatient treatment, alcoholism recovery house services or alcoholism long term treatment services in which each sleeping room has a direct exit to the outside and the building is not over three stories in height. [Order FM-77-3, § 212-40-075, filed 12/8/77.]

**WAC 212-40-080 Sprinkler protection.** All psychiatric hospitals and alcoholism treatment facilities providing alcohol detoxification services shall be equipped with an approved automatic sprinkler system. The main sprinkler control valve(s) shall be electrically supervised and the system electrically interconnected with the fire alarm system. The fire department connection shall be located as directed by the fire chief. [Order FM-77-3, § 212-40-080, filed 12/8/77.]

**WAC 212-40-085 Occupancy limitations.** Occupancy of alcoholism treatment facilities providing intensive inpatient treatment, alcoholism recovery house services or alcoholism long term treatment services shall be limited to ambulatory or independently mobile persons. Independently mobile persons unable to traverse stairs shall not be housed above the first story unless the building is completely sprinklered. [Order FM-77-3, § 212-40-085, filed 12/8/77.]

**WAC 212-40-090 Fire and evacuation plan.** The administration of every psychiatric hospital or alcoholism treatment facility providing alcohol detoxification services shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Order FM-77-3, § 212-40-090, filed 12/8/77.]

**WAC 212-40-095 Fire drills.** At least twelve drills shall be held every year in all psychiatric hospitals and alcoholism treatment facilities providing alcohol detoxification services. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarms. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions except that evacuation of patients is not required. [Order FM-77-3, § 212-40-095, filed 12/8/77.]

**WAC 212-40-100 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item of equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Order FM-77-3, § 212-40-100, filed 12/8/77.]

**WAC 212-40-105 Separability.** If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Order FM-77-3, § 212-40-105, filed 12/8/77.]

## Chapter 212-42 WAC

**STANDARDS FOR FIRE PROTECTION  
RESIDENTIAL TREATMENT FACILITIES FOR  
PSYCHIATRICALY IMPAIRED CHILDREN AND  
YOUTH**

## WAC

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212-42-085	Sprinkler protection.
212-42-090	Restrained clients.
212-42-095	Client release.
212-42-100	Locked exits.
212-42-105	Fire and evacuation plan.
212-42-110	Smoke control.
212-42-115	Fire drills.
212-42-120	Equipment maintenance.
212-42-125	Severability.

**WAC 212-42-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 71.12.485, with respect to all facilities to be licensed as residential treatment facilities for psychiatrically impaired children and youth. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-001, filed 10/21/80.]

**WAC 212-42-005 Definitions.** The following definitions shall apply to this regulation:

(1) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(2) "Fire chief" means the chief of the fire department providing fire protection services to the facility.

(3) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(4) "Licensing agency" means the Washington state department of social and health services.

(5) "Psychiatric impairment" means severe emotional disturbance corroborated by clear psychiatric diagnosis provided that one or more of the following symptomatic behaviors is exhibited:

(a) Bizarreness, severe self-destructiveness, schizophrenic ideation, chronic school failure, or other signs or

symptoms which are the result of gross, ongoing distortions in thought processes;

(b) School phobias, suicide attempts, or other signs or symptoms associated with marked severe or chronic effective disorders as defined in the most recent edition of "American Psychiatric Association Diagnostic and Statistical Manual;"

(c) Chronic sexual maladjustment, history of aggressive unmanageability including violent, chronic, grossly maladaptive behaviors which are associated with (a) or (b) above.

(6) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place or facility designed and organized to provide twenty-four hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(7) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-005, filed 10/21/80.]

**WAC 212-42-010 Applicability.** This regulation applies to all facilities licensed or subject to licensure as residential treatment facilities for psychiatrically impaired children and youth by the department of social and health services under chapter 71.12 RCW. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-010, filed 10/21/80.]

**WAC 212-42-015 Compliance.** All facilities licensed by the department of social and health services as residential treatment facilities for psychiatrically impaired children and youth shall comply with the provisions of this regulation. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-015, filed 10/21/80.]

**WAC 212-42-020 Inspection.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-020, filed 10/21/80.]

**WAC 212-42-025 Approval.** Upon the completion of the inspection, if the facility is in reasonable compliance with applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency.

[Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-025, filed 10/21/80.]

**WAC 212-42-030 Right of appeal.** A facility, aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-030, filed 10/21/80.]

**WAC 212-42-035 Local codes.** Approvals are issued or denied on the basis of applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-035, filed 10/21/80.]

**WAC 212-42-040 Standards.** The following standards shall be applicable to all facilities built or licensed after the effective date of this regulation. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-040, filed 10/21/80.]

**WAC 212-42-045 Construction requirements.** New construction or major remodeling shall comply with the Group I, Division 1 requirements of the 1976 Uniform Building Code. This classification is advisory but not binding on local building officials charged with the administration and enforcement of the State Building Code Act. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-045, filed 10/21/80.]

**WAC 212-42-050 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-050, filed 10/21/80.]

**WAC 212-42-055 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible or limited-combustible fire partition having at least a two hour fire-resistance rating. Communicating openings in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-055, filed 10/21/80.]

**WAC 212-42-060 Design, operation.** All facilities shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency requiring the evacuation of clients. The protection of clients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful

development of operating and maintenance procedures composed of the following:

- (1) Proper design, construction and compartmentation.
- (2) Provision for detection, alarm and extinguishment.
- (3) Fire prevention and planning, training and drilling programs for the isolation of fire, transfer of clients to areas of refuge or evacuation of the building. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-060, filed 10/21/80.]

**WAC 212-42-065 Compartmentation.** Every story used by clients for sleeping or treatment or any story having an occupant load of fifty or more persons, shall be divided into at least two compartments by smoke partitions having a fire resistance of at least one hour. No one compartment shall contain more than twenty-two thousand five hundred square feet or be over one hundred fifty feet in length or width. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-065, filed 10/21/80.]

**WAC 212-42-070 Smoke detection.** An approved, automatic smoke detection system shall be installed in all corridors. Detectors shall not be spaced further than thirty feet apart or more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system. EXCEPTION: Where each client sleeping room is protected by such an approved detection system and a local detector is provided at the smoke partition and horizontal exits, such corridor systems will not be required on the client sleeping room floors. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-070, filed 10/21/80.]

**WAC 212-42-075 Fire alarm.** Every facility shall have an approved electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm in the affected fire zone. Coded systems shall be permitted. The fire alarm system shall be arranged to transmit an alarm automatically to the fire department legally committed to serve the area in which the facility is located or to an approved central station providing the alarm service. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-075, filed 10/21/80.]

**WAC 212-42-080 Emergency lighting.** Emergency lighting for means of egress shall be provided for every facility and shall comply with the following provisions:

(1) Where maintenance of illumination depends upon changing from one energy source to another, there shall be no appreciable interruption of illumination during the changeover. Where emergency lighting is provided by a prime mover-operated electric generator, a delay of not more than ten seconds shall be permitted.

(2) Emergency lighting facilities shall be arranged to maintain illumination to values of not less than one foot-candle measured at the floor for a period of one and one-half hours in the event of failure of normal lighting.



(3) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged condition.

(4) An emergency lighting system shall be so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as any failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s), including accidental opening of a switch controlling normal lighting facilities. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-080, filed 10/21/80.]

**WAC 212-42-085 Sprinkler protection.** Complete, approved automatic fire extinguishing protection shall be provided throughout all residential treatment facilities. The main sprinkler control valve(s) shall be electrically supervised and the system electrically interconnected with the fire alarm system. The fire department connection shall be located as directed by the fire chief. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-085, filed 10/21/80.]

**WAC 212-42-090 Restrained clients.** In buildings housing occupancies in which the personal liberties of clients are restrained within the building, reliable means shall be provided to permit the prompt release of clients confined in locked sections, spaces, or rooms in the event of fire or other emergency. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-090, filed 10/21/80.]

**WAC 212-42-095 Client release.** Prompt release shall be guaranteed by adequate staff personnel that are continuously on duty (24 hours a day) and keys which shall be readily accessible. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-095, filed 10/21/80.]

**WAC 212-42-100 Locked exits.** Any emergency entrance which is locked may be classified as an exit provided that keys are readily available to attendants.

**NOTE:** Although locking exit doors and barring windows is always undesirable from the view of life safety, the code recognizes that this is necessary in some cases to restrain people. In these instances, provision shall be made for the continuous supervision and prompt release of restrained persons. Release of occupants shall be accomplished either by a system capable of automatically unlocking the doors in a means of egress, or by the presence of attendants who are continuously available and equipped with keys. In any event, continuous supervision is considered essential.

[Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-100, filed 10/21/80.]

**WAC 212-42-105 Fire and evacuation plan.** The administration of every residential treatment facility for psychiatrically impaired children and adults shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-105, filed 10/21/80.]

**WAC 212-42-110 Smoke control.** Every client room shall have an outside window or outside door arranged and located so that it can be opened from the inside without the use of tools or keys to permit the venting of products of combustion and to permit any occupant to have direct access to fresh air in case of emergency.

**EXCEPTION:** Buildings designed with an engineered smoke control system in accordance with NFPA 90A need not comply with this requirement. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-110, filed 10/21/80.]

**WAC 212-42-115 Fire drills.** At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarm. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions, except that the movement of infirm or bedridden clients to safe areas is not required. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-115, filed 10/21/80.]

**WAC 212-42-120 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other items or equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturers' recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-120, filed 10/21/80.]

**WAC 212-42-125 Severability.** If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-125, filed 10/21/80.]

**Chapter 212-43 WAC**  
**ADULT RESIDENTIAL TREATMENT**  
**FACILITIES—STANDARDS FOR FIRE**  
**PROTECTION**

## WAC

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212-43-075	Fire alarm.
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212-43-100	Fire and evacuation plan.
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212-43-120	Fire protection standards.
212-43-125	Portable fire extinguishers.
212-43-130	Fire protection and fire prevention operating features.
212-43-135	Severability.

**WAC 212-43-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 71.12.485 with respect to all facilities to be licensed as adult residential treatment facilities by the department of social and health services. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-001, filed 1/14/83.]

**WAC 212-43-005 Applicability.** This regulation applies to adult residential treatment facilities licensed or subject to licensure by the department of social and health services pursuant to chapter 71.12 RCW. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-005, filed 1/14/83.]

**WAC 212-43-010 Definitions.** The following definitions shall apply to this regulation:

(1) "Adult residential treatment facility" means a residence, place, or facility designed and organized primarily to provide twenty-four hour residential care, crisis and short-term care, and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined in chapter 204, Laws of 1982.

(2) "Ambulatory" means a client physically and mentally capable of walking unaided or is capable of independent mobility with the use of a cane, crutches, walkerette, walker, wheelchair, or artificial limb. Ambulatory shall be interpreted to mean an individual able to

walk or traverse a normal path to safety unaided by another individual. Ambulatory shall not be interpreted to mean an individual needing the assistance of another individual in order to get into and out of bed, to transfer to a chair or toilet or to move from place to place.

(3) "Approved" means approval by the state fire marshal.

(4) "Authority having jurisdiction" means the duly authorized representative or agency having legal enforcement responsibility where these regulations are applied with the force of law.

(5) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(6) "Central station" means a fire alarm receiving service listed by the Underwriters Laboratories or authorized by the state fire marshal to report alarms to the local fire department.

(7) "Client" means an individual living in an adult residential facility for the purpose of participating in treatment and rehabilitation for psychiatric impairment or an individual living in the facility for board and domiciliary care.

(8) "Fire chief" means the chief of the fire department providing fire protection services to the facility.

(9) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(10) "Licensing agency" means the Washington state department of social and health services.

(11) "NFPA" means National Fire Protection Association.

(12) "Psychiatric impairment" means serious mental disorders, excluding mental retardation, substance abuse disorders, simple intoxication with alcohol or drugs, personality disorders, and specific developmental disorders as defined in the third edition of "American Psychiatric Association Diagnostic and Statistical Manual", 1980, where one or more of the following symptomatic behaviors is exhibited:

(a) Bizarreness, severe self-destructiveness, schizophrenic ideation, or other signs or symptoms resulting from gross, on-going distortions in thought processes;

(b) Suicide attempts or other signs or symptoms associated with marked, severe, or chronic affective disorders;

(c) Chronic sexual maladjustment, or other grossly maladaptive behaviors, in accordance with (a) or (b) of this subsection.

(13) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes, and mandates enforcement by each city, town and county. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-010, filed 1/14/83.]

**WAC 212-43-015 Compliance.** All facilities licensed by the department of social and health services as adult residential treatment facilities shall comply with the provisions of this regulation. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-015, filed 1/14/83.]

**WAC 212-43-020 Inspection.** The licensing agency, upon receipt of an application for a license, or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-020, filed 1/14/83.]

**WAC 212-43-025 Approval.** (1) Upon the completion of the inspection, if the facility is in compliance with applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency.

(2) Approval of a facility may be denied, suspended, or revoked for failure to comply with any applicable standard or regulation. Notice of such action shall be given to the facility and to the licensing agency. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-025, filed 1/14/83.]

**WAC 212-43-030 Appeal of fire marshal action or order—Summary suspension of approval.** (1) A facility aggrieved by an act or order of the state fire marshal made under RCW 71.12.485 or these rules may appeal such act or order to the state fire marshal. Such appeal shall be heard and determined pursuant to the provisions of chapter 34.04 RCW and chapter 1-08 WAC.

(2) If the fire marshal finds that the public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in his order, summary suspension of the approval required by RCW 71.12.485 may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-030, filed 1/14/83.]

**WAC 212-43-035 Local codes.** Approvals are issued or denied on the basis of applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-035, filed 1/14/83.]

**WAC 212-43-040 Client mobility and cognitive functions.** Clients shall be ambulatory as defined in WAC 212-43-010(2). State fire marshal approval is required for facilities or portions of facilities before the use of mobility aids are permitted. Clients must be managed without the use of seclusion, restraints, or locked doors. Patients' sensory perceptions must be sufficiently functional to respond to outside stimuli of an endangering nature; e.g., fire alarms, and have adequate cognitive functioning so as to evacuate the premises without assistance under such conditions. Any deviation from the intent of this section requires written approval by the state fire marshal. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-040, filed 1/14/83.]

**WAC 212-43-045 Standards.** The following standards, WAC 212-43-045 through 212-43-130 shall be applicable to all facilities built or licensed after the effective date of this regulation. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-045, filed 1/14/83.]

**WAC 212-43-050 Construction requirements.** Construction or major remodeling shall comply with the Group R Division 1 requirements of the 1982 Uniform Building Code, regardless of the number of occupants. This minimum requirement is mandatory; however, local fire and building officials charged with the administration and enforcement of the State Building Code Act, chapter 19.27 RCW, may adopt additional requirements. *Provided:* (1) Fire alarm systems, smoke detection systems and automatic sprinkler systems shall be in conformance with these regulations. (2) Every required exit doorway shall not be less than three feet in width regardless of occupant load. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-050, filed 1/14/83.]

**WAC 212-43-055 Modernization or renovation.** Alterations shall not diminish the level of life safety below that which exists prior to the alterations except that life safety features in excess of those required for new construction are not required to be maintained. In no case shall the resulting life safety be less than that required for existing buildings. Alterations or installations of new building services equipment shall be accomplished as nearly as possible in conformance with the requirements for new construction. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-055, filed 1/14/83.]

**WAC 212-43-060 Additions.** Any addition shall be separated from any existing nonconforming structure by a noncombustible fire partition having at least a two hour fire-resistance rating. Communicating openings in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-060, filed 1/14/83.]

**WAC 212-43-065 Design, operation.** All facilities shall be so designed, constructed, maintained, and operated as to minimize the possibility of a fire emergency requiring the evacuation of patients. The protection of patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing, and careful development of operating and maintenance procedures composed of the following:

- (1) Proper design, construction, and compartmentation.
- (2) Provision for detection, alarm, and extinguishment.
- (3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of clients to areas of refuge, or evacuation of the building. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-065, filed 1/14/83.]

**WAC 212-43-070 Smoke detection.** An approved automatic smoke detection system shall be installed in all living areas, sleeping areas, corridors, stairways, and storage areas. Where the sensitivity of smoke detectors is adversely affected such as kitchens and furnace rooms, approved heat detectors may be installed. Smoke detectors shall not be spaced further than thirty feet apart nor more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-070, filed 1/14/83.]

**WAC 212-43-075 Fire alarm.** Every facility shall have an approved, electrically supervised manual fire alarm system. Operation of any fire alarm initiating device shall automatically, without delay, activate a general alarm and audible and visual indication throughout the building. The fire alarm system shall automatically transmit off the premises by the most direct and reliable method approved by the state fire marshal. These include, but are not limited to, in order of priority:

- (1) A direct connection of the building alarm to the municipal alarm system, including radio alarm boxes.
- (2) A direct connection of the building alarm to an approved central station.

Annunciators shall be provided where the system serves more than one floor, one building or one fire division. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-075, filed 1/14/83.]

**WAC 212-43-080 Emergency lighting.** Emergency lighting for means of egress shall be provided for every facility and shall comply with the following provisions:

- (1) Where maintenance of illumination depends upon changing from one energy source to another, there shall be no appreciable interruption of illumination during the changeover. Where emergency lighting is provided by a prime mover-operated electric generator, a delay of not more than ten seconds shall be permitted.
- (2) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged conditions.

(3) Emergency lighting facilities shall be arranged to maintain illumination to values of not less than one footcandle measured at the floor for a period of one and one-half hours in the event of failure of normal lighting.

(4) An emergency lighting system shall be so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as any failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s), including accidental opening of a switch controlling normal lighting facilities. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-080, filed 1/14/83.]

**WAC 212-43-085 Carpeting.** The flame spread rating of all carpeting shall have a floor radiant panel test rating of a flux of not less than 0.45 watts per square centimeter nor exceed a smoke density of 450. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-085, filed 1/14/83.]

**WAC 212-43-090 Smoke control.** Forced air heating, air conditioning, and ventilation systems shall be interlocked with the fire alarm system to automatically shut down upon activation of the fire alarm system: *Provided*, The building is not equipped with an engineered smoke control system in accordance with NFPA Standard 90A. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-090, filed 1/14/83.]

**WAC 212-43-095 Number of exits, separation.** At least two exits, located remote from each other, shall be provided from each occupied floor. Walls of corridors shall be of not less than one hour fire-resistive construction and the ceilings shall be not less than that required for a one hour fire-resistive floor or roof system in other than fully sprinklered buildings. Approved direct exiting to the exterior from sleeping rooms and living room areas may be an alternative, subject to state fire marshal approval. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-095, filed 1/14/83.]

**WAC 212-43-100 Fire and evacuation plan.** The administration of every facility shall have in effect, and available to all supervisory personnel, written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building, when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-100, filed 1/14/83.]

**WAC 212-43-105 Fire drills.** At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarm. Fire drills shall include the transmission

of a fire alarm signal and simulation of emergency fire conditions. The local fire department shall be notified prior to the activation of the fire alarm system for drill purposes and again at the conclusion of the transmission and restoration of the fire alarm system to normal mode. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-105, filed 1/14/83.]

**WAC 212-43-110 Equipment maintenance.** Every required automatic sprinkler system, fire detection, and alarm system, exit lighting, fire door, and other items or equipment required by this regulation or the applicable building and/or fire codes shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendations and/or as required by appropriate NFPA standards. Records of all tests and inspections shall be maintained for review.

There shall be annual inspection, testing, and certification of fire protection systems by firms licensed to do business in the state of Washington who specialize in such systems. The certifications shall be on state fire marshal forms and submitted to the fire marshal prior to the annual licensing date. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-110, filed 1/14/83.]

**WAC 212-43-115 Compartmentation.** Every story used by clients for sleeping or treatment or any story having an occupant load of thirty or more persons, shall be divided into at least two compartments by smoke partitions having a fire resistance of at least one hour. No one compartment shall contain more than twenty-two thousand five hundred square feet or be over one hundred fifty feet in length or width. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-115, filed 1/14/83.]

**WAC 212-43-120 Fire protection standards.** The fire protection standards applicable to the installation and maintenance of fire protection equipment, systems, and control of hazardous materials shall be those standards of the NFPA in effect at the time of the adoption of these regulations. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-120, filed 1/14/83.]

**WAC 212-43-125 Portable fire extinguishers.** The type, size, and location of portable fire extinguishers shall be installed in accordance with NFPA Standard 10-1981. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-125, filed 1/14/83.]

**WAC 212-43-130 Fire protection and fire prevention operating features.** Operating features shall be maintained in accordance with sections 31-1 and 31-4 1981 life safety code, NFPA Standard 101. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-130, filed 1/14/83.]

**WAC 212-43-135 Severability.** If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-135, filed 1/14/83.]

## Chapter 212-44 WAC

### CHILD BIRTH CENTERS--STANDARDS FOR FIRE PROTECTION

#### WAC

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#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-44-060	Mixed occupancies. [Order FM-77-3, § 212-44-060, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-070	Compartmentation. [Order FM-77-3, § 212-44-070, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-075	Smoke detection. [Order FM-77-3, § 212-44-075, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-085	Sprinkler protection. [Order FM-77-3, § 212-44-085, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-095	Fire drills. [Order FM-77-3, § 212-44-095, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.

**WAC 212-44-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 18.46.110, with respect to all facilities to be licensed by the department of social and health services and maintained and operated to provide birth services. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-001, filed 10/20/80; Order FM-77-3, § 212-44-001, filed 12/8/77.]

**WAC 212-44-005 Definitions.** The following definitions shall apply to this regulation:

(1) "Maternity home" means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: *Provided, however,* That this regulation shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(2) "Licensing agency" means the Washington state department of social and health services.

(3) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(4) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(5) "Fire chief" means the chief of the fire department providing fire protection services to the child birth centers.

(6) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county.

(7) "Ambulatory" means physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(8) "Birth center" or "child birth center" means a type of maternity home which is a house, building, or equivalent, organized to provide facilities and staff to support a birth service: *Provided,* That the birth service includes or is limited to low-risk maternal clients during the intrapartum period.

(9) "Birthing room" means a room designed, equipped and arranged to provide for the care of a woman and newborn and to accommodate her support person(s) during the process of vaginal birth (the three stages of labor and recovery of a woman and newborn).

(10) "Birth service" means the prenatal, intrapartum, and postpartum care provided for individuals with uncomplicated pregnancy, labor, and vaginal birth, to include the newborn care during the recovery period. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-005, filed 10/20/80; Order FM-77-3, § 212-44-005, filed 12/8/77.]

**WAC 212-44-010 Applicability.** This regulation applies to all facilities licensed or subject to licensure as child birth centers by the department of social and health services. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-010, filed 10/20/80; Order FM-77-3, § 212-44-010, filed 12/8/77.]

**WAC 212-44-015 Compliance.** All facilities licensed as child birth centers shall comply with the provisions of this regulation. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-015, filed 10/20/80; Order FM-77-3, § 212-44-015, filed 12/8/77.]

**WAC 212-44-020 Inspection.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Order FM-77-3, § 212-44-020, filed 12/8/77.]

**WAC 212-44-025 Approval.** Upon the completion of the inspection, if the facility is in reasonable compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency. [Order FM-77-3, § 212-44-025, filed 12/8/77.]

**WAC 212-44-030 Right of appeal.** A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force. [Order FM-77-3, § 212-44-030, filed 12/8/77.]

**WAC 212-44-035 Local codes.** Approvals are issued or denied on the basis of the applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-035, filed 10/20/80; Order FM-77-3, § 212-44-035, filed 12/8/77.]

**WAC 212-44-040 Standards.** The following standards shall be applicable to all child birth centers built or licensed after the effective date of this regulation. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-040, filed 10/20/80; Order FM-77-3, § 212-44-040, filed 12/8/77.]

**WAC 212-44-045 Construction requirements.** (1) New construction or major remodeling shall comply with the Group B, Division 2 requirements of the 1976 Uniform Building Code. This classification is advisory, but not binding on local building officials charged with the administration and enforcement of the State Building Code Act.

(2) New and existing buildings not over two stories in height, to be occupied as a child birth center, may be of

any recognized construction type: *Provided*, That the building has been maintained to the extent that the fire and life safety features have not been reduced.

(3) Buildings three stories in height shall be of at least one hour fire-resistive construction. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-045, filed 10/20/80; Order FM-77-3, § 212-44-045, filed 12/8/77.]

**WAC 212-44-050 Modernization or renovation.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-050, filed 10/20/80; Order FM-77-3, § 212-44-050, filed 12/8/77.]

**WAC 212-44-055 Additions.** Any addition shall be separated from any existing nonconforming structure as required in Table 5B of the Uniform Building Code. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-055, filed 10/20/80; Order FM-77-3, § 212-44-055, filed 12/8/77.]

**WAC 212-44-065 Design, operation.** All child birth centers shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency endangering the residents or patients. The protection of residents or patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and separation; (2) provision for detection, alarm and evacuation; and (3) fire prevention and the planning, training and drilling in programs for the notification of fire and the safe evacuation of residents or patients from the building or affected fire area. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-065, filed 10/20/80; Order FM-77-3, § 212-44-065, filed 12/8/77.]

**WAC 212-44-067 Exiting.** (1) Not less than two exits shall be accessible from every part of each floor being used for birth services or uses incidental thereto, including floor levels below the street floor.

(2) Exits shall be remote from each other and shall be arranged to minimize the possibility that both may be blocked by any emergency. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-067, filed 10/20/80.]

**WAC 212-44-069 Vertical openings.** Every stairway, elevator shaft, light and ventilation shaft, chute, and other opening between stories shall be enclosed or protected to prevent the spread of fire or smoke from

one floor to another. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-069, filed 10/20/80.]

**WAC 212-44-072 Fire extinguishers.** At least one approved fire extinguisher suitable for use on fires in ordinary combustibles shall be provided on each floor level. Additional fire extinguishers may also be required due to area, travel distance or special hazards. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-072, filed 10/20/80.]

**WAC 212-44-073 Lighting.** (1) Illumination of the means of egress shall be continuous during the time that conditions of occupancy require that the means of egress be available for use.

(2) Automatic emergency lighting shall be provided and so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as the failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s) including accidental opening of a switch controlling normal lighting facilities.

(3) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged condition. Electric storage batteries used in such lights or units shall be approved for their intended use and shall comply with the National Electrical Code, NFPA 70. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-073, filed 10/20/80.]

**WAC 212-44-077 Protection from hazards.** Any area used for general storage, and boiler or furnace rooms shall be separated from other parts of the building by construction having a fire-resistance rating conforming to the general construction requirements of the building type.

Central heating plants and other fuel-burning appliances shall be properly maintained and cleaned at frequent intervals. The surrounding area shall be kept free of rubbish and combustible storage. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-077, filed 10/20/80.]

**WAC 212-44-080 Fire alarm.** Every child birth center shall have an electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm throughout the building or affected portion thereof. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-080, filed 10/20/80; Order FM-77-3, § 212-44-080, filed 12/8/77.]

**WAC 212-44-090 Fire and evacuation plan.** The administration of every child birth center shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge

and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-090, filed 10/20/80; Order FM-77-3, § 212-44-090, filed 12/8/77.]

**WAC 212-44-100 Equipment maintenance.** Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item of equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendation and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person. [Order FM-77-3, § 212-44-100, filed 12/8/77.]

**WAC 212-44-105 Severability.** If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-105, filed 10/20/80; Order FM-77-3, § 212-44-105, filed 12/8/77.]

#### Chapter 212-45 WAC

#### PRIVATE ADULT TREATMENT HOMES— STANDARDS FOR FIRE PROTECTION

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212-45-105	Portable fire extinguishers.
212-45-110	Fire protection and fire prevention operating features.
212-45-115	Severability.

**WAC 212-45-001 Purpose.** The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 71.12.485 with respect to all facilities to be licensed as private adult

treatment homes by the department of social and health services. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-001, filed 2/23/83.]

**WAC 212-45-005 Applicability.** This regulation applies to private adult treatment homes licensed or subject to licensure by the department of social and health services, pursuant to chapter 71.12 RCW. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-005, filed 2/23/83.]

**WAC 212-45-010 Definitions.** The following definitions shall apply to this regulation:

(1) "Ambulatory" means a client physically and mentally capable of walking unaided or is capable of independent mobility with the use of a cane, crutches, walkerette, walker, wheelchair, or artificial limb. Ambulatory shall be interpreted to mean an individual able to walk or traverse a normal path to safety unaided by another individual. Ambulatory shall not be interpreted to mean an individual needing the assistance of another individual in order to get into and out of bed, to transfer to a chair or toilet or to move from place to place.

(2) "Approved" means approval by the state fire marshal.

(3) "Authority having jurisdiction" means the duly authorized representative or agency having legal enforcement responsibility where these regulations are applied with the force of law.

(4) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(5) "Client" means an individual living in an adult residential facility for the purpose of participating in treatment and rehabilitation for psychiatric impairment or an individual living in the facility for board and domiciliary care.

(6) "Fire chief" means the chief of the fire department providing fire protection services to the facility.

(7) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(8) "Licensing agency" means the Washington state department of social and health services.

(9) "NFPA" means National Fire Protection Association.

(10) "Private adult treatment home" means a dwelling which is the residence or home of two adults providing food, shelter, beds, and care for two or fewer psychiatrically impaired clients, provided these clients are detained under chapter 71.05 RCW and the dwelling is certified as an evaluation and treatment facility under chapter 71.05 RCW.

(11) "Psychiatric impairment" means serious mental disorders, excluding mental retardation, substance abuse disorders, simple intoxication with alcohol or drugs, personality disorders, and specific developmental disorders



as defined in the third edition of "American Psychiatric Association Diagnostic and Statistical Manual," 1980, where one or more of the following symptomatic behaviors is exhibited:

(a) Bizarreness, severe self-destructiveness, schizophrenic ideation, or other signs or symptoms resulting from gross, on-going distortions in thought processes;

(b) Suicide attempts or other signs or symptoms associated with marked, severe, or chronic affective disorders;

(c) Chronic sexual maladjustment, or other grossly maladaptive behaviors, in accordance with (a) or (b) of this subsection.

(12) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes, and mandates enforcement by each city, town and county. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-010, filed 2/23/83.]

**WAC 212-45-015 Compliance.** All facilities licensed by the department of social and health services as private adult treatment homes shall comply with the provisions of this regulation. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-015, filed 2/23/83.]

**WAC 212-45-020 Inspection.** The licensing agency, upon receipt of an application for a license, or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-020, filed 2/23/83.]

**WAC 212-45-025 Approval.** (1) Upon the completion of the inspection, if the facility is in compliance with applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency.

(2) Approval of a facility may be denied, suspended, or revoked for failure to comply with any applicable standard or regulation. Notice of such action shall be given to the facility and to the licensing agency. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-025, filed 2/23/83.]

**WAC 212-45-030 Appeal of fire marshal action or order; summary suspension of approval.** (1) A facility aggrieved by an act or order of the state fire marshal made under RCW 71.12.485 or these rules may appeal such act or order to the state fire marshal. Such appeal

shall be heard and determined pursuant to the provisions of chapter 34.04 RCW and chapter 1-08 WAC.

(2) If the fire marshal finds that the public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in his order, summary suspension of the approval required by RCW 71.12.485 may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-030, filed 2/23/83.]

**WAC 212-45-035 Local codes.** Approvals are issued or denied on the basis of applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-035, filed 2/23/83.]

**WAC 212-45-040 Client mobility and cognitive functions.** Clients shall be ambulatory as defined in WAC 212-43-010(2). State fire marshal approval is required for facilities or portions of facilities before the use of mobility aids are permitted. Clients must be managed without the use of seclusion, restraints, or locked doors. Patients' sensory perceptions must be sufficiently functional to respond to outside stimuli of an endangering nature; e.g., fire alarms, and have adequate cognitive functioning so as to evacuate the premises without assistance under such conditions. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-040, filed 2/23/83.]

**WAC 212-45-045 Standards.** The following standards, WAC 212-45-045 through 212-45-115 shall be applicable to all facilities built or licensed after the effective date of this regulation. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-045, filed 2/23/83.]

**WAC 212-45-050 Construction requirements.** (1) Construction or major remodeling shall comply with the Group R Division 3 requirements of the 1982 Uniform Building Code, plus the additional standards as contained in this regulation. This minimum requirement is mandatory; however, local fire and building officials charged with the administration and enforcement of the State Building Code Act, chapter 19.27 RCW, may exceed these requirements.

(2) New and existing buildings not over three stories in height may be of any recognized construction, provided that the building has been maintained to the extent that fire and life safety features have not been reduced. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-050, filed 2/23/83.]

**WAC 212-45-055 Modernization or renovation.** Alterations shall not diminish the level of life safety below that which exists prior to the alterations except that life

safety features in excess of those required for new construction are not required to be maintained. In no case shall the resulting life safety be less than that required for existing buildings. Alterations or installations of new building services equipment shall be accomplished as nearly as possible in conformance with the requirements for new construction. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-055, filed 2/23/83.]

**WAC 212-45-060 Additions.** Any addition shall be separated from any existing nonconforming structure as required in Table 5B of the Uniform Building Code. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-060, filed 2/23/83.]

**WAC 212-45-065 Design, operation.** All facilities shall be so designed, constructed, maintained, and operated as to minimize the possibility of a fire emergency requiring the evacuation of patients. The protection of patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing, and careful development of operating and maintenance procedures composed of the following:

- (1) Proper design, construction, and compartmentation.
- (2) Provision for detection, alarm, and extinguishment.
- (3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of clients to areas of refuge, or evacuation of the building. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-065, filed 2/23/83.]

**WAC 212-45-070 Smoke detection.** (1) Approved smoke detectors shall be provided in accordance with the standard for the installation, maintenance, and use of household fire warning equipment, NFPA 74-1980 and appendixes.

(2) In existing construction approved smoke detectors powered by batteries may be used. When activated, the detector shall initiate an alarm which is audible in the sleeping rooms. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-070, filed 2/23/83.]

**WAC 212-45-075 Means of escape.** (1) Every sleeping room above or below the level of exit discharge shall have access to two separate means of escape one of which shall be either an enclosed interior stairway, an exterior stairway, or a horizontal exit.  
Exception: In existing buildings a fire escape stair is acceptable.

(2) At least one means of escape shall be located to provide a safe path of travel to the outside of the building without traversing any corridor or space exposed to an unprotected vertical opening.

(3) Every sleeping room located on the level of exit discharge shall have access to two separate means of escape, one of which may be an operable window.

Exception: One-story buildings with rooms having direct access to the exterior at grade.

(4) Every sleeping room below the fourth story shall have at least one operable window or exterior door approved for emergency escape or rescue. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All escape or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be twenty-four inches. The minimum net clear opening width dimension shall be twenty inches. Where windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-eight inches above the floor.

Bars, grills, grates or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors.

(5) The use of a fire escape ladder may be substituted for one of the approved means of escape. The type, placement, and construction of a fire escape ladder is subject to fire marshal approval. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-075, filed 2/23/83.]

**WAC 212-45-080 Exit doors.** Exterior exit doors from the building shall be operable from the inside without the use of a key or any special knowledge or effort, and the unlatching shall not require more than a single operation. No door in path of travel shall be less than twenty-eight inches wide. Chain locks and dead bolts are not permitted. Doors shall be operable with a single motion. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-080, filed 2/23/83.]

**WAC 212-45-085 Interior finish.** The interior finish on walls and ceilings of occupied spaces shall be Class A, B, or C, in accordance with Section 6-5 of the 1981 life safety code. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-085, filed 2/23/83.]

**WAC 212-45-090 Heating equipment.** No stove or combustion heater shall be so located as to block escape in case of fire arising from malfunction of the stove or heater. Proper ventilation shall be maintained for all solid or liquid fuel heaters and fireplaces. Portable space heating devices are prohibited. The installation of heating equipment shall meet all applicable codes. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-090, filed 2/23/83.]

**WAC 212-45-095 Fire and evacuation plan.** The administration of every facility shall have in effect, and available to all supervisory personnel, written copies of a plan for the protection of all persons in the event of fire

and for their evacuation to areas of refuge and from the building, when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-095, filed 2/23/83.]

**WAC 212-45-100 Fire drills.** At least four fire drills shall be held every year. Drills shall be conducted quarterly to familiarize personnel with signals and emergency action required under varied conditions. Fire drills shall include the activation of a fire alarm signal and simulation of emergency fire conditions. Fifty percent of drills shall be held during the nighttime hours. Records of drills shall be available for review. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-100, filed 2/23/83.]

**WAC 212-45-105 Portable fire extinguishers.** The type, size, and location of portable fire extinguishers shall be installed and maintained in accordance with NFPA Standard 10-1981. At least one 2A rated extinguisher and one 10BC rated extinguisher shall be provided. These may be provided singly or in combination, such as the all purpose extinguisher. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-105, filed 2/23/83.]

**WAC 212-45-110 Fire protection and fire prevention operating features.** Operating features shall be maintained in accordance with Sections 31-1 1981 life safety code, NFPA Standard 101. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-110, filed 2/23/83.]

**WAC 212-45-115 Severability.** In any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-115, filed 2/23/83.]

**Chapter 212-52 WAC**

**TRANSIENT ACCOMMODATIONS, STANDARDS FOR FIRE PROTECTION**

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212-52-012	Application and scope.
212-52-020	Exemption from compliance with this regulation— Application, procedure, review.
212-52-025	Inspections.
212-52-027	Approval.
212-52-030	Right of appeal.
212-52-037	Alternate methods.
212-52-040	Occupancy separation.
212-52-045	Hazardous areas.
212-52-050	Interior stairways.
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212-52-060	Interior finish.
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212-52-080	Number of exits.
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212-52-100	Corridor lighting—Illuminating the means of egress.
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212-52-110	Obstructions.
212-52-115	Maintenance.
212-52-120	Emergency procedures plan.
212-52-125	Severability.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

212-52-010	Applicability. [Order FM-77-3, § 212-52-010, filed 12/8/77.] Repealed by 81-03-081 (Order FM 81-1), filed 1/21/81. Statutory Authority: RCW 48.48.050 and 70.62.290.
212-52-015	Compliance required. [Order FM-77-3, § 212-52-015, filed 12/8/77.] Repealed by 81-03-081 (Order FM 81-1), filed 1/21/81. Statutory Authority: RCW 48.48.050 and 70.62.290.
212-52-035	Suspension, revocation or denial of license. [Order FM-77-3, § 212-52-035, filed 12/8/77.] Repealed by 81-03-081 (Order FM 81-1), filed 1/21/81. Statutory Authority: RCW 48.48.050 and 70.62.290.

**WAC 212-52-001 Purpose.** This regulation, promulgated pursuant to the authority contained in RCW 70.62.290, establishes the minimum fire and life safety standards necessary for obtaining state fire marshal approval for buildings or portions thereof, which are licensed or applying for licensure as transient accommodations. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-001, filed 1/21/81; Order FM-77-3, § 212-52-001, filed 12/8/77.]

**WAC 212-52-005 Definitions.** The following definitions shall apply when used in this regulation:

(1) "Approved" as to fire protection systems, assemblies, and devices shall mean approved by the state fire marshal as the result of tests conducted by him, or by reason of accepted principals or tests by national authorities, technical or scientific organizations.

(2) "Audible" shall mean loud enough to be heard. (Webster's New World Dictionary.)

(3) "Automatic-closing" refers to a fire assembly which may remain in an open position, and which will close automatically if subjected to an increase in temperature or actuation of smoke detector. Fusible links are not permitted on exit doors.

(4) "Central station office" shall mean an office to which remote alarm and supervisory signalling devices are connected, where personnel are in attendance at all times to supervise the circuits and investigate signals.

(5) "Exit" is a continuous and unobstructed means of egress to a public way, and shall include intervening doors, doorways, corridors, exterior exit balconies, ramps, stairways, smoke-proof enclosures, horizontal exits, exit courts and yards.

(6) "Fire assembly" refers to the assembly of a fire door, fire windows or fire dampers, including all required hardware, anchorage, frames and sills.

(7) "Fire-resistive construction" shall mean the type of construction which meets recognized standard fire test conditions, measured in accordance with a common

standard, normally expressed in hours or increments thereof, applicable to a variety of materials, situations and conditions of exposure.

(8) "Interior finish" shall mean interior wainscoting, panelling, or other finish applied structurally or for decoration, acoustical correction, surface insulation, or similar purposes. Interior finish materials are classified numerically, based on their exposure to and reactions in specified fire tests. The numerical classes are referred to as "flame-spread classifications."

(9) "Licensee" is the person, firm or corporation to whom the transient accommodation license is issued.

(10) "Licensing agency" shall mean the Washington state department of social and health services.

(11) "Lobby" shall mean an anteroom, a large vestibule, or the main floor circulation center of a hotel.

(12) "Self-closing" refers to a fire assembly which is kept in a normally closed position, and is equipped with an approved device to ensure closing and latching after having been opened for use.

(13) "State Building Code Act" refers to chapter 19.27 RCW, effective January 1, 1975, which establishes statewide building and fire prevention codes, and mandates enforcement by each city, town and county.

(14) "Transient accommodation, as defined in chapter 70.62 RCW," shall mean any facility such as a hotel, motel, resort, condominium, or any other facility or place offering three or more lodging units to travelers and transient guests.

NOTE: WAC 248-144-020 supplements above definition by indicating that the three or more lodging units are offered "for periods of less than one month."

[Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-005, filed 1/21/81; Order FM-77-3, § 212-52-005, filed 12/8/77.]

**WAC 212-52-012 Application and scope.** All buildings or portions thereof licensed as transient accommodations shall comply with the fire and life safety standards as specified in this regulation.

EXCEPTIONS: (1) Transient accommodations designed and constructed after the effective date of this regulation shall, in addition to meeting the requirements of the current Uniform Building Code adopted for state-wide use by the State Building Code Act, comply with the following sections of this regulation: WAC 212-52-050 or the exceptions thereto, WAC 212-52-075, 212-52-105, 212-52-110, 212-52-115 and 212-52-120.

(2) Transient accommodations inspected and approved as meeting the fire and life safety requirements of chapter 212-52 WAC, adopted pursuant to Administrative Order FM-77-3, filed December 8, 1977, shall be deemed in compliance with this regulation: *Provided*, That,

(a) The fire and life safety standards of the specified regulation have been maintained; and

(b) The continued use of the building as a transient accommodation is not dangerous to life.

(3) Transient accommodations located within a municipality which have been exempted from compliance with this regulation, based on a written agreement between the municipality and the state fire marshal's office. [Statutory Authority: RCW 48.48.050 and 70.62.290. 82-11-030 (Order FM 82-2), § 212-52-012, filed 5/11/82; 81-03-081 (Order FM 81-1), § 212-52-012, filed 1/21/81.]

**WAC 212-52-020 Exemption from compliance with this regulation--Application, procedure, review.** (1) Upon receipt of written application for exemption, municipalities having comprehensive regulatory programs covering transient accommodations which provide fire and life safety standards equal to or more restrictive than the standards established by this regulation, may be exempted from compliance with this regulation.

(2) The state fire marshal shall provide the exempted municipality with a list of transient accommodations within their jurisdiction. The exempted municipality shall certify those facilities approved for licensing as transient accommodations based on compliance with local fire and life safety requirements or written agreements necessary to bring the facility up to requirements.

(3) The state fire marshal shall review the exemption program within exempted municipalities at two year intervals. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-020, filed 1/21/81; Order FM-77-3, § 212-52-020, filed 12/8/77.]

**WAC 212-52-025 Inspections.** (1) Upon receipt of an application for a license, or at least ninety days prior to the expiration date of a current license, the licensing agency shall submit a written request for inspection to the state fire marshal.

(2) The inspection request shall be evaluated to determine whether the facility is subject to inspection by the state fire marshal. If an inspection by the state fire marshal is required, the facility shall be inspected for compliance with this regulation. EXCEPTION: Where the transient accommodation is located within an exempted municipality, the request for inspection shall be forwarded to the fire marshal of the exempted municipality for action. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-025, filed 1/21/81; Order FM-77-3, § 212-52-025, filed 12/8/77.]

**WAC 212-52-027 Approval.** Upon completion of the inspection, and the facility is found to be in substantial compliance with this regulation, a notice of conditional approval shall be forwarded to the licensing agency. After subsequent reinspections indicate full compliance with this regulation, a notice of full approval shall be forwarded to the licensing agency. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-027, filed 1/21/81.]

**WAC 212-52-030 Right of appeal.** Within five days after receipt thereof, any person aggrieved by the violations noted during an inspection, may appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force. [Order FM-77-3, § 212-52-030, filed 12/8/77.]

**WAC 212-52-037 Alternate methods.** The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: *Provided*, That, in the opinion of the state fire marshal, the modification does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-037, filed 1/21/81.]

**WAC 212-52-040 Occupancy separation.** The lobby, public dining rooms, and cocktail lounge shall be separated from the means of egress by one hour fire-resistive construction. **EXCEPTIONS:**

(1) Occupancy separation shall not be required if the entire ground floor is equipped with an approved sprinkler system.

(2) One of the two required means of egress may pass through the lobby provided the lobby is constructed as per a corridor, with all openings protected by a self-closing or automatic-closing fire assembly.

(3) One of the two required means of egress may pass through a lobby having only a registration or reception desk and guest sitting area. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-040, filed 1/21/81; Order FM-77-3, § 212-52-040, filed 12/8/77.]

**WAC 212-52-045 Hazardous areas.** Every room containing a boiler or central heating plant, laundry, parking garage, storage room, mechanical room, electrical room, maintenance shop, and other spaces within the building which present an unusual or extreme hazard to the safety of the guests shall be separated from the guest areas and the means of egress by at least one hour fire-resistive construction. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-045, filed 1/21/81; Order FM-77-3, § 212-52-045, filed 12/8/77.]

**WAC 212-52-050 Interior stairways.** Every interior stairway shall be enclosed with walls of not less than one hour fire-resistive construction. Where existing partitions form part of a stairwell enclosure, wood lath and plaster in good condition will be acceptable in lieu of one hour fire-resistive construction. Doors to such enclosures shall be protected by a self-closing door equivalent to a solid wood door not less than 1 3/4 inches thick. Enclosures shall be required for landings between flights

and any corridors, passageways or public rooms (lobby) necessary for continuous exit to the exterior of the building. The stairway need not be enclosed in a continuous shaft, if cut off at each story by the fire-resistive construction required for stairwell enclosures.

**EXCEPTIONS:** (1) Stairway enclosures shall not be required in buildings three or less stories in height if automatic sprinkler protection is provided in the following locations:

(a) Room side of each guest room door opening onto the corridor.

(b) Corridors, stairways, passageways, and ways leading to outside exits.

(c) Hazardous areas encroaching upon the means of egress or otherwise posing a threat to guest safety.

(2) Stairway enclosures shall not be required where the stairway serves only one adjacent floor: *Provided*, That,

(a) Corridors, stairways, exit passageways, and ways leading to outside exits are equipped with an automatic smoke detection system electrically interconnected to an approved fire alarm system; and

(b) Activation of the building fire alarm system results in the transmission of alarm indication to the fire department legally committed to serve the facility or to an approved central station office. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-050, filed 1/21/81; Order FM-77-3, § 212-52-050, filed 12/8/77.]

**WAC 212-52-055 Other vertical openings.** In transient accommodations where stairway enclosures are required, elevators, dumbwaiters, laundry and rubbish chutes, pipe chases and other vertical openings between floors shall be firestopped at each floor level or enclosed in continuous shafts, with all openings provided with self-closing or locking doors. Shafts not of fire-resistive or noncombustible construction shall be provided with an automatic sprinkler head at the top, connected to the domestic water system. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-055, filed 1/21/81; Order FM-77-3, § 212-52-055, filed 12/8/77.]

**WAC 212-52-060 Interior finish.** Ceiling and wall covering materials in corridors, stairways, passageways and other areas through which travel is necessary for continuous exit to the outside of the building shall have flame spread ratings of seventy-five or less, unless these areas are provided with automatic sprinklers.

The flame-spread rating of nonconforming interior finish materials may be reduced to acceptable levels by the application of flame-retardant paints or finishes, applied according to manufacturer's recommendations. Records of date of application, product applied, and the manner and rate of application shall be maintained for verification. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-060, filed 1/21/81; Order FM-77-3, § 212-52-060, filed 12/8/77.]

**WAC 212-52-065 Guest room protection.** All transoms and openings other than doors between rooms and corridors shall be fixed in the closed position, and covered with a minimum of three-fourths inch plywood or 5/8 inch fire-rated gypsum wallboard or an equivalent material. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-065, filed 1/21/81; Order FM-77-3, § 212-52-065, filed 12/8/77.]

**WAC 212-52-070 Guest room doors.** (1) Guest room doors shall be steel, 1 3/4 inch solid wood core or equivalent. EXCEPTION: (a) Existing 1 3/8 inch solid wood-core doors may be continued in use if the door frames are not adequate to accommodate 1 3/4 inch solid wood-core doors.

(b) Existing nonconforming panel-type doors may continue in use if converted or modified by the application of fire resistive materials securely fastened to the door rails.

(c) Existing nonconforming panel-type doors may continue in use if the corridors and guest room are protected by an automatic sprinkler system.

(d) Guest room doors need not be 1 3/4 inch solid wood core if they open onto an exterior exit balcony, such as in motels.

(2) Guest room doors shall be self-closing and tight fitting to prevent the passage of smoke. Vision panels shall be wire glass, set in metal frames. EXCEPTION: (a) Guest room doors need not be self-closing if the corridors are protected by an automatic sprinkler system;

(b) Guest room doors need not be self-closing if corridors, stairways, passageways, and ways leading to outside exits are equipped with automatic smoke detectors, electrically interconnected to activate an approved fire alarm system, which transmits a signal to the fire department legally committed to serve the facility or to an approved central station office;

(c) Guest room doors need not be self-closing if the door opens onto an outside exit balcony, such as in motels. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-070, filed 1/21/81; Order FM-77-3, § 212-52-070, filed 12/8/77.]

**WAC 212-52-075 Fire alarm.** (1) An approved electrically supervised fire alarm system shall be provided in each transient accommodation where the guest rooms exit into a common interior corridor. Transient accommodations constructed or licensed after the effective date of this regulation, which are not equipped with an automatic sprinkler system, shall be provided with an approved automatic smoke detection system throughout common interior corridors, passageways, and ways leading to outside exits.

(2) Audible devices shall be located in such a manner that the alarm signal is audible throughout the transient lodging portion of the building.

(3) An alarm sending station shall be provided at the desk or other location under continuous supervision by

employees. Additional sending stations shall be located at or near each required exit from each floor.

(4) Where transient accommodations are equipped with automatic sprinkler systems, an electrical interconnection shall be provided between the sprinkler system and the fire alarm system, whereby activation of the sprinkler system will result in an alarm signal.

(5) The fire alarm system shall be under the supervision of a responsible person, who shall cause proper tests and inspections to be made at least once each month.

(6) At least one approved single station smoke detector shall be installed in each guest room in transient accommodations licensed after the effective date of this regulation. Smoke detectors shall be installed in accordance with the instructions of the manufacturer. The primary power supply for the smoke detectors may be either the commercial light and power supply normally available in the building, or from an integral battery or batteries. The smoke detectors shall be inspected and maintained in accordance with the instructions of the manufacturer. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-075, filed 1/21/81; Order FM-77-3, § 212-52-075, filed 12/8/77.]

**WAC 212-52-080 Number of exits.** (1) Not less than two exits, remote from each other, shall be provided from each floor occupied for sleeping purposes. An existing fire escape may serve as one required exit if properly maintained, and access thereto is not obstructed. EXCEPTION: Second floors occupied by ten or less may be served by one exit.

(2) Exits shall be arranged so that it is possible to go in either direction from any guest room and reach an exit, except that dead-end corridors not exceeding twenty feet in length from the guest room door may be permitted. In corridors equipped with an approved automatic smoke detection system throughout, dead-end corridors not exceeding thirty-five feet in length may be permitted.

(3) When the occupant load is more than ten above the first floor, exterior exit balconies such as may be found on motels, shall be equipped with not less than two remote stairways to ground level.

(4) Every sleeping room below the fourth floor shall have a window capable of being opened without tools, with a sill height not over forty-eight inches above the floor, and providing the minimum opening height dimension of twenty-four inches, width dimension of twenty inches, and a minimum net clear opening of 5.7 square feet. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-080, filed 1/21/81; Order FM-77-3, § 212-52-080, filed 12/8/77.]

**WAC 212-52-085 Access to exits.** All exits shall be accessible from public areas or corridors without having to pass through intervening rooms. Access to fire escapes through window openings shall be permitted only if the window is replaced or altered so as to swing as a conventional door. Steps shall be provided, if the sill exceeds

twelve inches in height. [Order FM-77-3, § 212-52-085, filed 12/8/77.]

**WAC 212-52-090 Exit doors.** (1) Exterior exit doors from the building shall be openable from the inside without the use of a key or any special knowledge or effort, and the unlatching shall not require more than a single operation.

(2) Exit doors shall swing in the direction of egress. EXCEPTIONS: Exit doors need not swing in the direction of egress: (a) In transient accommodations having less than ten guest rooms; or (b) Where the door may block access to fire escape balconies; or (c) If the door would otherwise block or restrict the means of egress. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-090, filed 1/21/81; Order FM-77-3, § 212-52-090, filed 12/8/77.]

**WAC 212-52-095 Exit signs.** At every required exit doorway and wherever otherwise required to clearly indicate the direction of egress, an exit or directional sign shall be provided. Exit signs shall be illuminated at all times the building is occupied. Exit signs may be of the internally illuminated type, or a standard placard containing the word "EXIT," which may be illuminated by an adjacent corridor light. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-095, filed 1/21/81; Order FM-77-3, § 212-52-095, filed 12/8/77.]

**WAC 212-52-100 Corridor lighting--Illuminating the means of egress.** (1) Stairways, corridors, passageways, and public areas serving as required exits shall be provided with lighting to the extent that the way leading to outside exits is clearly visible at all times.

(2) In multistory transient accommodations having twenty-five or more guest rooms, power for corridor lighting shall be provided by means of separate circuits or separate energy sources. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-100, filed 1/21/81; Order FM-77-3, § 212-52-100, filed 12/8/77.]

**WAC 212-52-105 Fire extinguishers.** (1) At least one approved 2A rated fire extinguisher shall be provided in the corridor of each guest-occupied floor. Additional extinguishers shall be provided as required, to ensure that one is within seventy-five feet of each guest room door.

(2) In buildings not having public corridors, an approved extinguisher shall be provided at a convenient location near the registration desk in a plainly marked enclosure accessible at all times to guests.

(3) Additional extinguishers of a size and type commensurate with the hazard presented shall be provided as required in other areas in which a fire would affect guest safety. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-105, filed 1/21/81; Order FM-77-3, § 212-52-105, filed 12/8/77.]

**WAC 212-52-110 Obstructions.** Furniture, appliances or similar objects shall not be placed in corridors, passageways or stairways; or in such locations which would result in obstructing the means of egress. Exits, exit signs, fire alarms and fire extinguishers shall be visible and not obstructed by curtains or other decorative materials or fixtures. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-110, filed 1/21/81; Order FM-77-3, § 212-52-110, filed 12/8/77.]

**WAC 212-52-115 Maintenance.** Fire protection systems, equipment and devices shall be properly maintained.

(1) Manual fire alarm systems shall be operationally tested by the facility staff at least once each month. A record of the operational tests shall be maintained on the premises.

(2) Automatic fire detection systems shall be inspected at least annually. The inspection shall be conducted by a person or agency with the technical qualifications and special purpose equipment necessary to accomplish the inspection. A report of the inspection shall be provided on forms supplied by the state fire marshal office.

(3) Sprinkler systems shall be inspected at least annually. The inspection shall be conducted by a person or agency with the technical qualifications and special purpose equipment necessary to accomplish the inspection. A report of the inspection shall be provided on forms supplied by the state fire marshal office.

(4) Automatic smoke detection devices (single station) shall be operationally tested at monthly intervals by the facility staff, in accordance with the instructions supplied by the manufacturer. A record of the operational tests shall be maintained on the premises.

(5) At monthly intervals, the facility staff shall accomplish a visual inspection of fire extinguishers. The visual inspection must provide a reasonable assurance that the extinguisher is operational, and at its proper location. Monthly visual inspections shall be recorded, indicating the date inspected and initials of the inspector.

(6) Self-closing fire doors shall be maintained in the closed position, except where they are held open on approved door releases activated by products of combustion detectors other than heat. Under no conditions shall manually activated door stops be installed on a fire door.

(7) Fire door hardware, latches and closing devices shall be maintained in proper working condition.

(8) Guest room door self-closing devices shall be maintained in proper working condition.

(9) Corridor, stairway and exit lights shall be inspected daily. Burned-out bulbs shall be promptly replaced.

(10) Fire retardant paints or solutions shall be renewed at intervals necessary to maintain the fire retardant properties of the object or exposure to which it has been applied.

(11) "No smoking" signs shall be posted in rooms or areas where the state fire marshal determines smoking to be hazardous. Where smoking is permitted, suitable

ash trays or receptacles shall be provided to deposit used smoking materials. [Statutory Authority: RCW 48.48-.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-115, filed 1/21/81; Order FM-77-3, § 212-52-115, filed 12/8/77.]

**WAC 212-52-120 Emergency procedures plan.** (1) Each licensed transient accommodation shall develop and maintain a written fire emergency plan, specifying actions to be taken by the staff in the event of a fire emergency. The procedure shall include: (a) The actions taken by the staff upon being notified of a fire, (b) the actions to take for summoning the fire department, (c) the actions to take for assisting guests or others endangered by fire, (d) the actions required for guest safety as directed by the fire department, or a procedure for evacuating the building.

(2) The licensee or facility manager is responsible for assuring the staff is familiar with their duties as defined in the emergency plan. Training classes, covering each element of the emergency plan, shall be conducted at the time of employment and at annual intervals thereafter. An employee training record, indicating the date of training and names of employees receiving training, shall be maintained for the record. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-120, filed 1/21/81; Order FM-77-3, § 212-52-120, filed 12/8/77.]

**WAC 212-52-125 Severability.** If any provision of these regulations or their application to any person is held invalid, the remainder of the regulations or the application of the provision to other persons or circumstances is not affected. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-125, filed 1/21/81; Order FM-77-3, § 212-52-125, filed 12/8/77.]

#### Chapter 212-54 WAC

#### DAY CARE CENTERS AND DAY TREATMENT CENTERS, STANDARDS FOR FIRE PROTECTION

WAC	
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**WAC 212-54-001 Purpose.** The purpose of this regulation is to adopt minimum standard fire and life safety requirements for day care centers and day treatment centers, which require state fire marshal approval in accordance with chapter 74.15 RCW. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-001, filed 10/22/81. Formerly chapters 212-59, 212-60, 212-61 and 212-62 WAC (part).]

**WAC 212-54-005 Definitions.** The following definitions shall apply when used in this regulation. All terms not defined in this section, but which are defined in chapter 388-73 WAC, shall receive the definition and construction given them by chapter 388-73 WAC, unless the context clearly indicates otherwise.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(3) "Child" means a person under the age of eighteen years.

(4) "Exit" means a continuous and unobstructed means of egress to a public way and shall include intervening doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts and yards.

(5) "Family abode" means a single dwelling unit occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking and sanitation; and which is either owned, rented or leased by the family occupying the family abode.

(6) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(7) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(8) "Infant" means a child under the age of one year.

(9) "Licensing agency" means the Washington state department of social and health services.

(10) "Day care center" means an agency which provides care for any number of children outside the abode of the licensee or for thirteen or more children in the abode of the licensee for periods of less than twenty-four hours.

(11) "Day treatment center" means an agency which provides care, supervision and appropriate therapeutic and educational services during part of the twenty-four hour day for a group of persons under the age of eighteen years.

(12) "Smoke detector" means an approved device which senses visible or invisible particles of combustion.



[Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-005, filed 10/22/81.]

**WAC 212-54-010 Compliance required.** All day care centers and day treatment centers shall comply with the fire and life safety requirements contained in this regulation. **EXCEPTION:** Day care centers or day treatment centers previously approved, based upon compliance with chapter 212-61 or 212-62 WAC, adopted pursuant to Administrative Order No. FM 77-3, filed December 8, 1977, may have their use continued without compliance with this regulation: *Provided*, That

(1) The fire and life safety requirements have been maintained to the levels prescribed in chapter 212-61 or 212-62 WAC; and

(2) The continued operation of the facility as a day care center or day treatment center is not dangerous to life. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-010, filed 10/22/81.]

**WAC 212-54-015 Inspections and approval.** (1) Upon receipt of an application for a license, or at least ninety days prior to the expiration date of a current license, the licensing agency shall submit a written request for inspection to the state fire marshal. The state fire marshal or his designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, a reinspection shall be made to determine compliance.

(2) Upon completion of the inspection and the facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the licensing agency, and a certificate of compliance shall be forwarded to the applicant or licensee. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-015, filed 10/22/81.]

**WAC 212-54-020 Right of appeal.** Any person aggrieved by the requirements imposed by the state fire marshal may, within five days after receipt of such order, appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-020, filed 10/22/81.]

**WAC 212-54-025 Contact with local building and fire officials.** Each applicant for a day care center or day treatment center license shall contact the local building official and fire official of the city, town or county where the facility is located, to ascertain that all local building code and fire code requirements have been met. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-025, filed 10/22/81.]

**WAC 212-54-030 Occupancy restrictions.** (1) Spaces above the first story shall not be occupied by

children in day care centers or day treatment centers. **EXCEPTION:** Use of toilet facilities while under the supervision of an adult staff person.

(2) Infants, handicapped children, or children unable to exit without assistance, shall not occupy a floor or basement which does not have at least one exit leading directly to the exterior of the building without having to traverse stairs.

(3) No such center shall be located in a private family residence unless that portion of the residence to which the children have access is used exclusively for the children during the hours the center is in operation or is separate from the usual living quarters of the family. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-030, filed 10/22/81.]

**WAC 212-54-035 Hazardous areas.** Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage, or painting operation shall be separated from the day care center, day treatment center or the means of egress by at least one hour fire-resistive construction. **EXCEPTION:** A fire-resistive separation shall not be required where the food preparation kitchen contains only a domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-035, filed 10/22/81.]

**WAC 212-54-040 Exits.** (1) Each floor level used for day care center or day treatment center use shall be served by at least two remote exits. No point within an unsprinklered building shall be more than one hundred fifty feet from an exterior exit.

(2) Outside exit doors shall be openable from the inside, without the use of keys or any special knowledge or effort. When the licensed occupant load is more than fifty, the outside exit doors shall swing in the direction of egress.

(3) Exit doors from rooms having an occupant load of more than fifty, and from corridors, shall be equipped with panic hardware.

(4) Basements shall not be used for day care centers or day treatment centers unless exit stairways open directly to the exterior of the building without entering the first floor.

(5) No obstructions shall be placed in the corridors or passageways leading to the exits. Placement of portable coat racks, desks, chairs, or individual lockers in the means of egress in such a manner that the exit passageway is restricted, is prohibited.

(6) No space shall be used for day care purposes which is accessible only by ladder, folding stairs, or trap doors.

(7) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(8) Every closet door latch shall be such that children can open the door from inside the closet. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-040, filed 10/22/81.]

**WAC 212-54-045 Sleeping and napping rooms.** Every sleeping or napping room shall have at least one openable window for emergency rescue. When opened, the window shall provide a clear opening not less than twenty inches wide and twenty-four inches high. The sill shall not be higher than forty-four inches above the floor. **EXCEPTION:** Sleeping or napping rooms having doors leading to exits in opposite directions, or a door leading directly to the exterior of the building. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-045, filed 10/22/81.]

**WAC 212-54-050 Single station smoke detectors.** Day care centers or day treatment centers, not required to have an electrically supervised fire alarm system, shall have an approved single station smoke detector installed in the corridor or passageway providing access to sleeping or napping rooms. Additional smoke detectors may be required at other locations to provide early warning in the event of abnormal smoke conditions. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-050, filed 10/22/81.]

**WAC 212-54-055 Alternate method for alarm.** Day care centers or day treatment centers, not otherwise required to have an electrically supervised fire alarm system, shall provide an alternate means for sounding a fire alarm. A police type whistle or similar device, is adequate for meeting this requirement: *Provided*, That whatever method is selected shall be limited to a fire emergency only. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-055, filed 10/22/81.]

**WAC 212-54-060 Fire alarm system.** (1) An approved electrically supervised fire alarm system shall be installed in each day care center or day treatment center having an occupant load of fifty or more children.

(2) Smoke detectors shall be installed in corridors or passageways providing access to rooms used for sleeping or napping purposes. Heat detectors may be required in hazardous areas which enter upon the means of egress. Smoke detectors and heat detectors shall be electrically interconnected to the fire alarm system. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-060, filed 10/22/81.]

**WAC 212-54-065 Fire extinguisher.** At least one approved 2A-rated fire extinguisher, suitable for use on fires in ordinary combustibles, shall be provided on each occupied floor level. Additional fire extinguishers may also be required due to area, travel distance or special hazards. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-065, filed 10/22/81.]

**WAC 212-54-070 Fire prevention.** (1) The local fire department should be requested to visit the day care

or day treatment center to become familiar with the facility and to assist in planning evacuation or emergency procedures.

(2) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations; and suitably isolated, enclosed or protected so as not to present a fire hazard to children.

(3) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children.

(4) Open-flame devices capable of igniting clothing shall not be left on, unattended or used in a manner which could result in an accidental ignition of children's clothing. Candles will not be used.

(5) All electrical circuits, devices and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords shall not be used in lieu of permanent wiring.

(6) Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-070, filed 10/22/81.]

**WAC 212-54-075 Maintenance.** Fire protection equipment installed within the facility shall be properly maintained:

(1) Fire extinguishers shall be maintained in accordance with nationally recognized standards, and they shall be operationally ready for use at all times. Fire extinguishers shall be mounted in the bracket provided for this purpose.

(2) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer.

(3) Fire doors, exit lights, corridor lighting, door latches and exit hardware shall be maintained operationally ready for use at all times.

(4) Fire alarm systems shall be tested at monthly intervals. Automatic fire detectors shall be inspected annually. The inspection must be conducted by a person or agency qualified by experience, training or licensure. The results of system tests or inspections shall be maintained on the premises, preferably at the system control panel. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-075, filed 10/22/81.]

**WAC 212-54-080 Fire evacuation plan.** Each day care center or day treatment center shall develop a written fire evacuation plan. The plan shall include the following:

(1) Action to take by the person discovering a fire.  
 (2) Method of sounding an alarm on the premises.  
 (3) Action to take pending arrival of the fire department.

(4) Action to take for evacuation of the building and assuring accountability of the children. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-080, filed 10/22/81.]

**WAC 212-54-085 Fire evacuation drill.** A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises, indicating the date and time the fire evacuation drill was conducted. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-085, filed 10/22/81.]

**WAC 212-54-090 Staff training.** The licensee and each member of the staff shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

- (1) Operation of fire extinguishers installed on the premises.
- (2) Method of resetting fire alarm system (if installed).
- (3) Method of testing smoke detectors (single station types).
- (4) Conducting frequent inspections of the day care centers and day treatment centers to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-090, filed 10/22/81.]

**WAC 212-54-095 Alternate methods.** The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: *Provided*, That it does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-095, filed 10/22/81.]

**WAC 212-54-100 Severability.** If any provision of this regulation or its application to any person or circumstance is held invalid, the remainder of the regulation or the application of the provisions to other persons or circumstances is not affected. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-100, filed 10/22/81.]

### Chapter 212-55 WAC

#### MINI DAY CARE CENTERS, STANDARDS FOR FIRE PROTECTION

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212-55-090	Alternate methods.
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**WAC 212-55-001 Purpose.** The purpose of this regulation is to adopt minimum standard fire and life safety requirements for mini day care centers, which require state fire marshal approval in accordance with chapter 74.15 RCW. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-001, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-001, filed 10/22/81. Formerly chapters 212-59, 212-60, 212-61 and 212-62 WAC (part).]

**WAC 212-55-005 Definitions.** The following definitions shall apply when used in this regulation. All terms not defined in this section, but which are defined in chapter 388-73 WAC, shall receive the definition and construction given them by chapter 388-73 WAC, unless the context clearly indicates otherwise.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him, or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" means the person or agency appointed by the governing body of each city, town, or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(3) "Exit" means a continuous and unobstructed means of egress to a public way and shall include intervening doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof inclosures, horizontal exits, exit passageways, exit courts and yards.

(4) "Family abode" means a single dwelling unit occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation; and which is either owned, rented, or leased by the family occupying the family abode.

(5) "Fire official" means the person or agency appointed by the governing body of each city, town, or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(6) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(7) "Licensing agency" means the Washington state department of social and health services.

(8) "Mini day care center" means (a) day care center for the care of twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care and supervision the child is placed, (b) or the care of from seven through twelve children in the family abode of such person or persons.

(9) "Smoke detector" means an approved device which senses visible or invisible particles of combustion. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-005, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-005, filed 10/22/81.]

**WAC 212-55-010 Compliance required.** All mini day care centers shall comply with the fire and life safety requirements contained in this regulation.

**EXCEPTION:** Mini day care centers previously approved, based upon compliance with chapter 212-59 or 212-60 WAC, adopted pursuant to Administrative Order No. FM-77-3, filed December 8, 1977, may have their use continued without compliance with this regulation: *Provided, That*

(1) The fire and life safety requirements have been maintained to the levels prescribed in chapter 212-59 or 212-60 WAC; and

(2) The continued operation of the facility as a mini day care center is not dangerous to life. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-010, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-010, filed 10/22/81.]

**WAC 212-55-015 Inspections and approval.** (1) Upon receipt of an application for a license or at least ninety days prior to the expiration date of a current license, the licensing agency shall submit a written request for inspection to the state fire marshal. The state fire marshal or his designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, a reinspection shall be made to determine compliance.

(2) Upon completion of the inspection and the facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the licensing agency, and a certificate of compliance shall be forwarded to the applicant or licensee. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-015, filed 10/22/81.]

**WAC 212-55-020 Right of appeal.** Any person aggrieved by the requirements imposed by the state fire marshal may, within five days after receipt of such order, appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-020, filed 10/22/81.]

**WAC 212-55-025 Contact with local building and fire officials.** Each applicant for a mini day care center license shall contact the local building official and fire official of the city, town, or county where the facility is located, to ascertain that all local building code and fire code requirements have been met. [Statutory Authority:

RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-025, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-025, filed 10/22/81.]

**WAC 212-55-030 Occupancy restrictions.** (1) Spaces above the first story shall not be occupied by children in mini day care centers. **EXCEPTION:** Use of toilet facilities while under the supervision of an adult staff person.

(2) Infants, handicapped children, or children unable to exit without assistance, shall not occupy a floor or basement which does not have at least one exit leading directly to the exterior of the building without having to traverse stairs. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-030, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-030, filed 10/22/81.]

**WAC 212-55-035 Hazardous areas.** Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage, or painting operation shall be separated from the mini day care area by at least one hour fire-resistive construction. **Exception:** A fire-resistive separation shall not be required where the food preparation kitchen contains only a domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-035, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-035, filed 10/22/81.]

**WAC 212-55-040 Exits.** (1) Each floor level used for mini day care purposes shall be served by two remote exits.

(2) Outside exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(3) Basements shall not be used for mini day care centers unless one of the following conditions exist:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above.

(4) No obstructions shall be placed in the corridors or passageways leading to the exits. Placement of portable coat racks, desks, chairs, or individual lockers in the means of egress in such a manner that the exit passageway is restricted, is prohibited.

(5) No space shall be used for mini day care purposes which is accessible only by ladder, folding stairs, or trap doors.

(6) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(7) Every closet door latch shall be such that children can open the door from inside the closet. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-040, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-040, filed 10/22/81.]

**WAC 212-55-045 Sleeping and napping rooms.** Every sleeping or napping room shall have at least one openable window for emergency rescue. When opened, the window shall provide a clear opening not less than twenty inches wide and twenty-four inches high. The sill shall not be higher than forty-four inches above the floor. Exception: Sleeping or napping rooms having doors leading to exits in opposite directions, or a door leading directly to the exterior of the building. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-045, filed 10/22/81.]

**WAC 212-55-050 Automatic smoke detection.** An approved single station smoke detector shall be installed in the corridor or passageway providing access to rooms used for sleeping or napping purposes. Additional smoke detectors may be required at other locations to provide early warning in the event of abnormal smoke conditions. When activated, smoke detectors shall provide an alarm. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-050, filed 10/22/81.]

**WAC 212-55-055 Alarm in case of fire.** Each mini day care center shall provide a means for sounding a fire alarm. A police type whistle is adequate for meeting this requirement: *Provided*, That whatever method is selected shall be limited to a fire emergency only. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-055, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-055, filed 10/22/81.]

**WAC 212-55-060 Fire extinguishers.** At least one approved 2A-rated fire extinguisher, suitable for use on fires in ordinary combustibles, shall be provided on each occupied floor level. Additional fire extinguishers may be required due to area, travel distance, or special hazards. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-060, filed 10/22/81.]

**WAC 212-55-065 Fire prevention.** (1) The local fire department should be requested to visit the mini day care center to become familiar with the facility and to assist in planning evacuation or emergency procedures.

(2) Furnace rooms shall be maintained free of lint, grease, and rubbish accumulations; and suitably isolated, enclosed, or protected so as not to present a fire hazard to occupants of the mini day care center.

(3) Flammable or combustible materials shall be stored away from exits, and in areas which are not accessible to children.

(4) Heating and cooking appliances, and other open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of childrens' clothing. Candles will not be used.

(5) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords shall not be used in lieu of permanent wiring.

(6) Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-065, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-065, filed 10/22/81.]

**WAC 212-55-070 Maintenance.** Fire protection equipment installed within the facility shall be properly maintained:

(1) Fire extinguishers shall be maintained in accordance with nationally recognized standards, and they shall be operationally ready for use at all times. Fire extinguishers shall be mounted in the bracket provided for this purpose.

(2) Automatic smoke detectors shall be tested at monthly intervals in a manner specified by the manufacturer.

(3) Fire doors, exit lights, corridor lighting, door latches, and exit hardware shall be maintained operationally ready for use at all times. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-070, filed 10/22/81.]

**WAC 212-55-075 Fire evacuation plan.** Each mini day care center shall develop a written fire evacuation plan. The plan shall include the following:

(1) Action to take by the person discovering a fire.

(2) Method of sounding an alarm on the premises.

(3) Action to take pending arrival of the fire department.

(4) Action to take for evacuation of the building and assuring accountability of the occupants. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-075, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-075, filed 10/22/81.]

**WAC 212-55-080 Fire evacuation drill.** A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises, indicating the date and time the fire evacuation drill was conducted. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-080, filed 10/22/81.]

**WAC 212-55-085 Staff training.** The licensee and each member of the staff shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

(1) Operation of fire extinguishers installed on the premises.

(2) Method of resetting fire alarm system (if installed).

(3) Method of testing smoke detectors (single station types).

(4) Conducting frequent inspections of the mini day care center to identify fire hazards, and taking remedial

action to correct any hazards noted during the inspection. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-085, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-085, filed 10/22/81.]

**WAC 212-55-090 Alternate methods.** The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: *Provided*, That it does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-090, filed 10/22/81.]

**WAC 212-55-095 Severability.** If any provision of this regulation, or its application to any person or circumstance is held invalid, the remainder of the regulation or the application of the provisions to other persons or circumstances is not affected. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-095, filed 10/22/81.]

#### Chapter 212-64 WAC

#### MATERNITY SERVICE, STANDARDS FOR FIRE PROTECTION

##### WAC

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#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-64-010	Applicability. [Order FM-77-3, § 212-64-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
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**WAC 212-64-001 Purpose.** The purpose of this regulation is to adopt minimum standard fire and life safety requirements for maternity service facilities, which require state fire marshal approval in accordance

with chapter 74.15 RCW and chapter 388-73 WAC. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-001, filed 6/23/81; Order FM-77-3, § 212-64-001, filed 12/8/77.]

**WAC 212-64-005 Definitions.** The following definitions shall apply when used in this regulation. All terms not defined in this section, but which are defined in chapter 388-73 WAC, shall receive the definition and construction given them by chapter 388-73 WAC, unless the context clearly indicates otherwise.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(3) "Exit" means a continuous and unobstructed means of egress to a public way and shall include intervening doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exists, exit passageways, exit courts and yards.

(4) "Family abode" means a single dwelling unit occupied for living purposes by a family, which provides permanent provisions for living, sleeping, eating, cooking and sanitation; and which is either owned, rented or leased by the family occupying the family abode.

(5) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(6) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(7) "The department" means the department of social and health services of the state of Washington.

(8) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement.

(9) "Smoke detector" means an approved device which senses visible or invisible particles of combustion. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-005, filed 6/23/81; Order FM-77-3, § 212-64-005, filed 12/8/77.]

**WAC 212-64-015 Compliance required.** All maternity service facilities shall comply with the fire and life safety requirements contained in this regulation.

EXCEPTION: Maternity service facilities previously approved, based upon compliance with chapter 212-64 WAC, adopted pursuant to Administrative Order No. FM-77-3, filed December 8, 1977, may have their use continued without compliance with this regulation: *Provided*, That (1) the fire and life safety requirements have

been maintained to the levels prescribed in chapter 212-64 WAC, and (2) the continued operation of the facility is not dangerous to life. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-015, filed 6/23/81; Order FM-77-3, § 212-64-015, filed 12/8/77.]

**WAC 212-64-020 Inspections and approval.** (1) Upon receipt of an application for a license, or at least ninety days prior to the expiration date of a current license, the department shall submit a written request for inspection to the state fire marshal. The state fire marshal or his designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, a reinspection shall be made to determine compliance.

(2) Upon completion of the inspection, and the facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the department, and a certificate of compliance shall be forwarded to the applicant or licensee. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-020, filed 6/23/81; Order FM-77-3, § 212-64-020, filed 12/8/77.]

**WAC 212-64-025 Right of appeal.** Any person aggrieved by the requirements of the state fire marshal may, within five days after receipt of such order, appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-025, filed 6/23/81; Order FM-77-3, § 212-64-025, filed 12/8/77.]

**WAC 212-64-030 Contact with local building and fire officials.** Applicants for a maternity service license should be aware that, in addition to the fire/life safety requirements contained in this regulation, the State Building Code Act (chapter 19.27 RCW) mandates enforcement of the Uniform Building Code and Uniform Fire Code in each city, town and county. It is incumbent upon each applicant for a maternity service license to contact the local building official and fire official of the city, town or county where the facility is located, to ascertain that all local building code and fire code requirements have been met. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-030, filed 6/23/81; Order FM-77-3, § 212-64-030, filed 12/8/77.]

**WAC 212-64-033 Occupancy restrictions.** Infants not under the personal care of the mother shall not be housed above the first floor, unless the building is equipped with an approved sprinkler system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-033, filed 6/23/81.]

**WAC 212-64-035 Number and type of exits.** (1) Every sleeping room above the ground floor shall have access to two separate means of exit, at least one of which shall consist of an enclosed interior stairway, an exterior stairway, a fire escape, or a horizontal exit.

(2) Exits shall be located to provide a safe path of travel to the outside of the building without having to traverse any corridors or space exposed to any unprotected vertical opening.

(3) The exit may pass through an adjoining or intervening room if the adjoining or intervening room leads directly to an outside stairway, fire escape, or horizontal exit. The door to the adjoining or intervening room shall be removed, and the opening shall be placarded "TO EXIT." EXCEPTION: Exits shall not pass through kitchens, bathrooms, storerooms, garages, closets, or spaces used for similar purposes.

(4) Basements or cellars shall not be used for sleeping purposes unless there are two remote exits leading directly to the exterior from the basement or cellar level. EXCEPTION: Rooms located in the basement or cellar of a family abode may be used if one of the two required exits discharges directly to the exterior from the basement or cellar level.

(5) Infants not under the personal care of the mother or a maternity care staff person, shall not be housed above the first floor, or in rooms located in a basement or cellar.

(6) No space shall be used for sleeping purposes which is accessible only by ladder, folding stair, or trap door.

(7) Exterior exit doors on maternity service facilities having an occupant load of fifty or more persons, shall be hinged to swing in the direction of egress. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-035, filed 6/23/81; Order FM-77-3, § 212-64-035, filed 12/8/77.]

**WAC 212-64-037 Sleeping room doors.** Sleeping room doors shall be one and three-fourths inch solid wood core, or equivalent.

EXCEPTION: Existing panel-type doors may be used if upgraded by the application of a fire-resistive material, i.e., five-eighths inch gypsum wallboard, securely fastened to the door rails. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-037, filed 6/23/81.]

**WAC 212-64-039 Windows for emergency egress or rescue.** Every sleeping room below the fourth floor shall have at least one openable window for emergency egress or rescue. Emergency egress or rescue windows shall have a minimum clear opened area of five square feet, with the minimum opened width dimension of twenty inches, and minimum opened height dimension of twenty-four inches. The window sill height shall not be more than forty-eight inches above the floor. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-039, filed 6/23/81.]

**WAC 212-64-040 Fire extinguishers.** At least one approved 2A-rated fire extinguisher, suitable for use on fires in ordinary combustibles, shall be provided on each occupied floor level. Additional fire extinguishers may also be required due to area, travel distance, or special hazards. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-040, filed 6/23/81; Order FM-77-3, § 212-64-040, filed 12/8/77.]

**WAC 212-64-043 Automatic detection system.** An approved automatic smoke detection system shall be installed in corridors or locations providing access to resident and infant sleeping rooms. Corridor smoke detectors shall not be spaced more than thirty feet apart, or more than fifteen feet from any wall. Additional fire detection devices may be required at other locations which may pose a threat to the occupants of the facility. Automatic fire detection devices shall be electrically interconnected to the fire alarm system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-043, filed 6/23/81.]

**WAC 212-64-045 Fire alarm system.** (1) Every maternity service facility shall be equipped with an approved electrically supervised fire alarm system. Activation of any initiating device shall result in general alarm indication, and sound an audible signal throughout the building or affected portion thereof.

(2) The fire alarm system shall be under the supervision of a responsible person, who shall cause proper tests to be made. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-045, filed 6/23/81; Order FM-77-3, § 212-64-045, filed 12/8/77.]

**WAC 212-64-050 Hazardous areas.** Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage shall be separated from the maternity service area and the means of egress by one hour fire-resistive construction. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-050, filed 6/23/81; Order FM-77-3, § 212-64-050, filed 12/8/77.]

**WAC 212-64-055 Fire prevention.** (1) The local fire department should be requested to visit the maternity service facility to become familiar with the building, and to assist in planning evacuation or emergency procedures.

(2) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations; and suitably isolated, enclosed or protected so as not to present a fire hazard to the occupants.

(3) Flammable or combustible materials shall be stored away from exits.

(4) Cooking appliances shall be free of grease accumulations. Ventilators and filters installed over cooking ranges shall be inspected frequently, and cleaned as necessary to preclude accumulations of grease residue.

(5) All electrical circuits, devices and appliances shall be properly maintained. Circuits shall not be overloaded.

Extension cords shall not be used in lieu of permanent wiring.

(6) Combustible rubbish shall not be allowed to accumulate, and shall be removed from the building or stored in closed, metal containers. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-055, filed 6/23/81; Order FM-77-3, § 212-64-055, filed 12/8/77.]

**WAC 212-64-060 Maintenance.** Fire protection equipment installed within the facility shall be properly maintained.

(1) Fire extinguishers shall be maintained in accordance with nationally recognized standards, and they shall be operationally ready for use at all times. Fire extinguishers shall be mounted in the bracket provided for this purpose.

(2) The manual fire alarm system shall be tested at monthly intervals. A record of testing shall be maintained on the premises, preferably at the system control panel. Automatic detection systems shall be inspected annually. The person or agency inspecting the detection system shall be qualified by way of technical training or licensure for accomplishing inspection, testing or servicing of automatic fire detectors. Inspection of automatic fire detection systems shall be verified on forms provided by the state fire marshal.

(3) Fire doors, exit lights, corridor lighting, door latches and exit hardware shall be maintained operationally ready for use at all times. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-060, filed 6/23/81; Order FM-77-3, § 212-64-060, filed 12/8/77.]

**WAC 212-64-065 Fire evacuation plan.** Each maternity service facility shall develop a written fire evacuation plan. The plan shall include the following:

(1) Actions to take by the person discovering a fire.

(2) Method of sounding an alarm on the premises.

(3) Actions to take pending arrival of the fire department.

(4) Actions to take for evacuation of the building and assuring the accountability of the occupants. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-065, filed 6/23/81; Order FM-77-3, § 212-64-065, filed 12/8/77.]

**WAC 212-64-067 Fire evacuation drill.** A fire evacuation drill shall be conducted at least once a month. In order to provide maximum effectiveness from fire drills, the drills should be initiated at various times during the residents' waking or sleeping hours. A written record shall be maintained on the premises, indicating the date and time the fire evacuation drill was conducted. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-067, filed 6/23/81.]

**WAC 212-64-068 Staff training.** The licensee and appropriate members of the maternity service staff shall be familiar with all elements of the fire evacuation plan, and must possess an understanding of the following:



(1) Operation of fire extinguishers installed on the premises.

(2) Method of resetting fire alarm system.

(3) Method of testing smoke detectors (single station types).

(4) Conducting limited inspection for fire hazards. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-068, filed 6/23/81.]

**WAC 212-64-069 Alternate methods.** The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: *Provided*, That it does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-069, filed 6/23/81.]

**WAC 212-64-070 Severability.** If any provision of this regulation or its application to any person or circumstance is held invalid, the remainder of the regulation or the application of the provisions to other persons or circumstances is not affected. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-070, filed 6/23/81; Order FM-77-3, § 212-64-070, filed 12/8/77.]

### Chapter 212-65 WAC

#### GROUP CARE FACILITIES--STANDARDS FOR FIRE PROTECTION

##### WAC

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**WAC 212-65-001 Purpose.** The purpose of this regulation is to adopt minimum standard fire and life safety requirements for group care facilities, which require state fire marshal approval in accordance with

chapter 74.15 RCW and chapter 388-73 WAC. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-001, filed 6/23/81.]

**WAC 212-65-005 Definitions.** The following definitions shall apply when used in this regulation. All terms not defined in this section, but which are defined in chapter 388-73 WAC, shall receive the definition and construction given them by chapter 388-73 WAC, unless the context clearly indicates otherwise.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference in the State Building Code Act.

(3) "The department" means the department of social and health services of the state of Washington.

(4) "Exit" means a continuous and unobstructed means of egress to a public way, and shall include intervening doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts and yards.

(5) "Family abode" means a single dwelling unit occupied for living purposes by a family, which provides permanent provisions for living, sleeping, eating, cooking and sanitation; and which is either owned, rented or leased by the family occupying the family abode.

(6) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference in the State Building Code Act.

(7) "Group care facility" means a facility which is maintained and operated for the care of a group of children on a twenty-four hour basis.

(8) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(9) "Smoke detector" means an approved device which senses visible or invisible particles of combustion. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-005, filed 6/23/81.]

**WAC 212-65-010 Compliance required.** All group care facilities shall comply with the fire and life safety requirements contained in this regulation. EXCEPTION: Group care facilities previously approved, based upon compliance with former chapter 212-56, 212-57, or 212-63 WAC, each adopted pursuant to Administrative Order No. FM-77-3, filed December 8, 1977, may have their use continued without compliance with this regulation: *Provided*, That (1) the fire and life safety requirements have been maintained to the levels prescribed in chapter 212-56, 212-57, or 212-63 WAC, and (2) the continued operation of the facility is not dangerous to

life. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-010, filed 6/23/81.]

**WAC 212-65-015 Inspections and approval.** (1) Upon receipt of an application for a license, or at least ninety days prior to the expiration date of a current license, the department shall submit a written request for inspection to the state fire marshal. The state fire marshal or his designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, a reinspection shall be made to determine compliance.

(2) Upon completion of the inspection and the facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the department, and a certificate of compliance shall be forwarded to the applicant or licensee. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-015, filed 6/23/81.]

**WAC 212-65-020 Right of appeal.** Any person aggrieved by the requirements imposed by the state fire marshal may, within five days after receipt of such order, appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-020, filed 6/23/81.]

**WAC 212-65-025 Contact with local building and fire officials.** Applicants for a group care facility license should be aware that, in addition to the fire/life safety requirements contained in this regulation, the State Building Code Act (chapter 19.27 RCW) mandates enforcement of the Uniform Building Code and Uniform Fire Code in each city, town and county. It is incumbent upon each applicant for a group care facility license to contact the local building official and fire official of the city, town or county where the facility is located, to ascertain that all local building code and fire code requirements have been met. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-025, filed 6/23/81.]

**WAC 212-65-030 Occupancy restrictions.** Handicapped residents, or residents unable to traverse stairways without assistance, shall not occupy a floor, basement or cellar unless one of the required exits is a ramp leading to ground level outside the building. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-030, filed 6/23/81.]

**WAC 212-65-035 Hazardous areas.** Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage shall be separated from the group care area and the means of

egress by one hour fire-resistive construction. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-035, filed 6/23/81.]

**WAC 212-65-040 Number and type of exits.** (1) Every sleeping room above the ground floor shall have access to two separate means of exit, at least one of which shall consist of an enclosed interior stairway, an exterior stairway, a fire escape, or a horizontal exit.

(2) Exits shall be located to provide a safe path of travel to the outside of the building without having to traverse any corridors or space exposed to an unprotected vertical opening.

(3) The exit may pass through an adjoining or intervening room if the adjoining or intervening room leads directly to an outside stairway, fire escape, horizontal exit, or enclosed stairway. The door to the adjoining or intervening room shall be removed, and the opening shall be placarded "TO EXIT." EXCEPTION: Exits shall not pass through kitchens, bathrooms, storerooms, garages, closets, or spaces used for similar purposes.

(4) Basements or cellars shall not be used for sleeping purposes unless there are two remote exits leading directly to the exterior from the basement or cellar level. EXCEPTION: Rooms located in the basement or cellar of a family abode may be used if one of the two required exits discharges directly to the exterior from the basement or cellar level.

(5) No space shall be used for sleeping purposes which is accessible only by ladder, folding stair, or trap door.

(6) Exterior exit doors on group care facilities having an occupant load of fifty or more persons shall be hinged to swing in the direction of egress. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-040, filed 6/23/81.]

**WAC 212-65-045 Sleeping room doors.** Sleeping room doors shall be 1-3/4 inch solid wood core, or equivalent. EXCEPTION: Existing panel-type doors may be used if upgraded by the application of a fire-resistive material, i.e., five-eighths inch gypsum wallboard, securely fastened to the door rails. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-045, filed 6/23/81.]

**WAC 212-65-050 Windows for emergency egress or rescue.** Every sleeping room below the fourth floor shall have at least one openable window for emergency egress or rescue. Windows for emergency egress or rescue shall have a minimum clear opened area of five square feet, with the minimum opened width dimension of twenty inches, and minimum opened height dimension of twenty-four inches. The window sill height shall not be more than forty-eight inches above the floor. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-050, filed 6/23/81.]

**WAC 212-65-055 Automatic detection system.** An approved automatic smoke detection system shall be installed in corridors, or locations providing access to

sleeping rooms. Corridor smoke detectors shall not be spaced more than thirty feet apart, or more than fifteen feet from any wall. Additional fire detection devices may be required at other locations which pose a threat to the occupants of the facility. Automatic fire detection devices shall be electrically interconnected to the fire alarm system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-055, filed 6/23/81.]

**WAC 212-65-060 Fire alarm system.** (1) Every group care facility shall be equipped with an approved electrically supervised fire alarm system. Activation of any initiating device shall result in general alarm indication and sound an audible signal throughout the building or affected portion thereof.

(2) The fire alarm system shall be under the supervision of a responsible person, who shall cause proper tests to be made. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-060, filed 6/23/81.]

**WAC 212-65-065 Fire extinguishers.** At least one approved 2A-rated fire extinguisher, suitable for use on fires in ordinary combustibles, shall be provided on each occupied floor level. Additional fire extinguishers may also be required due to area, travel distance, or special hazards. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-065, filed 6/23/81.]

**WAC 212-65-070 Fire prevention.** (1) The local fire department should be requested to visit the group care facility to become familiar with the building and to assist in planning evacuation or emergency procedures.

(2) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations; and suitably isolated, enclosed, or protected so as not to present a fire hazard to the occupants.

(3) Flammable or combustible materials shall be stored away from exits.

(4) Cooking appliances shall be free of grease accumulation. Ventilators and filters installed over cooking ranges shall be inspected frequently, and cleaned as required to preclude accumulation of grease residue.

(5) All electrical circuits, devices and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords shall not be used in lieu of permanent wiring.

(6) Combustible rubbish shall not be allowed to accumulate, and shall be removed from the building or stored in closed, metal containers. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-070, filed 6/23/81.]

**WAC 212-65-075 Maintenance.** Fire protection equipment installed within the facility shall be properly maintained.

(1) Fire extinguishers shall be maintained in accordance with nationally recognized standards, and they

shall be operationally ready for use at all times. Fire extinguishers shall be mounted in the bracket provided for this purpose.

(2) The manual fire alarm system shall be tested at monthly intervals. A record of testing shall be maintained on the premises, preferably at the system control panel. Automatic detection systems shall be inspected annually. The person or agency inspecting the detection system shall be qualified by way of technical training or licensure for accomplishing inspection, testing or servicing the automatic fire detectors. Inspection of automatic fire detection systems shall be verified on forms provided by the state fire marshal.

(3) Fire doors, exit lights, corridor lighting, door latches and exit hardware shall be maintained operationally ready for use at all times. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-075, filed 6/23/81.]

**WAC 212-65-080 Fire evacuation plan.** Each group care facility shall develop a written fire evacuation plan. The plan shall include the following:

(1) Action to take by the person discovering a fire.

(2) Method of sounding an alarm on the premises.

(3) Action to take pending arrival of the fire department.

(4) Action to take for evacuation of the facility, and assuring accountability of the occupants. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-080, filed 6/23/81.]

**WAC 212-65-085 Fire evacuation drill.** A fire evacuation drill shall be conducted at least once each month. To provide maximum effectiveness from fire drills, the drills should be initiated at various times during the residents' waking or sleeping hours. A written record shall be maintained on the premises, indicating the date and time the fire evacuation drill was conducted. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-085, filed 6/23/81.]

**WAC 212-65-090 Staff training.** The licensee and appropriate members of the child care staff shall be familiar with all elements of the fire evacuation plan and must possess an understanding of the following:

(1) Operation of the fire extinguishers installed on the premises.

(2) Method of resetting fire alarm system.

(3) Method of testing smoke detectors (single station type.)

(4) Conducting limited inspections for fire hazards. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-090, filed 6/23/81.]

**WAC 212-65-095 Alternate methods.** The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: *Provided*, That it does not

create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-095, filed 6/23/81.]

**WAC 212-65-100 Severability.** If any provision of this regulation, or its application to any person or circumstance is held invalid, the remainder of the regulation or the application of the provisions to other persons or circumstances is not affected. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-100, filed 6/23/81.]