

**WAC 296-127-01346 Landscape construction.** For the purposes of the Washington state public works law, chapter 39.12 RCW, landscape construction involves the beautification of a plot of land by changing its natural features through the addition or modification of lawns, trees, bushes, etc.

(1) Landscape construction includes:

- Constructing or maintaining lawns, yards, gardens or other landscaped surfaces.
- Mixing and spreading mulches, ground covers, soil amendments, decorative bark or decorative rock.
- Seeding, sodding or hydroseeding.
- Applying chemicals or fertilizers.
- Planting trees, shrubs or plants.
- Installing, servicing or repairing above ground lawn or landscape sprinkler systems.
- Installing, servicing or repairing underground lawn or landscape sprinkler systems to a maximum depth of three feet below finish grade.
- Assembling or placing premanufactured trellis work, play equipment, benches or picnic tables.
- Constructing rock walls to a maximum height of four feet.
- Land clearing.
- Spreading top soil to a maximum depth of six inches below finish grade.
- Trenching to a maximum depth of three feet below finish grade.
- Installing french drains or other subsurface water collection systems to a maximum depth of three feet below finish grade.
- Hauling top soil, plants or other landscaping materials in trucks with only one rear axle.

(2) Landscape construction does not include:

- Any activity or task (including those mentioned above) when performed preparatory to any nonlandscaping construction work.
- Constructing roads, footpaths, trails or rock walls more than four feet high.
- Custom fabrication of trellis work, play equipment, benches or picnic tables.
- Constructing restrooms, shelters or similar structures.
- Installing sewer systems, storm sewer systems, catch basins, vaults or drainage systems for impervious surfaces (such as parking lots).
- Installing drainage systems or underground sprinkler systems more than three feet below final grade.
- Land clearing, dozing, grading, excavating or hauling except as permitted above.
- Tree falling or bucking.
- Subgrade preparation.
- The use of power equipment with more than ninety horsepower.
- The use of trucks with more than one rear axle except hydro-seeders.
- Demolition of structures.
- Asphalt or concrete work except incidental anchorage for play equipment, benches or picnic tables.
- Welding.
- Installing agricultural irrigation systems.
- Encapsulation of landfills.

[Statutory Authority: Chapter 39.12 RCW, RCW 43.22.270 and 43.22.051.  
WSR 00-15-077, § 296-127-01346, filed 7/19/00, effective 7/19/00.]