

WAC 110-302-0415 Zoning, codes, and ordinances. (1) The department adopts and incorporates by reference the Washington state building code, chapter 19.27 RCW.

(2) Except for ONB programs that enroll only school-age children and operate on public or private school premises, the indoor licensed space must comply with the Washington state building code and local building code as enacted at the time of licensure.

(3) Facility modifications must comply with WAC 110-302-0402.

(4) Prior to licensing, applicants must contact state, city, and local agencies that regulate ONB programs. An ONB provider must obtain regulations and comply with the direction given by such agencies. These agencies may include, but are not limited to, the Washington state department of labor and industries, the Washington state fire marshal, DOH, local health jurisdictions, public parks directors, and emergency management and response agencies.

(5) Before issuing a license, except for ONB programs that enroll only school-age children and operate on public or private school premises, to ONB providers who plan on using an indoor facility or structure for occupancy, such as a cabin or yurt, to meet the biological needs of children, for part of its ONB program that is not currently licensed, the ONB provider must:

(a) Have a certificate of occupancy issued by the local building, planning, or zoning department, or a local equivalent such as a building permit, if a locality does not have the certificate of occupancy; and

(b) Be inspected and approved by the state fire marshal or local authority as approved by the department; or

(c) If state or local government agencies are not available to conduct a fire safety inspection, ONB providers must inspect for fire safety using the state fire marshal form found at <https://www.dcyf.wa.gov/sites/default/files/pdf/el-license/CTR-Fire-Inspection.pdf>. The certificate of occupancy classification does not have to be E or I-4 occupancy; however, all other considerations of fire safety must comply.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0415, filed 5/1/23, effective 6/1/23.]