

**(Effective until January 1, 2021)**

**WAC 296-17A-0301 Classification 0301.** Applies to:

Contractors engaged in the installation, service and repair of:

- Lawn type sprinkler systems;
- Agriculture sprinkler and irrigation systems, including above or below ground;
- New landscape construction or renovation projects;
- Invisible fence installation, which is used to confine animals within a given area;
- Paver stone installation projects such as, but not limited to: Driveways, walkways, patios and pool decks. Common types of pavers used include brick, concrete and stone.

Common methods of paver installation include:

- **Interlocking concrete pavers**, which are primarily sand set, but in some cases mortar set;
- **Permeable interlocking concrete pavers**, which are installed to help reduce stormwater runoff;
- **Pedestal set pavers**, when used for roof top decks and plaza areas to increase living space, or to meet certain environmental requirements (not acting as a roofing system).

Work contemplated by this classification includes, but is not limited to:

- Producing preliminary drawings of a landscape or renovation project;
- Identifying area of land to be covered, to determine size and amount of pipe and sprinkler heads needed for irrigation/sprinkler system install;
- Preparing the ground (may include tilling and spreading of top soils);
- Trenching;
- Burying wire in trench (invisible fencing);
- Connecting low voltage transmitter box for invisible fencing;
- Installing/repairing sprinkler systems;
- Planting trees, plants or shrubs;
- Planting or replacing grass from seed or sod;
- Installing ground cover material or plastic to retard weeds;
- Placing concrete borders;
- Installing concrete, brick or stone pavers to create walkways, pathways, pool decks, or patios.

Typical machinery includes, but is not limited to:

- Electric power tools;
- Fertilizer spreaders;
- Hand tools/rakes;
- Mowers;
- Small front end loaders;
- Tractors with till attachments;
- Trenchers;
- Wheelbarrows;
- Vibrating plow or pipe pulling machine.

**This classification includes:**

- Incidental construction of rockery, extruded concrete curbing, fences, ponds, walls, arbors, trellises and gazebos when performed by employee of a landscape contractor as part of a landscape contract.
- If these activities are conducted separately from a landscape contract and not part of a landscape project, they must be reported

separately in the classification applicable to the work being performed.

- Incidental construction of walls and rockery performed by employees of a paver stone installation contractor as part of a paver installation contract.

- If these activities are conducted separately from a paver stone installation contract and not part of a paver stone project, they must be reported separately in the classification applicable to the work being performed.

**Note:** Incidental work is a minor part of an overall project or contract.

**Example:** A paving installation company creates the driveway, walkways, and patio at a residential home. The company finds that the lawn will slide onto the driveway unless a three foot tall retaining wall the length of the driveway is created. The creation of the retaining wall to protect the driveway is *incidental* to the paving installation project and may be reported in **0301**.

**Excluded phases of work:**

- Worker hours engaged in open canal type irrigation systems, which are classified in **0108**.
- Worker hours engaged in maintenance and cleaning of lawn sprinkler system pipes and heads done in connection with a landscape maintenance contract which are classified in **0308**.
- Worker hours engaged in grading, clearing, or contouring of land which are classified in **0101**.
- Worker hours engaged in bulkheads not adjacent to water, or similar structures built of rock, which are classified in **0302**.
- Worker hours engaged in installation or on-site maintenance of roofing materials composed of impermeable barriers, sod, soil, and plants, sometimes termed landscape roofing, living roofing, or vegetative roofing, which are classified in **0507**.
- Worker hours engaged in paver installation on a roof by a roofing contractor, when acting as part of the roofing system, which are classified in **0507**.
- Worker hours engaged in installation or maintenance of a landscape roofing irrigation system, which are classified in **0507**.
- Worker hours engaged in lawn care maintenance or chemical spraying or fumigating which are classified in **0308**.

**Note:** For rules on assigning and reporting in more than one basic classification, see WAC 296-17-31017 Multiple classifications.

For administrative purposes, classification 0301 is divided into the following subclassifications:

**0301-04 Lawn type sprinkler systems: Installation, service or repair**

**0301-06 Agricultural sprinkler/irrigation systems, N.O.C.: Installation, service or repair**

**0301-08 Landscape construction operations, N.O.C.**

[Statutory Authority: RCW 51.16.035 and WAC 296-17-31029. WSR 17-03-109, § 296-17A-0301, filed 1/17/17, effective 4/1/17. Statutory Authority: RCW 51.04.020 and 51.16.035. WSR 14-17-085, § 296-17A-0301, filed 8/19/14, effective 9/19/14. Statutory Authority: RCW 51.04.020, 51.16.035, and 51.16.100. WSR 12-11-109, § 296-17A-0301, filed 5/22/12, effective 7/1/12. WSR 07-01-014, recodified as § 296-17A-0301, filed 12/8/06, effective 12/8/06. Statutory Authority: RCW 51.16.035, 51.04.020. WSR 00-14-052, § 296-17-510, filed 7/1/00, effective 7/1/00. Statutory Authority: RCW 51.16.035. WSR 98-18-042, § 296-17-510, filed 8/28/98, effective 10/1/98; WSR 96-12-039, §

296-17-510, filed 5/31/96, effective 7/1/96. Statutory Authority: RCW 51.04.020(1) and 51.16.035. WSR 93-12-093, § 296-17-510, filed 5/31/93, effective 7/1/93. Statutory Authority: RCW 51.16.035. WSR 85-24-032 (Order 85-33), § 296-17-510, filed 11/27/85, effective 1/1/86; WSR 85-06-026 (Order 85-7), § 296-17-510, filed 2/28/85, effective 4/1/85; WSR 83-24-017 (Order 83-36), § 296-17-510, filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 51.04.030 and 51.16.035. WSR 79-12-086 (Order 79-18), § 296-17-510, filed 11/30/79, effective 1/1/80; Order 76-36, § 296-17-510, filed 11/30/76; Order 73-22, § 296-17-510, filed 11/9/73, effective 1/1/74.]

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  - If these activities are conducted separately from a landscape contract and not part of a landscape project, they must be reported separately in the classification applicable to the work being performed.
- Incidental construction of walls and rockery performed by employees of a paver stone installation contractor as part of a paver installation contract.
  - If these activities are conducted separately from a paver stone installation contract and not part of a paver stone project, they must be reported separately in the classification applicable to the work being performed.

**Note:** Incidental work is a minor part of an overall project or contract.

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