
SENATE BILL 6237

State of Washington

66th Legislature

2020 Regular Session

By Senators Kuderer, Darneille, Hunt, and Wilson, C.

Prefiled 01/10/20. Read first time 01/13/20. Referred to Committee on Local Government.

1 AN ACT Relating to authorizing and encouraging cities to notify
2 the department of children, youth, and families of conditions at
3 family day-care provider facilities that could cause harm to a
4 child's health, welfare, or safety; and amending RCW 35A.63.215.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 35A.63.215 and 2018 c 58 s 24 are each amended to
7 read as follows:

8 (1) Except as provided in subsections (2) and (3) of this
9 section, no city may enact, enforce, or maintain an ordinance,
10 development regulation, zoning regulation, or official control,
11 policy, or administrative practice that prohibits the use of a
12 residential dwelling, located in an area zoned for residential or
13 commercial use, as a family day-care provider's home facility.

14 (2) A city may require that the facility: (a) Comply with all
15 building, fire, safety, health code, and business licensing
16 requirements; (b) conform to lot size, building size, setbacks, and
17 lot coverage standards applicable to the zoning district except if
18 the structure is a legal nonconforming structure; (c) is certified by
19 the department of children, youth, and families licensor as providing
20 a safe passenger loading area; (d) include signage, if any, that
21 conforms to applicable regulations; and (e) limit hours of operations

1 to facilitate neighborhood compatibility, while also providing
2 appropriate opportunity for persons who use family day-care and who
3 work a nonstandard work shift.

4 (3) A city may also require that the family day-care provider,
5 before state licensing, require proof of written notification by the
6 provider that the immediately adjoining property owners have been
7 informed of the intent to locate and maintain such a facility. If a
8 dispute arises between neighbors and the family day-care provider
9 over licensing requirements, the licensor may provide a forum to
10 resolve the dispute.

11 (4) Pursuant to this section, cities are authorized and strongly
12 encouraged to notify the department of children, youth, and families
13 when a family day-care provider becomes out of compliance with
14 building, fire, safety, health code, or business licensing
15 requirements when the violation may cause harm to a child's health,
16 welfare, or safety.

17 (5) Nothing in this section shall be construed to prohibit a city
18 from imposing zoning conditions on the establishment and maintenance
19 of a family day-care provider's home in an area zoned for residential
20 or commercial use, so long as such conditions are no more restrictive
21 than conditions imposed on other residential dwellings in the same
22 zone and the establishment of such facilities is not precluded. As
23 used in this section, "family day-care provider" is as defined in RCW
24 43.216.010.

--- END ---