

**Chapter 212-12 WAC
FIRE MARSHAL STANDARDS**

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-12-011 Applicability. [Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-011, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-011, filed 2/16/93, effective 3/19/93.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

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 Repealed by Order FMR 68-1, filed 5/2/68, effective 6/1/68.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 Repealed by Order FMR 68-1, filed 5/2/68, effective 6/1/68.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 Repealed by Order FM-77-2, filed 11/17/77.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 Repealed by Order F-71-1, filed 8/10/71.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 Repealed by Order F-71-1, filed 8/10/71.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 Repealed by Order F-71-1, filed 8/10/71.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 Repealed by Order F-71-1, filed 8/10/71.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.

212-12-200 Purpose. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-200, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-210 Definitions. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-210, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-220 Applicability. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-220, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-230 Compliance. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-230, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-240 Inspection. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-240, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-250 Approval. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-250, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-260 Right of appeal. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-260, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-270 Local codes. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-270, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-280 Standards. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-280, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-290 Construction requirements. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-290, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-300 Modernization or renovation. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-300, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-310 Additions. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-310, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-320 Design, operation. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-320, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-330 Staffing requirements. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-330, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-340 Fire extinguishers. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-340, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-350 Lighting. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-350, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-360 Protection from hazards. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-360, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-370 Sprinkler systems. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-370, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-380 Fire alarm. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-380, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-390 Smoke detection. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-390, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-400 Equipment, inspection, testing and maintenance. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-400, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

212-12-410 Severability. [Statutory Authority: RCW 74.15.050. WSR 03-06-063, § 212-12-410, filed 3/3/03, effective 4/3/03.] Repealed by WSR 08-06-050, filed 2/28/08, effective 3/30/08. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

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 212-12-001 Statement of authority. The state director of fire protection is authorized to administer and enforce the provisions of this chapter and in accordance with RCW 43.44.010.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-001, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-001, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-001, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-001, filed 2/16/93, effective 3/19/93.]

WAC 212-12-005 Definitions. Unless otherwise provided in this section, definitions in the Washington State Building Code, chapter 19.27 RCW, and 42 C.F.R. Ch. IV § 483.70, National Fire Protection Association, standard 101 "*Life Safety Code*" current adopted edition by Centers for Medicare/Medicaid Services (CMS) shall apply to this chapter. The following definitions will also apply to this chapter:

(1) "State director of fire protection" means the director of fire protection within the Washington state patrol, the state fire marshal, or authorized deputy or designee.

(2) "New facility" means any facility that is:

(a) Being occupied or licensed for the first time;

(b) Vacated for more than one year and reoccupied;

(c) Closed for more than one year and reopened;

(d) Changes occupancy classification; or

(e) For which the license has expired, will be considered as a new facility and must meet the current codes and standards as adopted.

Exceptions:

- Existing assisted living facilities which may be vacated for more than one hundred eighty days if approved by the director of fire protection and the department of social and health services.

- Existing nursing homes that have been converted to an assisted living facility under provisions of chapter 388-78A WAC.

(3) "Before and after school program" means a program licensed by the department of children, youth, and families that provides early learning experiences for children five years of age through twelve years of age who are attending kindergarten or elementary school.

(4) "Birthing center" or "childbirth center" are defined in chapter 18.46 RCW.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-005, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 70.62.290, and 74.15.050. WSR 13-18-066, § 212-12-005, filed 9/3/13, effective 10/4/13. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-005, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-005, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-005, filed 2/16/93, effective 3/19/93.]

WAC 212-12-010 Adoption of codes and standards. The following administrative codes and regulations are hereby adopted by reference as set forth fully herein:

(1) Chapter 51-50 WAC, State Building Code adoption and amendment of the International Building Code.

(2) Chapter 51-51 WAC, State Building Code adoption and amendment of the International Residential Code.

(3) Chapter 51-52 WAC, State Building Code adoption and amendment of the International Mechanical Code.

(4) Chapter 51-54A WAC, State Building Code adoption and amendment of the International Fire Code.

(5) Chapter 51-56 WAC, State Building Code adoption and amendment of the Uniform Plumbing Code.

(6) 42 C.F.R. Ch. IV § 483.70, National Fire Protection Association, standard 101, "Life Safety Code," current adopted edition by Centers for Medicare/Medicaid Services (CMS) for application in ambulatory surgical centers, hospice care centers, nursing homes and hospitals.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-010, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-010, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-010, filed 7/29/02, effective 8/29/02; 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.]

WAC 212-12-015 Applicability. The provisions of this chapter apply to all facilities for which the director of fire protection is responsible for fire protection and enforcement including:

Adult rehabilitation center.

Alcoholism hospital.

Alcoholism intensive inpatient treatment services.

Alcoholism treatment facility.

Assisted living facility.

Before and after school program.

Birthing center.

Child care occupancy.

Criminal prosecution.
Enhanced services facility.
Examination of premises.
Examination of witnesses.
Group care facility.
Group care facility for severely and multiple handicapped children.
Hazardous liquid and gas pipeline accidents—Preparedness of local first responders.
Hospice care center.
Hospital.
Nursing home.
Psychiatric hospital.
Premises with guard animals—Registration, posting—Acts permitted
firefighters—Liability for injury to firefighters.
Public buildings.
Record of fires.
Removal of fire hazards—Appeal of order—Penalty.
Reports and investigations of fire—Police powers.
Residential treatment facility.
Standard of safety.
Schools—Standards for fire prevention and safety—Plan review and construction inspection.
Statistical information and reports.
Transient accommodation.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-015, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 70.62.290, and 74.15.050. WSR 13-18-066, § 212-12-015, filed 9/3/13, effective 10/4/13. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-015, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-015, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-015, filed 2/16/93, effective 3/19/93.]

WAC 212-12-020 Additional assisted living facility requirements.

This section shall be applicable to existing facilities that do not have fire sprinkler protection and smoke compartmentation on floors in which residents reside.

(1) Resident evacuation capability levels.

(a) Evacuation capability is the ability of the resident of a facility licensed by the department of social and health services under chapter 18.20 RCW to respond to an emergency situation and either evacuate or move to a point of safety.

(b) Residents shall be classified by the facility administration in one of the following evacuation capabilities:

(i) Ambulatory - Persons physically and cognitively capable of walking or traversing a normal pathway to safety, including the ascent and descent of stairs, and capable of self-preservation, without the physical assistance of another person.

(ii) Semiambulatory - Persons physically and cognitively capable of traversing a normal path to safety with the use of mobility aids,

but unable to ascend or descend stairs without the physical assistance of another person.

(iii) Nonambulatory - Persons physically or cognitively unable to walk or traverse a normal path to safety without the physical assistance of another person.

(2) Residents with evacuation capabilities of semiambulatory or nonambulatory must reside on the grade level floor unless the facility receives written approval by the director of fire protection to house these residents on other floor levels.

(3) The facility must not admit or retain more than two residents with evacuation capabilities of semiambulatory or nonambulatory unless:

(a) The facility receives written approval by the director of fire protection to care for more than two residents with evacuation capabilities of semiambulatory or nonambulatory; and

(b) The facility is divided into at least two smoke barrier compartments on each floor; and

(c) The facility has an operational automatic sprinkler system throughout the facility, unless the facility was initially licensed prior to July 1, 2007, and is licensed for six or fewer residents.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-020, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-020, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-020, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-020, filed 2/16/93, effective 3/19/93.]

WAC 212-12-022 Before and after school program requirements.

(1) Before and after school programs that are not located in an existing, operational, public or private school must be inspected as a new facility, as defined in WAC 212-12-005, and must be required to meet the code requirements outlined in chapter 19.27 RCW.

(2) Before and after school programs located in an existing, operational, public or private school wanting to change into a different license category as defined in chapter 43.216 RCW must meet the code requirements outlined in chapter 19.27 RCW.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-022, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 70.62.290, and 74.15.050. WSR 13-18-066, § 212-12-022, filed 9/3/13, effective 10/4/13.]

WAC 212-12-025 Fire reporting requirements. Any facility licensed by the department of health or the department of social and health services, and inspected by the office of the state fire marshal, shall report within twenty-four hours to the office of the state fire marshal any accidental or unintentional fire, any deliberately set improper fire, any unusual incident that required implementation of the facility disaster plan, including any evacuation of all or part of the resident population to another area within the facility or to

another address, and any circumstance which threatened or could have threatened the ability of the facility to ensure continuation of normal services to the residents.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-025, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-025, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-025, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-025, filed 2/16/93, effective 3/19/93.]

WAC 212-12-030 Right of appeal for state cited facilities. The following procedure will apply to appeals of orders, decisions or citations made by the state fire marshal's office and it does not apply to CMS federal surveys:

(1) Administrative appeal (step 1) - A facility will have an opportunity to dispute cited deficiencies with a chief deputy state fire marshal. The purpose of this informal process is to give the facility an opportunity to refute cited deficiencies after an inspection. A written request with an explanation of the specific deficiencies that are being disputed must be submitted within fifteen days of receipt of the correction notice. All submittals must be sent to WSP-Fire Protection Bureau, P.O. Box 42642, Olympia, WA 98504-2642 or via email at FIREMARSH@wsp.wa.gov. If a facility is successful in demonstrating that a deficiency should not have been cited, the chief deputy state fire marshal will remove or make the appropriate corrections to the citation. If a facility is unsuccessful in demonstrating that a deficiency should not have been cited, the facility will be notified in writing that the citation will remain unchanged. The facility will then have the option to proceed to step #2 in the administrative appeal process.

(2) Administrative appeal (step 2) - If a facility is not satisfied with the decision made during the administrative appeal (step 1), they may appeal the decision in writing within ten days of receipt of the written decision to the prevention division assistant state fire marshal. If a facility is successful in demonstrating that a deficiency should not have been cited, the assistant state fire marshal will remove or make the appropriate corrections to the citation. If a facility is unsuccessful in demonstrating that a deficiency should not have been cited, the facility will be notified in writing that the citation will remain unchanged. The facility will then have the option to proceed to step #3 in the administrative appeal process.

(3) Administrative appeal (step 3) - If a facility is not satisfied with the decision made during the administrative appeal (step 2), they may appeal the decision in writing within ten days of receipt of the written decision to the director of fire protection. If a facility is successful in demonstrating that a deficiency should not have been cited, the director of fire protection will remove or make the appropriate corrections to the citation. If a facility is unsuccessful in demonstrating that a deficiency should not have been cited, the facility will be notified in writing that the citation will remain unchanged.

(4) This is a final agency action.

Note: This appeal process is not applicable to the Life Safety Code inspections.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-030, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-030, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-030, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-030, filed 2/16/93, effective 3/19/93.]

WAC 212-12-035 Special requirements. In addition to the fire and life safety standards listed in WAC 212-12-010, the following shall apply: In all occupancies inspected by the state fire marshal's office, emergency lighting for means of egress shall be provided. Emergency systems shall activate automatically in a power failure and be supplied from storage batteries or an on-site generator set.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-035, filed 10/1/20, effective 11/1/20. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-035, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-035, filed 2/16/93, effective 3/19/93.]

WAC 212-12-040 Fire safety/evacuation/lockdown plan. All occupancies inspected by the state fire marshal's office shall develop and maintain a written plan. In addition to the adopted code and standards in WAC 212-12-010, 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.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-040, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-040, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-040, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-040, filed 2/16/93, effective 3/19/93.]

WAC 212-12-044 Fire drills. In all Group I, Group E, and Group R2 Occupancies licensed by the state and inspected by the state fire marshal's office, at least twelve planned and unannounced fire drills shall be held every year.

(1) Drills shall be conducted quarterly on each shift in Group I and Group R2, Occupancies and monthly in Group E Occupancies to familiarize personnel with signals and emergency action required under varied conditions.

(2) A detailed written record of all fire drills shall be maintained and available for inspection.

(3) When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarms.

[Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 43.43.939, 70.41.080, 70.97.210, 71.12.485, 74.15.050 and chapter 43.44 RCW. WSR 20-20-062, § 212-12-044, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050. WSR 08-06-050, § 212-12-044, filed 2/28/08, effective 3/30/08. Statutory Authority: Chapter 19.27 RCW. WSR 02-16-023, § 212-12-044, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. WSR 93-05-032 (Order 93-02), § 212-12-044, filed 2/16/93, effective 3/19/93.]