

**Chapter 246-203 WAC
GENERAL SANITATION**

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

246-203-080 Pollution of ground water prohibited. [Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-080, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-080, filed 12/27/90, effective 1/31/91; Regulation .50.080, effective 3/11/60.] Repealed by WSR 97-20-100, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.20.050.

246-203-090 Stream pollution. [Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-090, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-090, filed 12/27/90, effective 1/31/91; Regulation .50.090, effective 3/11/60.] Repealed by WSR 97-20-100, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.20.050.

246-203-110 Kitchen and laundry water. [Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-110, filed 12/27/90, effective 1/31/91; Regulation .50.110, effective 3/11/60.] Repealed by WSR 97-20-100, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.20.050.

246-203-120 Disposal of garbage, trash, rubbish, offal, dead animals, and manure. [Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-120, filed 12/27/90, effective 1/31/91; Regulation .50.120, effective 3/11/60; subsection (2) amended by filing of 6/3/65.] Repealed by WSR 07-14-149, filed 7/5/07, effective 8/5/07. Statutory Authority: RCW 43.20.050(2).

246-203-140 Stagnant water. [Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-140, filed 12/27/90, effective 1/31/91; Regulation .50.140, effective 3/11/60.] Repealed by WSR 97-20-100, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.20.050.

246-203-150 Highway sanitation. [Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-150, filed 12/27/90, effective 1/31/91; Regulation .50.150, effective 3/11/60.] Repealed by WSR 97-20-100, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.20.050.

246-203-170 Objectionable establishments and industrial wastes. [Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-170, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-170, filed 12/27/90, effective 1/31/91; Regulation .50.170, effective 3/11/60.] Repealed by WSR 97-20-100, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.20.050.

WAC 246-203-010 Definition—Public or common nuisance. For the purpose of these regulations, a public or common nuisance shall be considered as that which is set up, maintained or continued so as to be injurious to the health, or an obstruction to the use of property by interfering with the repose, health, safety or life of any considerable number of persons.

[Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-010, filed 12/27/90, effective 1/31/91; Regulation .50.010, effective 3/11/60.]

WAC 246-203-020 Spitting. Spitting upon the floors or walls of a public building or buildings used for public assemblage, of a building used for manufacturing or industrial purposes, or upon the floors or platforms or any part of any railroad or trolley car or ferry boat, or any other public conveyance, is prohibited.

[Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-020, filed 12/27/90, effective 1/31/91; Regulation .50.020, effective 3/11/60.]

WAC 246-203-030 Common towel. No person, firm, corporation or authorities owning, in charge of, or in control of any lavatory or wash room in any hotel, theatre, lodging house, restaurant, factory, school, church, store, office building, railway or trolley station, or public conveyance by land, water or air, or other institution or conveyance frequented by the public, or which may be used for the purpose of public assembly or as a place of employment, shall provide in or about such lavatory or washroom any towel for common use.

The term "common use" in this section shall be construed to mean, the use of all or any portion of a towel by more than one person without adequate cleansing.

[Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-030, filed 12/27/90, effective 1/31/91; Regulation .50.030, effective 3/11/60.]

WAC 246-203-060 Water sold to the public for drinking purposes in bottles or other containers. (1) **Quality.** No water shall be sold, offered for sale or rendered available for drinking purposes in bottles or other containers unless such water is of a sanitary quality approved by the secretary of the department of health.

(2) **Inspection.** All plants for the preparation of water for sale in bottles or other containers for drinking purposes and the sources of the water supply shall be inspected as frequently as necessary by a representative of the department of health, and samples of water collected for sanitary analyses at the department of health laboratories.

(3) **Sterilizing containers.** Bottles or other containers in which water is sold for drinking purposes shall be sterilized before refilling. The method of sterilization shall be approved by the secretary of the department of health.

(4) **Water purification.** Processes of purification of waters that are to be sold for drinking purposes shall be approved by the secretary of the department of health before the water can be sold or offered for sale.

[Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-060, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-060, filed 12/27/90, effective 1/31/91; Regulation .50.060, effective 3/11/60.]

WAC 246-203-070 Ice sold for public use. (1) **Quality.** No ice shall be sold, offered for sale or rendered available for use to the public unless such ice is of a sanitary quality approved by the secretary of the department of health.

(2) **Information.** Any company, corporation, city or individual selling artificial ice for public consumption shall submit to the department of health complete information concerning the source of water supply used for the manufacture of the ice and a detailed description of the manufacturing processes involved.

Any company, corporation, city or individual harvesting natural ice shall file full information with the department of health with regard to the source of the ice and method of storage.

[Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-070, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-070, filed 12/27/90, effective 1/31/91; Regulation .50.070, effective 3/11/60.]

WAC 246-203-100 Disposal of human excreta. (1) **Waters of the state defined.** For the purpose of this regulation, the term "waters of the state" wherever used, shall include all streams and springs, and all bodies of surface and of groundwater, whether natural or artificial, within the boundaries of the state.

(2) **Privies shall be fly-proof.** No privy, cesspool, septic tank, or other receptacle for human excrement shall be constructed, maintained or used so that flies have or may have access to the excrementitious matter contained therein.

(3) **Privies shall not drain in any waters of the state.** No privy, urinal, cesspool, septic tank or other receptacle for human excrement shall be constructed, maintained or used which directly or indirectly drains or discharges over or upon the surface of the ground, or into any waters of the state either directly or indirectly; unless the contents of such urinal, cesspool, septic tank or receptacle for human excrement are subjected to some recognized sterilization treatment approved by the department of health.

(4) **Privies shall be kept clean.** All privies, urinals, cesspools, septic tanks or other receptacles for human excrement shall be cleansed at sufficiently frequent intervals to prevent the contents from overflowing.

(5) **Treating excreta on watersheds of public water supplies.** All schools, hamlets, villages, towns or industrial settlements which are now located or may be hereafter located on the watershed of any public water supply, not provided with a sewerage system, shall provide and maintain a reasonable system approved by the state director of health for collecting and disposing of all accumulations of human excrement within their respective jurisdiction or control.

(6) **Connection with sewer.** No privy, cesspool, septic tank or similar receptacle for human excrement shall be constructed, maintained or used on premises where a sewer is at all accessible which is part of a sewerage system from which sewage is lawfully discharged into the waters of the state.

(7) **Use of human excreta for fertilizer prohibited.** The contents of privies, cesspools, septic tanks or other receptacles for human excrement shall not be placed upon the surface of the ground or be used for fertilizing purposes for crops or gardens.

(8) **No privy near foodstuffs.** No privy, urinal, toilet or other receptacle for human excrement shall be constructed, maintained or used in any room, or have direct connection with any room wherein any kind of exposed foods or foodstuffs are prepared, stored or handled.

[Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-100, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-100, filed 12/27/90, effective 1/31/91; Regulation .50.100, effective 3/11/60.]

WAC 246-203-121 Disposal of dead animals. (1) Definitions. For the purpose of this regulation the following definitions apply:

(a) "Burial" means completely covering with soil in a manner and location not requiring a permit for a landfill under chapter 70A.205 RCW.

(b) "Composting" means a process of controlled aerobic decomposition in compliance with chapter 70A.205 RCW.

(c) "Dead animal" means the carcass or tissue from an animal, large or small, except part of an animal used for food or other beneficial purpose in accordance with federal, state, and local laws and regulations. "Dead animal" does not mean a fish or other primarily aquatic animal.

(d) "Incineration" means controlled and monitored combustion for the purposes of volume reduction and pathogen destruction in an enclosed device approved by the department of ecology or the local air pollution control authority under chapters 70A.15 and 70A.205 RCW.

(e) "Landfilling" means a process of disposal at a permitted facility where solid waste is permanently placed in or on land in compliance with rules adopted by the department of ecology under chapter 70A.205 RCW.

(f) "Livestock" means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, or other species according to RCW 16.36.005.

(g) "Natural decomposition" means natural decay on the surface of the ground without cover material.

(h) "Rendering" means heat processing according to requirements under chapter 16.68 RCW, Disposal of dead animals.

(2) Disposal methods.

(a) Within 72 hours after death or discovery, the owner of a dead animal or, if the owner of the animal cannot be identified, the owner of the property on which the animal is found must properly dispose of the dead animal. A dead animal must be covered or otherwise removed from public view immediately upon discovery by the person responsible for disposing of the dead animal.

(b) The person responsible for disposal of a dead animal must dispose of it in a manner so as not to become a public or common nuisance or cause pollution of surface or groundwater.

(c) The person responsible for disposal of a dead animal must dispose of it by burial, landfilling, incineration, composting, rendering, or another method approved by the local health officer (such as natural decomposition) that is not otherwise prohibited by federal, state, or local law or regulation.

(d) A person disposing of a dead animal by burial must place it so that every part is covered by at least three feet of soil; at a location not less than 100 feet from any well, spring, stream or other surface waters; not in a low-lying area subject to seasonal flooding or within a 100-year flood plain; and not in a manner likely to contaminate groundwater.

(e) A person disposing of a dead animal must not bury or compost it within the sanitary control area of a public drinking water supply source as designated under chapter 246-290 WAC, Public water supplies, or chapter 246-291 WAC, Group B public water systems.

(f) The local health officer may specify the method of disposal for a dead animal if:

(i) The animal died with a communicable disease transmissible to humans; or

(ii) The local health officer considers a public health emergency to exist.

(g) The provisions of RCW 16.36.092 and chapter 16-25 WAC supersede the provisions of this regulation for the disposal of a livestock animal that has died because of disease or unknown cause.

[Statutory Authority: RCW 43.70.040 and 2020 c 20. WSR 22-07-025, § 246-203-121, filed 3/9/22, effective 4/9/22. Statutory Authority: RCW 43.20.050(2). WSR 07-14-149, § 246-203-121, filed 7/5/07, effective 8/5/07.]

WAC 246-203-130 Domestic animal waste. (1) A person may not keep or shelter animals in such a manner that the domestic animal waste creates a nuisance or health hazard. The purpose of this section is to establish standards for the prevention, control, and abatement of health hazards and nuisance detrimental to human health related to the disposal of domestic animal waste, including handling and storage of domestic animal waste, as described in subsection (3) of this section.

(2) The following definitions apply throughout this section unless the context clearly indicates otherwise.

(a) "Containment area" means an area where domestic animals are held, housed, or kept for a period of time and includes, but is not limited to, stables, corrals, confinement areas, kennels, pens, and yards.

(b) "Domestic animal" means an animal domesticated to live and breed in a tame condition under the care of humans. Domestic animal includes livestock and nonlivestock such as dogs and cats.

(c) "Domestic animal waste" means excreta from a domestic animal and includes associated wash water, feed, and bedding soiled with the excreta.

(d) "Health hazard" includes any organism, chemical, condition, or circumstance that poses a direct and immediate risk to human health.

(e) "Livestock" means domestic animals raised for use or for profit, especially on a farm, and includes horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, and game birds.

(f) "Local health officer" means the legally qualified physician appointed as a health officer pursuant to chapter 70.05, 70.08, or 70.46 RCW, or an authorized representative.

(g) "Nuisance" includes an act or omission that harms, endangers, or interferes with the health or safety of another person.

(h) "Person" means any individual, corporation, company, association, society, firm, partnership, joint stock company, or any governmental agency, or the authorized agents of these entities.

(i) "Sanitary" means of or relating to conditions that affect hygiene and health, especially relating to cleanliness and other precautions against disease.

(j) "Stockpiling" means the temporary piling of domestic animal waste from livestock prior to use or disposal. Stockpiling does not include active composting or lagoon storage of domestic animal waste from livestock.

(k) "Surface water" means a body of water open to the atmosphere and subject to surface runoff including, but not limited to, lakes, ponds, streams, rivers, and marine waters.

(3) Unless a standard is superseded by a more stringent standard in federal, state, or municipal law, a person must meet the following standards in order to help prevent, control, and abate nuisance and health hazards related to the disposal of domestic animal waste. For purposes of these rules, examples of more stringent standards include, but are not limited to, the Dairy Nutrient Management Act, chapter 90.64 RCW, the state Water Pollution Control Act (WPCA), chapter 90.48 RCW, agricultural activities nuisance law under RCW 7.48.300 through 7.48.320, concentrated animal feeding operations permits issued by the department of ecology under the federal Clean Water Act and/or the WPCA, and fugitive dust or air emission plans approved by the department of ecology or a local government agency under the Washington Clean Air Act, chapter 70A.15 RCW. Except for open-range grazing, livestock trails, trail riding, and other diffuse sources of domestic animal waste, a person must:

(a) Collect domestic animal waste at intervals sufficient to maintain sanitary conditions in containment areas;

(b) Handle domestic animal waste to prevent deposition, leaching, and runoff to:

(i) Another person's property;

(ii) Drinking water sources; and

(iii) Surface water bodies used for swimming, shellfish harvesting, or other activity with potential to affect human health;

(c) Handle domestic animal waste from nonlivestock as follows:

(i) Hold the waste in a watertight container if stored for more than one day prior to proper disposal; and

(ii) Bag and dispose of the waste as solid waste, unless waste is composted by a regulated compost facility per WAC 173-350-220; and

(d) Handle domestic animal waste from livestock that is collected and stockpiled for later use or disposal as follows:

(i) Apply control measures as reasonable to minimize and reduce odors and attraction of flies and rodents;

(ii) Store the waste no longer than one year; and

(iii) Site the stockpile:

(A) One hundred feet or more from a drinking water well;

(B) Two hundred feet or more from a public drinking water spring;

(C) Outside the sanitary control area of a public drinking water source if different from the areas set forth in (d)(iii)(A) and (B) of this subsection;

(D) One hundred feet or more from a surface water body unless:

(I) The surface water body is upgradient or is protected by a levee or other physical barrier; or

(II) The surface water body is protected by one or more control or treatment practices that capture and prevent leachate. Practices include, but are not limited to, storage pads, covers, storage structures, and filter strips; and

(E) Outside seasonally or frequently flooded areas unless used or disposed of prior to flooding.

(4) The local health officer may investigate and enforce this section. Enforcement actions may include any proceeding within the local health officer's statutory authority. Before taking enforcement action the local health officer must attempt to communicate with the person who may be in violation of this section to explore the facts and, if the local health officer determines that a violation has occurred, seek voluntary compliance by education and allow the person reasonable time to correct the violation.

[Statutory Authority: RCW 43.20.050. WSR 22-19-043, § 246-203-130, filed 9/15/22, effective 10/16/22; WSR 91-02-051 (Order 124B), recodified as § 246-203-130, filed 12/27/90, effective 1/31/91; Regulation .50.130, effective 3/11/60.]

WAC 246-203-160 Sanitation of public buildings. (1) Definition.

A public building shall be construed to mean any theater, show-house, public hall, public meeting place, public transportation terminal, or any other public building not covered by specific regulations: Provided, That a public building shall not be construed to include any store, market, supermarket, or other commercial establishment open to the general public for commercial purposes which does not cater to an audience.

(2) **Lighting and ventilation.** All public buildings shall be properly lighted and ventilated according to the type of said building and the uses to which it is put.

(3) **Water supply.**

(a) Any public place supplied with water under pressure shall be equipped with sanitary drinking fountains of an approved type.

(b) Where water supplied for drinking is not obtained from a public water supply, such water shall be of a quality approved by the secretary of the department of health. When not under pressure, drinking water shall be stored in a covered container of an approved type.

(c) The use of the common drinking cup is prohibited.

(4) **Toilet facilities.** Every public building shall be provided with adequate sanitary toilet facilities for each of the sexes; and such facilities shall be convenient and accessible. Every public building which must provide adequate sanitary toilet facilities shall provide at least one free sanitary toilet facility for each of the sexes. Where toilet facilities are voluntarily provided by any store, market, supermarket, or other commercial establishment for use by customers of such establishment or the general public, there shall be at least one free sanitary toilet facility provided for each of the sexes. It shall be the duty of the owner, manager, or other responsible person in charge to see that the toilet system is properly installed and maintained in a usable and sanitary condition at all times.

The method of sewage disposal for all public buildings shall comply with the rules and regulations of the state board of health.

(5) **Cleaning.** All public buildings shall be kept at all times in a clean and sanitary condition and the cleaning shall be carried on under proper sanitary conditions. All rooms used for public meetings shall be cleaned after each meeting held in them, such cleaning to consist of thorough sweeping of the floors and wiping of the woodwork, together with proper airing of the rooms. No room shall be swept without the use of a proper dust-laying substance. Dry dusting is prohibited. In construing this regulation all meetings held during the course of a single day shall be regarded as one meeting.

[Statutory Authority: RCW 43.20.050. WSR 92-02-019 (Order 225B), § 246-203-160, filed 12/23/91, effective 1/23/92; WSR 91-02-051 (Order 124B), recodified as § 246-203-160, filed 12/27/90, effective 1/31/91; Order 98, § 248-50-160, filed 4/5/74; Order 89, § 248-50-160, filed 10/3/73; Regulation .50.160, effective 3/11/60.]

WAC 246-203-180 Piggeries. (1) No pigsty or piggery shall be built or maintained on marshy ground or land subject to overflow, nor within 200 feet of any stream or other source of water supply.

(2) When garbage is fed to pigs all unconsumed garbage shall be removed daily and disposed of by burial or incineration.

(3) No organic material furnishing food for flies shall be allowed to accumulate on the premises.

(4) All garbage shall be handled and fed upon platforms of concrete or other impervious material.

(5) Unslaked lime, hypochlorite of lime, borax or mineral oil shall be used daily in sufficient quantities to prevent offensive odors and the breeding to flies.

(6) All garbage, offal and flesh fed to swine must be sterilized by cooking before feeding.

[Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-180, filed 12/27/90, effective 1/31/91; Order 44, § 248-50-180, filed 12/11/70; Regulation .50.180, effective 3/11/60.]

WAC 246-203-200 Disease producing organisms for rodent extermination forbidden. The use of any disease-producing organisms such as the so-called "rat viruses" or any bacteria for the purpose of rodent extermination is prohibited.

[Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-200, filed 12/27/90, effective 1/31/91; Regulation .50.200, effective 3/11/60.]

WAC 246-203-210 Common drinking cups. No person, firm, corporation or authorities owning, in charge of, or in control of any hotel, theatre, restaurant, lodging house, factory, school, church, store, office building, railway, trolley or other public conveyance station, or public conveyance by land, water or air, or other institution or conveyance frequented by the public or which may be used for the purpose of public assembly or as a place of employment, is permitted to furnish any cup, vessel or other receptacle for common use in any such place for drinking or eating purposes.

The term "common use" in this section shall be construed to mean, for use by more than one person without adequate cleansing.

[Statutory Authority: RCW 43.20.050. WSR 91-02-051 (Order 124B), recodified as § 246-203-210, filed 12/27/90, effective 1/31/91; Regulation .50.210, effective 3/11/60.]