

NEW SECTION

**WAC 296-127-01345 Landscape maintenance workers.** For the purpose of the Washington state public works law, chapter 39.12 RCW, landscape maintenance involves the tending to and maintenance of a previously beautified plot of land.

(1) Landscape maintenance includes:

(a) Mowing, weeding, and maintaining of lawns, yards, gardens, athletic fields, golf courses, parks, trails or other previously landscaped surfaces;

(b) Pruning, trimming, mulching and composting;

(c) Maintaining decorative rock including adding material to existing areas;

(d) Incidental hauling or placing of top soil, plants or other landscaping materials in trucks with only one rear axle;

(e) Reseeding, resodding, replanting, top dressing, aerification, and applying chemicals, fertilizers and soil amendments;

(f) Use of power tools with up to twenty horsepower such as line trimmers, edgers, mowers, leaf and snow blowers;

(g) Rehydroseeding using equipment up to one hundred gallon capacity;

(h) Use of riding mowers up to fifty horsepower;

(i) Irrigation system repair and maintenance on existing systems;

(j) Storm drain and catch pond maintenance, including minor debris removal, and clearing of drain grates.

(2) Landscape maintenance does not include:

(a) Any landscape or nonlandscape construction activity or work, other than incidental maintenance and repairs mentioned in subsection (1) of this section;

(b) Power line clearance tree trimming or clearing;

(c) Construction of irrigation systems other than incidental repairs mentioned in subsection (1) of this section;

(d) Tree falling or bucking;

(e) The use of power tools over twenty horsepower except riding mowers;

(f) The use of riding mowers over fifty horsepower;

(g) The use of any other riding equipment, other than riding mowers up to fifty horsepower;

(h) Rehydroseeding using equipment with more than one hundred gallon capacity;

(i) Inspection, service, maintenance or repair of a backflow protection device connected to a potable water system.