

WAC 246-10-301 Conduct of emergency adjudicative proceedings.

(1) Except as otherwise required by law, summary action may be taken under chapter 18.130 RCW only after a review by the secretary or designee of such evidence, including affidavits or declarations, if appropriate, to establish:

(a) The existence of an immediate threat to the public health, safety, or welfare;

(b) The department's ability to address the threat through a summary action; and

(c) The summary action is necessary to address the threat.

(2) Except as otherwise required by law, summary action may be taken under chapter 34.05 RCW only after a review by the secretary or designee of such evidence, including affidavits or declarations, if appropriate, to establish:

(a) The existence of an immediate danger to the public health, safety, or welfare;

(b) The department's ability to address the danger through a summary action; and

(c) The summary action is necessary to address the danger.

(3) No notice to any person potentially affected by a summary action is required prior to issuance of a summary action.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-049, § 246-10-301, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 43.70.040. WSR 93-13-005 (Order 369), § 246-10-301, filed 6/3/93, effective 7/4/93.]