

1 **ARTICLE 4A. Residential Cut-Through Permit Zones.**

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4 99. For authority of the County to adopt this Chapter, see Va. Code Ann., § 15.2-  
5 2022.1.  
6 \_\_\_\_\_

7 **Section 82-4A-1. Purpose and intent.**

8  
9 To designate a Residential Cut-Through Permit Zone following the approval of a  
10 residential cut-through restriction by the Virginia Department of Transportation (VDOT),  
11 and to issue permits to verified residents of the designated area that will allow such  
12 residents to make turns into or out of the Residential Cut-Through Permit Zone during  
13 certain times of the day when such turns would otherwise be restricted.  
14

15 **Section 82-4A-2. Applicability.**

16  
17 This Article is applicable to residential addresses associated with established residential  
18 cut-through restrictions within the boundaries of Fairfax County. If a residential cut-  
19 through restriction is implemented along the County's boundary with any other county,  
20 city or town, only those residents with addresses in the Fairfax County portion of the  
21 Primary Use Area associated with the cut-through will be eligible for zone inclusion.  
22

23  
24 **Section 82-4A-3. Definitions.**

25  
26 For the purposes of this Article, the following words and phrases shall have the  
27 meanings ascribed to them in this Section, except in those instances where the context  
28 clearly indicates a different meaning:  
29

30 (a) *Board* means Fairfax County Board of Supervisors.

31  
32 (b) *Department* means the Fairfax County Department of Transportation.

33  
34 (b) *Primary Use Area*. All local residential streets within a community whose traffic  
35 operational characteristics may be altered by operational changes to the candidate  
36 street(s) for residential cut-through traffic, or by a change to any street that provides  
37 access to that community. The primary use area for a community is defined during, and  
38 approved by the Board as part of, the cut-through restriction process for a community.  
39

40 (c) *Proper display--Permit*. The Residential Cut-Through Permit shall be displayed on  
41 the front windshield, driver's side, immediately above the inspection sticker, of the  
42 vehicle for which the permit was issued. The permit must be entirely adhered to the  
43 interior of the windshield and may not be taped on or displayed in any manner which  
44 would allow the transfer of the permit to another vehicle. Any alteration of the permit to  
45 include, but not limited to changes to zone number, vehicle license plate number, or  
46 expiration date shall be subject to enforcement and penalties in accordance with Section  
47 82-4A-8.  
48

49 (d) *Proper display--Motorcycle Permit*. The Residential Cut-Through Motorcycle Permit  
50 shall be displayed beside the State inspection sticker and the County motorcycle license

51 on the motorcycle front fork. Any alteration to the permit (i.e. changes to the zone  
52 number, license plate number, or expiration date) shall be subject to enforcement and  
53 penalties in accordance with Section 82-4A-8.  
54

55 (e) *Proper display-- Temporary Permit.* The Residential Cut-Through temporary permit  
56 shall be displayed on the vehicle dashboard so that entire face of the temporary permit  
57 and all printed information is visible through the vehicle windshield. Any alterations to the  
58 temporary permit, including changes to the address and/or zone number for which the  
59 temporary permit is issued, or displaying the temporary permit in a manner such as to  
60 obscure any of the information printed on face of the permit, such as folding or partially  
61 covering the temporary permit, shall be subject to enforcement and penalties in  
62 accordance with Section 82-4A-8.  
63

64 (f) *Residential* means the area along the side of any street, road or highway adjacent to  
65 property used exclusively as a residence; contained in any one of the residential (R)  
66 zoning districts; or contained in the residential portion of any of the planned development  
67 (P) zoning districts, as set forth in the Zoning Ordinance.  
68

69 (g) *Permit* means a Residential Cut-Through permit, motorcycle permit, or temporary  
70 permit issued under this Article that allows the vehicle bearing such permit to make  
71 otherwise prohibited vehicular movements onto restricted residential streets.  
72

73 (g) *Residential Cut-Through Zone* shall mean the designated area associated with an  
74 approved residential cut-through restriction in. Residents of addresses within a  
75 Residential Cut-Through Zone shall be eligible to apply for Residential Cut-Through  
76 Permits.  
77

#### 78 **Section 82-4A-4. Residential Cut-Through Zone designation.**

79  
80 The Residential Cut-Through Zone is defined during, and approved by the Board as part  
81 of, the cut-through restriction process for a community. Residential Cut-Through Zones  
82 shall be as designated, after Board approval, as set forth in **Appendix (TBD)** of this  
83 Code.  
84

#### 85 **Section 82-4A-4. Residence eligibility for zone inclusion.**

86  
87 In a new or existing Residential Cut-Through Zone, residences are eligible for zone  
88 inclusion if the address is included in the Primary Use Area associated with an approved  
89 cut-through restriction, or if the address is solely accessed by a street in the Primary Use  
90 Area. Residences included in a Residential Cut-Through Zone will meet one of the  
91 following criteria:  
92

93 (a) They have an address on a public street within the designated Primary Use Area  
94 associated with the zone, or;  
95

96 (b) They have an address on a public street outside the Primary Use Area associated  
97 with the zone, but their driveway is solely accessed by a street inside the Primary Use  
98 Area; or  
99

100 (c) They have an address on a private street solely accessed by a public street inside  
101 the Primary Use Area.

102

103 **Section 82-4A-5. Adoption and effective date.**

104

105 Upon approval by the Board of Supervisors of any Residential Cut-Through Zone, and  
106 upon installation of signs by VDOT restricting vehicular movements onto a residential  
107 street, the zone shall be deemed to be adopted, and shall become effective in  
108 accordance with the following provisions:

109

110 (a) Upon receipt of notice of an approved Residential Cut-through Zone, Department  
111 staff shall send notification to each address within the approved zone. Such notification  
112 shall include:

113

114 (1) The specific rules and regulations for the approved zone, to include the hours  
115 when turns will be restricted;

116

117 (2) The procedures for obtaining permits, and the location of the County office  
118 where permits may be obtained.

119

120 **Section 82-4A-6. Signs.**

121

122 All signs to designate a turn restriction shall be installed by VDOT and shall be in  
123 conformance with applicable VDOT regulations. Signs shall be of such design and  
124 character as to readily inform the operators of vehicles in a Residential Cut-Through  
125 Zone of the existence, nature and requirements of the regulations pertaining to the cut-  
126 through restriction.

127

128 **Section 82-4A-7. Administration.**

129

130 The provisions of this Article shall be administered by the Department with all permits  
131 available only for motor vehicles owned, leased, or used by a resident of an address  
132 located within the designated Residential Cut-Through Zone, as defined in Section 82-  
133 4A-4.

134

135 (a) Permits to allow residents to access streets restricted by a VDOT-approved cut-  
136 through restriction shall be issued only in accordance with the provisions below.

137

138 (1) Permits will be available from the Department, and shall be issued annually,  
139 one per vehicle with the expiration date set forth on the permit. Prior to expiration,  
140 eligibility will be automatically re-evaluated in the same manner as an original permit  
141 application, and renewed permits will be sent by mail to qualifying residents.

142

143 (2) Permits shall be applied for in person, by mail, or by electronic means, in  
144 accordance with procedures established by the Department, and shall be  
145 accompanied by proof of residency at a permit-eligible address, proof of vehicle  
146 registration with Fairfax County Department of Tax Administration, and proof of  
147 ownership, lease or use of each vehicle for which a permit is requested.

148

149 (3) Residents who drive vehicles owned by others, such as company-owned  
150 vehicles, may prove eligibility by providing lease or mortgage documents showing  
151 residency at a permit eligible address, current driver's license, vehicle registration,  
152 and a notarized statement from the vehicle owner.  
153

154 (4) Residents who are exempted from the requirement of paying Fairfax County  
155 personal property tax for their vehicle must submit proofs of residency that show  
156 current residence in the Residential Cut-Through Zone. Regulations set forth by the  
157 Fairfax County Department of Tax Administration apply.  
158

159 (i) Any person on active duty in the military service, absent from his/her state  
160 of residence or domicile solely by reason of compliance with military orders,  
161 may prove residency by providing a copy of their military relocation order,  
162 current driver's license, and vehicle registration, in addition to lease or  
163 mortgage documents showing residency at a permit-eligible address.  
164

165 (ii) Diplomats, absent from his/her state or country of residence or domicile,  
166 may prove eligibility by providing a copy of their Diplomatic identification,  
167 current driver's license, and vehicle registration, in addition to lease or  
168 mortgage documents showing residency at a permit-eligible address.  
169

170 (iii) Unemployed Full-Time Students, absent from his/her location of  
171 residence or domicile in order to attend college or university, may prove  
172 eligibility by providing lease documents showing residency at a permit-eligible  
173 address, current driver's license and vehicle registration, and verification of full-  
174 time enrollment during the current school year.  
175

176 (b) If a current resident in a Residential Cut-Through Zone purchases a vehicle, they  
177 may present the temporary registration to obtain a non-renewable temporary permit to  
178 use until the permanent registration and plates are issued. This temporary permit shall  
179 be valid for up to 60 days from the date the vehicle was purchased, in accordance with  
180 the regulations set forth by the Virginia Department of Motor Vehicles.  
181

182 (c) New residents in a Residential Cut-Through Zone may obtain a non-renewable  
183 temporary permit valid for up to 60 days from the effective date of their lease or closing  
184 date of mortgage.  
185

186 (d) Permits shall be removed from the vehicle upon moving to an address outside of the  
187 zone.  
188

189 (e) Each permit issued by the Department shall remain the property of the Department,  
190 and may not be duplicated.  
191  
192  
193  
194  
195

196 **Section 82-4A-8. Enforcement and penalties.**

197

198 Enforcement of Residential Cut-Through regulations shall be under the jurisdiction of the  
199 Fairfax County Police Department, who shall issue citations against those persons who  
200 violate the provisions of this Article.

201

202 (a) It shall be unlawful for any person operating a motor vehicle to make vehicular  
203 movements onto residential streets marked by signs prohibiting such movements during  
204 the hours when such movements are prohibited, unless the vehicle displays a permit for  
205 the zone into which the vehicular movement is made. Any vehicular movements made  
206 by motorists in violation of posted restrictions shall be cited as a violation of Fairfax  
207 County Code Section 82-2-3 (Va. Code 46.2-830) and shall be punishable as prescribed  
208 in Section 82-1-35 of this Chapter.

209

210 (b) It shall be unlawful for any person to represent that they are entitled to a permit  
211 when they are not so entitled. Violators shall be subject to a fine of One Hundred Dollars  
212 (\$100.00) for each violation.

213

214 (c) It shall be unlawful for any person to alter information printed on the permit (i.e.  
215 changes to zone number, vehicle license plate number, or expiration date); fail to  
216 destroy or to return a permit to which they are no longer entitled to the Department; or to  
217 make restricted vehicular movements in a vehicle displaying a permit that has been  
218 altered. Violators shall be subject to a fine of One Hundred Dollars (\$100.00) for each  
219 violation

220

221 (c) It shall be unlawful for any person to improperly display a Residential Cut-Through  
222 permit, as prescribed in Section 82-4A-2 (c), (d) and (e). Failure to properly display  
223 permits shall be punishable by a fine of Seventy-Five Dollars (\$75.00) for each violation.