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Board Matter

February 9, 2009

Madam Chairman—The County has made significant strides in streamlining code enforcement in our neighborhoods. Without a doubt, the Strike Team, through its coordinated efforts across multiple agencies, has made enforcement more efficient. The General Assembly has supported our streamlining efforts by passing legislation during the last session that reduced appeal periods on zoning violations, saved time by posting violations on the property and made inspection warrants easier to obtain. We need to continue to find efficiencies to make enforcement of our codes effective.

Violations of our building code are one area where additional possible efficiencies could be found. Currently, for violations of building without a permit, a Corrective Work Order (CWO) is issued with time allowed to comply before a Notice of Violation (NOV) is issued. This practice results in a multiple step enforcement process and is not consistent with other code enforcement processes in the County that issue NOV's as soon as the violation is found. It is my understanding that CWO's are part of DPWES' standard operating procedure but are not required by code.

Without objection, Madam Chairman, I move that the Board request the following in the form of a "budget question":

How much would be saved (in enforcement time and dollars spent) if CWO's were removed from the process and all building code violations went straight to an NOV?

I also move that we ask a second legal question:

Is there any legal impediment to removing CWO's from the building enforcement process?

It should be noted that the appeal process would still be in full force and effect for all Notices of Violation. All Notices of Violation already provide an opportunity to comply within a certain period of time – routinely 30 days - before litigation is pursued.

CWO's are time and resource consuming. Removing this one unnecessary step could save the County money and make enforcement consistent and more effective in our neighborhoods.