

DEPARTMENT OF CODE COMPLIANCE (DCC) CALENDAR YEAR 2024 EQUITY IMPACT PLAN



Leadership Sponsor: Gabriel Zakkak, Director, Department of Code Compliance

Equity Lead(s): Tina Quick, Ben Aiken

Departmental Equity Guiding Statement:

Through education, outreach, community partnerships, and seeking voluntary compliance, the Department of Code Compliance (DCC) will provide responsive enforcement actions and informational resources so that all members of the community may enjoy a healthy and desirable living environment.

DCC will be supported by a workplace where all employees, regardless of gender, race, ethnicity, age, sexual orientation or identity, education, or disability, are and feel valued and respected.

Context:

The Department of Code Compliance (DCC) operates almost entirely on a complaint basis, limiting the scope of our work to those areas of the County that seek assistance based on willingness to file reports.

Except for internal referrals from other agencies and our Signs in the Right-of-Way program, DCC's investigative operations are conducted based on complaints taken about specific properties within the County. Historically, complaint-based enforcement carries risks of misuse by those who may seek punitive actions against certain individuals based upon race, ethnicity, background, or other discriminatory factors. Conversely, relying upon public reports of issues mitigates perceptions that the government may canvas certain parts of the community or target enforcement actions for political gain or other subversive purposes.

Another challenge to a complaint-based approach comes from an expectation for providing responsive customer service to all parties, often simultaneously – including the complainant and those subject to the complaint. This creates situations where staff may have conflicting priorities – experiencing pressure to satisfy a complainant while not creating undue hardships upon responsible parties subject to violations. Complainants routinely attempt to influence investigations which may lead to biased or otherwise inequitable treatment.

The department continues efforts to address the use of language, terminology, and offers opportunities to engage with the public to ensure that complaints are handled through an equity lens. DCC conducts no canvassing, accepts all complaints, and emphasizes consistency of process and objectivity in investigative protocols. While we are responsive and respectful to complainants, our primary duty is to the safety of the public and occupants of a structure, and to operate to ensure efficient and effective use of County resources in meeting our mission.

Rules apply to everyone, but not everyone knows the rules.

DCC's Vision is "to be a leader in the preservation and protection of healthy and desirable neighborhoods." DCC prioritizes education to the public on the applicable county codes to ensure the safety of residents, protect communities, and provide safe home and workplace conditions. As a primarily complaint-based agency, achieving an effective level of outreach and education to all stakeholders is a significant communications challenge. Many members of the public, as well as other County staff, do not know exactly what DCC does, why we enforce codes, which codes we enforce, and how code enforcement helps save lives and improve neighborhood livability. Unfortunately, many residents are unaware of code violations which create potential life safety issues in their own homes.

To address outreach obstacles, DCC participates in the County's Joint Training Academy (JTA), which offers us an opportunity to educate other agencies and help them help us by spreading the word about our operations. We intend to strengthen these communication partnerships by using other agencies' communication channels and media to amplify our messaging. Finally, we make use of internal resources to provide material in multiple languages and offer help when faced with language barriers – such as using the interpretation language line, providing translations of written materials, and hiring a diverse, multilingual staff.

County Codes and Ordinances can be difficult to understand, and access to information is unequal among different populations.

The agency has an extensive website to provide information, but many individuals face impediments to accessing the website due to technology limitations or other factors – such as language barriers. Digital equity reporting shows that download speeds, broadband access, and digital literacy are not evenly distributed, which limits access to our online resources. Also, since our services are initiated on a complaint basis, residents, tenants, businesses, or other property owners may not seek information until they are subject to an investigation.

While we receive around 8,000-9,000 complaints per year, many complainants are anonymous, which hinders our ability to analyze or collect data about how or why those individuals sought our assistance. Intake and investigative staff communicate and offer help through in-person, email, and phone, but we are not achieving the outreach and education necessary to inform the County at-large on their responsibilities for maintaining their properties in compliance with codes and ordinances.

As the County continues to adapt to the post-pandemic "new normal," DCC has been a practice area leader in providing service in multiple ways - accepting walk-ins and other responsive customer service through field visits, office meetings, supporting continuity of service with our Investigator/Supervisor of the Day, and conducting virtual meetings.

DCC Investigators are trained in multiple code disciplines, but gaps in capacity persist in certain enforcement functions, and we look to other agencies for subject matter knowledge and investigation assistance. Developing consistent

messaging and establishing internal and external partnerships can help reduce the likelihood that enforcement actions create disparate treatment.

The size and scope of Fairfax County Government operations presents opportunities to collaborate and leverage resources across multiple departments. DCC was created in 2010 to consolidate existing enforcement functions which focused on “quality of life” issues – including Zoning, Property Maintenance, Fire Safety, and preventing unpermitted construction. This model creates an efficient and effective method for conducting inspections and gaining compliance with multiple codes. However, we rely on partner agencies to supplement our enforcement activities, and we must work continuously to maintain strong working relationships and align priorities among multi-agency teams. As front-line staff working directly with the public, DCC needs to be aware of countywide equity challenges so that we are better able to identify when there may be associated barriers to obtaining compliance, and how our operations can complement the activities of other agencies and outside organizations (e.g., non-profits, civic groups, religious and educational institutions, etc.).

To address these information gaps, DCC organizes frequent liaison meetings with the Fire Marshall’s Office, Land Development Services, and Zoning staff. DCC also leads the Hoarding Committee, which includes internal and external partners; serves as part of the Emergency Action Committee; and provides on-call service in the event of emergencies requiring after-hours investigations.

System-Level Infrastructure:

As a general matter, DCC relies extensively on internal resources (e.g., technology, communications channels), subject matter expertise, and legally delegated authority from partner agencies. While we conduct work independently, it is important to align our operations with the organizational strategies being deployed by those other departments. Looking ahead to 2024, we aim to explore opportunities to “piggyback” our engagement and outreach efforts with these other agencies, leveraging joint communications to broadcast proactively to a larger, and more inclusive, audience.

DCC requires continued support from those partners, including, but not limited to:

- **Department of Planning and Development (DPD)** – DPD enforces, maintains, and administers the provisions of the Fairfax County Zoning Ordinance and Noise Ordinance and is charged with processing all zoning applications submitted to the County, and formulating recommendations to the approving bodies. The Zoning Administrator delegates authority to DCC to enforce the Zoning Ordinance. In developing and implementing policies that DCC will be enforcing, DPD provides routine updates and solicits involvement from DCC as part of the Zoning Ordinance Amendment process and ensures our agency is aware of pending considerations by the Board. DCC consults with DPD staff to ensure that applicants subject to enforcement understand the appeals, permitting, and other zoning evaluation functions so that they have a path to compliance for all violations.

- **Land Development Services (LDS):** with responsibility for overseeing the County's application of the Virginia Uniform Statewide Building Code (VUSBC), the Building Official delegates authority for DCC to conduct inspections and issue Notices of Violation under Part I of the VUSBC. LDS also assists DCC in conducting certain inspections, such as those involving land disturbance or work conducted in resource protection areas and plays a critical role helping customers seeking permits to correct violations cited by DCC. Finally, LDS supports DCC by offering website and technology assistance to our agency.
- **Department of Public Works and Environmental Services (DPWES):** DCC relies on DPWES Stormwater Planning Division to provide subject matter knowledge in determining violations of Zoning Ordinance provisions concerning runoff and land disturbance. DPWES Urban Forestry provides subject matter knowledge in determining violations of site plan landscaping or other tree protection conditions. DPWES also services the transfer-station site holding illegal signs in the right-of-way that have been deposited by DCC contractors. DPWES Stormwater Maintenance team assists in coordinating court-ordered property cleanups. Solid Waste Management and the Health Department work under the Clean Streets Initiative to address dumping on the street, and DCC refers cases to this program. Solid Waste also oversees certain litter cleanup efforts, including Operation Stream Shield.
- **Department of Family Services (DFS):** DCC collaborates with and refers casework to DFS when dealing with situations involving older adults, adults with disabilities, and child welfare.
- **Community Services Board (CSB):** DCC identifies and makes referrals to CSB, particularly for intervention in situations where residents are facing mental/behavioral health challenges. This is an important partnership that benefits us in cases involving hoarding.
- **Fire Department/Fire Marshall's Office:** DCC and the Fire Marshall operate under an MOU in which DCC has certain responsibilities for casework, including enforcement of residential sections of the Virginia Statewide Fire Prevention Code. The Fire Marshall's Office is a key contributor of subject matter knowledge and collaboration in joint inspections. We coordinate with the Fire Department and Neighborhood and Community Services' Office for Children to refer casework pertaining to in-home childcare. We also work closely with the Fire Marshall to determine enforcement toward commercial properties that may have either unpermitted construction or be operating without a Non-Residential Use Permit/Certificate of Occupancy, as well as Fire Code violations.
- **Police Department:** DCC benefits from having a designated Police staff liaison assigned to our agency. The DCC Police Liaison maintains the interagency coordination function and allows DCC to safely conduct inspections with support from Police when necessary. The Liaison staffs the DCC Safety Committee and provides training and expertise to improve the safety of the agency. Police Officers also

provide support and collaboration in joint inspections. FCPD assists in serving warrants and executing legal directives. DCC works closely with FCPD in matters involving inoperative vehicles or referring cases for parking enforcement. Finally, the FCPD Animal Protection Police serve an important role in cases involving animal hoarding or other animal endangerment situations that DCC may discover.

- **Sheriff's Office:** The Sheriff's Office assigns two Deputies to DCC who assist with serving legal notices of violation and supporting investigators in certain high-risk situations. The Deputies also coordinate across state borders with other Sheriff's Offices to serve legal notices outside of Virginia. Along with FCPD, Sheriff's Office also assists us serving warrants or in executing legal directives.
- **Office of the County Attorney (OCA):** The County's Attorneys are responsible for handling legal actions initiated by DCC. OCA works with DCC investigative staff to prioritize cases and prepare for court. OCA also reviews DCC policies and procedures to ensure we are our meeting legal obligations. Any procedural changes that substantively modify practices to permit additional investigator discretion to promote equity must be carefully considered to manage legal risks.
- **Office of Public Affairs (OPA):** As a smaller agency, DCC lacks designated communications staff, and relies upon OPA to provide Public Information Officer (PIO) role, as well as generally informing our communications and outreach strategies. OPA also provides technical assistance for video and media production coordinated with the Channel 16 team.
- **Health Department:** The Health Department coordinates with DCC in conducting joint inspections of restaurants and commercial establishments. We refer cases to the Health Department for their investigation of various environmental health concerns, including lead-based paint; septic systems; food safety; pests; and more.
- **Park Authority (FCPA):** FCPA assists DCC in providing subject matter expertise and consultation to inform enforcement of the County's running bamboo ordinance. We also refer illegal dumping complaints for the attention of FCPA when trash and debris are being stored or dumped on County parkland.
- **Public Schools (FCPS):** DCC receives and handles complaints regarding school property, including illegal signage placed along roadways; noise and quality of life complaints resulting from proximity to FCPS operations and sporting events; and reports of construction problems on FCPS property. DCC works collaboratively with schools' leadership to address concerns and maintain a strong working relationship between county/schools on these neighborhood issues.
- **Courts:** working with the OCA, DCC proceeds with legal action through the judicial system in Fairfax County. DCC also uses Court records systems to investigate historical legal actions, conduct deed research, and assist in case preparation.

- **Board of Supervisors Offices (BOS):** DCC offers a unified response and action process for various concerns raised through the BOS. Members and their staff can contact DCC to receive priority assistance for questions about our enforcement practices, or request casework be opened and handled on behalf of constituents. We create sustainable working relationships with all BOS offices so that they have confidence in our ability to efficiently act to address concerns, and so BOS can share our resources with those who need services from DCC.
- **Department of Human Resources:** DCC will coordinate with DHR/Employment to advertise jobs in diverse publications and outlets to intentionally reach a more diverse applicant pool. Also, DCC HR will incorporate equity language into job announcements to ensure potential applicants are aware of some of the equity work we are doing and the tie to Fairfax County's One Fairfax initiative.

DCC HR will initiate a new hire survey(s) regarding new employee orientation to ensure equity is introduced as an important component to the work culture in the department. Additionally, new hires will be surveyed regarding the onboarding experience to measure equity and fairness in training, classroom and field.

In coordination with the DCC Equity Team and consultation with OD&T an DCC Equity Curriculum will be developed to ensure new hires and current employees receive training and information regarding equity.

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DEPARTMENT GOALS

Goal 1: Capitalize on engagement and outreach opportunities which provide proactive education to the community about the importance of code and safety requirements.

One Fairfax Area(s) of Focus:

- 6. Community and public safety that includes services such as fire, emergency medical services, police, health, emergency management and code enforcement that are responsive to all residents so that everyone feels safe to live, work, learn, and play in any neighborhood of Fairfax County
- 8. Neighborhoods that support all communities and individuals through strong social networks, trust among neighbors, and the ability to work together to achieve common goals that improve the quality of life for everyone in the neighborhood.11. A quality built and natural environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner that includes mixes of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life, and promotes employment opportunities, housing, amenities and services for all people.

Countywide Strategic Plan Community Outcome Area(s): Safety & Security (SS), Effective and Efficient Government (EEG), Healthy Communities (HC), Housing & Neighborhood Livability (HNL)

Relationship to Countywide Strategic Plan Strategies/Metric(s):

- Strategy SS 2: Strengthen community relations and trust through outreach, community engagement, partnerships, and active recruiting and hiring of qualified personnel who reflect the communities they serve.
- Strategy SS 6: Partner with community and business organizations to strengthen code compliance education of property owners in order to increase their voluntary compliance and accurate reporting.
- Strategy SS 7: Implement proactive outreach programs in areas of the county identified as having the highest volume of calls and code violations.
- Strategy HC 14: Expand our capacity to effectively reach and engage residents in the design and implementation of health promotion initiatives through strategic partnerships and collaborations.
- Strategy HNL 22: Encourage and enhance a sense of place by establishing community gathering spaces and by analyzing where people are underserved by community amenities and business services and providing information and support to businesses to locate in those areas, with a special focus on revitalization areas.
- Strategy EEG 3: enhance communication and outreach to the community...; Strategy EEG 4: Improve public participation and engagement opportunities to ensure all facets of the community are represented and have the physical, technological, and language access necessary to engage and participate in community discussions and decisions.

Metric SS: % of code compliance violations that are resolved/corrected by property owner within 30 days

Actions	Stakeholders	Resources/ Supports	Responsible Parties	Timeline	Performance Measures
1a. Develop an agency communications strategy and execute an annual outreach plan which focuses on proactive engagement through partnering with	OPA	Other County Agencies and external partners	DCC Communications & Public Engagement Workgroup	Q2 2024 updated annually thereafter	<ul style="list-style-type: none"> • # of multi-agency/partnered events attended

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internal agencies and external community organizations and is forward looking for future year opportunities.					<ul style="list-style-type: none"> • Feedback responses from attendees
1b. Produce and amplify monthly (or more frequent) outreach newsletters, such as DCC’s Code Compliance Corner, with content informed by internal and external feedback	Partner Agencies, BOS, Members of public	LDS Web Team; OPA	DCC Communications & Public Engagement Workgroup	Ongoing	<ul style="list-style-type: none"> • # of newsletters distributed • Feedback from viewers
1c. Review and revise all topical web content pages – sites and flyers	Partner Agencies, BOS, Members of public	LDS Web Team; OPA	DCC Communications & Public Engagement Workgroup	Q4 2024	<ul style="list-style-type: none"> • Number of sites revised

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Goal 2: DCC staff will increase staff awareness of equity challenges facing the County and DCC.

One Fairfax Area(s) of Focus: 16. Intentional, focused recruitment efforts that bolster a diverse applicant pool; hiring and evaluation practices, and processes for employee feedback, to achieve and preserve a culture of equity and fairness for all employees.

Countywide Strategic Plan Community Outcome Area(s): Effective and Efficient Government (EEG)

Relationship to Countywide Strategic Plan Strategies/Metric(s):

Strategy EEG 9: Make the onboarding process for all new employees streamlined, consistent and compelling, so that staff have the information, tools and technology they need to begin their county careers effectively.

Strategy EEG 11: Expand employee learning opportunities to increase staff competencies and experience in the areas of leadership, equity, cultural proficiency, use of technology and innovation to meet the needs of a changing environment.

Strategy EEG 13: Implement a workplace culture change effort to actively promote equity and inclusion, collaboration, excellence, innovation, customer service, transparency, accountability and trustworthiness.

Actions	Stakeholders	Resources/ Supports	Responsible Parties	Timeline	Performance Measures
2a. DCC "All Hands" meetings will include an equity component – ensuring that applicable training material is tied to One Fairfax Policy and DCC EIP – and providing timely updates on the progress of the DCC Equity Team and EIP implementation	DCC staff	One Fairfax Central Team	DCC Leadership Team	Ongoing	# of equity-focused training topics offered
2b. Incorporate an equity unit into DCC New Investigator Training and all-staff onboarding	DCC staff	OD&T; One Fairfax Central Team	DCC Leadership Team	Q2 2024 to begin.	# of new or existing staff to complete training module
2c. Update job announcements to reflect County and Agency equity goals	Potential Candidates	DHR	DCC Leadership Team	Q1 2024	# of qualified applicants

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Goal 3: DCC will continuously evaluate casework - including requests for legal action and investigative protocols - to ensure that actions taken are aligned with DCC's commitment to seeking voluntary compliance and not creating unnecessary hardships.

One Fairfax Area(s) of Focus: 7. A criminal justice system that provides equitable access and fair treatment for all people.

17. Policies that prohibit all forms of discrimination under Federal and State law in county and school system activities, and ensure that all practices provide fair treatment for all employees, contractors, clients, community partners, residents, and other sectors who interact with Fairfax County including higher education, business, nonprofit, faith, philanthropy, and civic.

Countywide Strategic Plan Community Outcome Area(s): Safety & Security (SS); Effective & Efficient Government (EEG)

Relationship to Countywide Strategic Plan Strategies/Metric(s):

Strategy SS 15: Develop and implement recommendations to ensure that all community members are treated fairly and equitably in the enforcement of laws and their experiences with the adult and juvenile justice systems, whether they are defendants, victims of crime or witnesses.

Strategy EEG 1: Implement a human-centered, highly responsive design approach across county and school programs and services to improve the customer experience.

Strategy EEG 16: Ensure diverse representation and inclusiveness in power and decision-making opportunities.

Strategy EEG 21: Strengthen the use of data-informed decision making through regular data collection, evaluation and distribution.

Actions	Stakeholders	Resources/ Supports	Responsible Parties	Timeline	Performance Measures
3a. Review and update contents of the Code Investigation Handbook and other Knowledge Management System protocol/process/policies/guidelines to reflect an equity focus	DCC, General public, individuals/entities subject to enforcement	OCA, Partner Agencies	DCC Leadership Team	Q4 2024 and ongoing	<ul style="list-style-type: none"> # of DCC policies reviewed/ revised
3b. Monitor for consistent application of legal action in coordination with the OCA	DCC, OCA	OCA	DCC Director, Deputy Director, Code Authority	Ongoing	<ul style="list-style-type: none"> # of requests for legal action (by discipline)
3c. Evaluate casework based on discipline (e.g. property maintenance, zoning) to define acceptable criteria for applying discretion under the applicable code or ordinance.	DCC, Partner agencies, OCA	OCA and Partner Agencies	DCC Leadership and Partner agencies	Ongoing	<ul style="list-style-type: none"> # of new investigation guidelines established or revised
3d. Develop a scope of work for a survey or other feedback mechanism to allow public input into DCC operating principles	DCC, Partner agencies, Members of the public	OPA, DIT	DCC Communications & Public Engagement Workgroup	Q3 2024	

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Goal 4: DCC will use data and feedback to organize work units to build capacity; maintain effective internal and external partnerships; improve responsiveness based on equity considerations; and ensure fair distribution of casework among supervisors and investigative staff.

One Fairfax Area(s) of Focus: 6. Community and public safety that includes services such as fire, emergency medical services, police, health, emergency management and code enforcement that are responsive to all residents so that everyone feels safe to live, work, learn, and play in any neighborhood of Fairfax County.

Countywide Strategic Plan Community Outcome Area(s): Safety & Security (SS); Effective & Efficient Government (EEG)

Relationship to Countywide Strategic Plan Strategies/Metric(s):

Strategy SS 1: Ensure public safety agencies have the training, equipment and resources needed to deliver timely and effective services, and develop ways to measure and report on the quality of those services.

Strategy SS 7: Implement proactive outreach programs in areas of the county identified as having the highest volume of calls and code violations.

Strategy EEG 1: Implement a human-centered, highly responsive design approach across county and school programs and services to improve the customer experience.

Strategy EEG 11: Expand employee learning opportunities to increase staff competencies and experience in the areas of leadership, equity, cultural proficiency, use of technology and innovation to meet the needs of a changing environment.


Strategy EEG 16: Ensure diverse representation and inclusiveness in power and decision-making opportunities.

Strategy EEG 21: Strengthen the use of data-informed decision making through regular data collection, evaluation and distribution.

Actions	Stakeholders	Resources/ Supports	Responsible Parties	Timeline	Performance Measures
4a. Collect data including case statistics and observational/qualitative information to develop and implement a reorganization plan	DCC	CEX	DCC Leadership Team	Q2 2024	# of cases assigned per investigator
4b. Establish, reestablish, and continue ongoing meetings for purposes of collaboration and relationship management with all internal partner agencies	Partner Agencies	DCC Liaisons and Partner Agencies	DCC Leadership Team	Q2 2024	# of internal partnership meetings held
4c. Identify and contact key external organizations and parties to engage in development of collaborative partnerships (e.g., Neighborhood Colleges)	Interest Groups, General public	Partner Agencies, OPA, BOS	DCC Leadership/ DCC Communications & Public Engagement Workgroup	Q3 2024	# of external partnership meetings held
4d. Develop and conduct an annual feedback exercise with Boards of Supervisor Offices	BOS, General Public	OPA, BOS	DCC Director/Dep. Director	Q4 2024	<ul style="list-style-type: none"> Service level satisfaction Qualitative critique

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Department Director's Signature: _____


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