

Department of Code Compliance

LOB #249:

CODE COMPLIANCE OPERATIONS

Purpose

This DCC Operations line of business is responsible for investigating concerns pertaining to violations of the Fairfax County Zoning Ordinance, Noise Ordinance, Uniform Statewide Building Code, Part I (unpermitted construction) and Part III (Virginia Maintenance Code), Chapter 46 of the Fairfax County Code as it pertains to buildings and structures, and the Statewide Fire Prevention Code, as it pertains to the dwelling units within apartment houses; and most detached one and two-family dwellings, and townhouses not more than three stories high.

Field Operations conducts investigations and interviews, educates citizens about code violations, placards properties with unsafe violations, and conducts follow up inspections to ensure compliance. Additionally, Operations staff routinely responds to citizen inquiries, the Board of Supervisors, and community groups to provide information and education pertaining to Fairfax County Code Enforcement activities.

DCC Operations is responsible for conducting site inspections and ensuring abatement when there is non-voluntary compliance regarding alleged violations of the Chapter 119, Fairfax County Code, Grass or Lawn Area Ordinance. This program is enforced during the growing season which runs from April through mid-October.

DCC Operations is also responsible for the coordination of the Spot Blight Abatement Program (Va. Code Ann. §36-49.1:1). This program focuses on individual commercial, industrial, or residential structures or improvements that endanger the public's health, welfare, or safety because the structure or improvement upon the property has deteriorated or violates minimum health and safety standards. These properties account for about one percent of our service requests and take a long time to resolve.

In addition, DCC Operations includes a Special Investigations Unit (SIU). The primary purpose of the SIU is to work with our Public Safety partners investigating various commercial establishments that may be using their properties for uses not permitted under the zoning ordinance, activities that are illicit in nature, and may be a risk to public health and safety.

Description

DCC Operations focuses on the assignment and resolution of complaints within five field divisions based on the complaints' geographic location in Fairfax County. Complaints are received through a Central Intake center. These requests for service come to the attention of the DCC from a variety of sources such as customer calls, website intake, and referrals from other agencies. Operations staff follows up on these inquiries utilizing a review process which often involves research, investigation, documentation, issuance of formal notices of violation, follow-up inspections to ensure compliance, referral to court processes. The case management process can vary widely depending on the technical disciplines involved, as well as, DCC staff ability to contact the property owner and/or the willingness of the owner or tenant to comply.

Compliance timelines can vary from short-duration grass enforcement cases wherein an owner readily responds to cut their grass within a few days, to long-term, multi-year cases involving correction of illegally and extensively subdivided structures or illegal uses of houses or properties, to blight abatement cases requiring Board of Supervisors' Public Hearings to abate blighted conditions.

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Benefits

DCC Operations activities are directly related to service requests entered by the citizens, Board of Supervisors, and other county agencies. These activities are focused on ensuring that DCC achieves our mission to protect the lives, property and environment of the Fairfax County community by providing a resource of trained professional that promote and protect the integrity of the neighborhoods in Fairfax County. DCC Operations staff accomplishes this utilizing communication, cooperation, and education in partnership with relevant Code Officials and the community, in addition to engaging enforcement methods when necessary.

The impact and resolution of our case management process ensures a dedication to maintaining safe and caring communities. The majority of issues are resolved with voluntary compliance and education regarding proper code related issues to the citizens involved. Operations staff and their activities directly illustrate to citizens a dedication to the preservation of their neighborhoods and protecting these neighborhoods from threats to their health and safety due to unhealthy or unsafe property conditions.

Mandates

- Chapter 112 of the Fairfax County Code, Fairfax County Zoning Ordinance
- Part III of the Uniform Statewide Building Code, Virginia Maintenance Code
- Part I of the Uniform Statewide Building Code as it pertains to work without permits
- Chapter 108 of the Fairfax County Code, Noise Ordinance
- Chapter 119 of the Fairfax County Code, Grass or Lawn Area
- Chapter 46 of the Fairfax County Code as it pertains to buildings and structures
- Statewide Fire Prevention Code, as it pertains to the dwelling units within apartment houses; and most detached one and two-family dwellings, and townhouses not more than three stories high
- Va. Code Ann. §36-49.1:1, Spot Blight Abatement

Trends and Challenges

DCC Operations has continued to receive a steady volume of service requests since the creation of the Department of Code Compliance in 2010. DCC receives approximately 15,000 calls per year resulting in approximately 8,000 service requests received from citizens, BOS and other stakeholders. Since the creation of the Department in 2010, zoning and property maintenance complaints continue to represent the most frequent complaint type.

Grass complaints constitute approximately twenty percent of the complaints received annually. This often is an early indicator of potentially larger health and safety issues that impact neighborhoods. While most of the grass complaints are resolved with voluntary compliance once the owner has been notified and educated by the Grass Inspector, approximately fifteen percent of the complaints require further referral to appropriate investigative staff for other more serious health and safety/property maintenance issues.

Citizens are very concerned about the aesthetics of their community therefore DCC has experienced a demand to clean up signs in the right-of-way, banner or fluttering signs, and signs placed on service roads or in front of businesses. In partnership with the Fairfax County Office of the Sheriff's Community Labor Force and VDOT, DCC serves in a leadership capacity on the sign collection program which removes these signs from the rights-of-way (ROW) and service roads. DCC is experiencing a rising demand to do more than collect ROW signs and is reviewing methods to achieve improved compliance. Additionally, the sign ordinance is currently under review thus limiting the enforcement of the sign ordinance.

The sign ordinance issue is indicative of the complexity of citizen expectations and the flexibility required of the DCC in responding to these expectations. DCC continues to gauge community trends and service

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delivery needs through extensive customer outreach efforts including constant communication with members of the Board of Supervisors, civic associations, relevant Code Officials, legal entities and our public service partners.

Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
LOB #249: Code Compliance Operations			
FUNDING			
<u>Expenditures:</u>			
Compensation	\$2,866,205	\$2,877,299	\$2,866,961
Operating Expenses	425,364	344,315	460,380
Total Expenditures	\$3,291,569	\$3,221,614	\$3,327,341
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$3,291,569	\$3,221,614	\$3,327,341
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	36 / 36	36 / 36	35 / 35
Total Positions	36 / 36	36 / 36	35 / 35

Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Percentage of first inspections conducted within 20 days	96%	97%	97%	97%	97%
Percentage resolved within 120 days with no litigation	86%	85%	86%	90%	90%

Two metrics provide direct measurement of Field Operations efficiency and effectiveness, the first being: to conduct first inspections within 20 business days. The goal of completing the site inspection is to evaluate the legitimacy of the complaint and quickly determine if there are life safety violations that need to be addressed immediately, in addition to being responsive to the community concerns. Once contact is made and the violations are explained to the responsible party, the goal is to gain voluntary compliance correcting the issues as soon as possible. Once DCC has been able to educate the responsible party a Notice of Violation is prepared and sent using Sheriff process service to initiate due process and speed along compliance.

The second metric is to achieve compliance within 120 days in order to avoid litigation. The goal is to achieve efficiency and effectiveness to get the violation resolved to protect the responsible party from a civil suit and ensure the quality and the integrity of the community is maintained. A follow up inspections is conducted approximately 45 days after the Notice of Violation is served or sooner if notified by the responsible party that they have fixed the issue. This follow up is used to encourage compliance as soon as possible in order to manage resources and maintain the neighborhood.