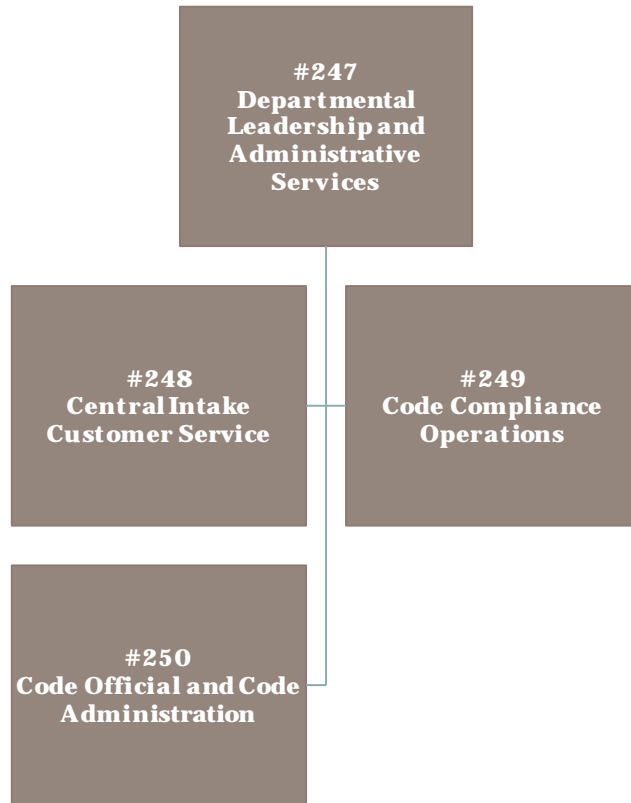


Department of Code Compliance



Department Overview

The Department of Code Compliance (DCC) was created on July 1, 2010 as an adaptable, accountable, multi-code enforcement organization within a unified leadership/management structure that responds effectively and efficiently toward building and sustaining neighborhoods and communities. DCC was created by combining the functions of the Code Enforcement Strike Team, the majority of the Zoning Enforcement function in the Department of Planning and Zoning (DPZ), components of the former Code Enforcement Branch in the Department of Public Works and Environmental Services, the Blight Program from the Department of Housing and Community Development, and a small portion of the Environmental Health Division of the Health Department.

The organization of DCC is based on a combination of traditional staff alignments in code enforcement combined with the development of teams comprised of staff proficient in all aspects of code enforcement to address issues related to the Codes enforced by, or granting authority to, the Department of Code Compliance (DCC):

- 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

Department of Code Compliance

The mission of the Department of Code Compliance is to provide services to protect the lives, property and environment of our community by providing a resource of trained professionals that promote and protect the integrity of our neighborhoods. This is accomplished through the enforcement of Codes and utilizing communication, cooperation, and education in partnership with the community. It should be noted that Public Safety staff from the Office of the Sheriff, Police Department, and Office of the Fire Marshal are additionally deployed from their home agencies to provide public safety support to the agency.

Utilizing an integrated approach, the DCC business areas (Agency Leadership and Administrative Services, Complaint Intake/Customer Services, Operations, and Code Official/Administration) are dedicated to being a leader in code compliance and committed to responsive resolution of neighborhood concerns.

Department Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
FUNDING			
<u>Expenditures:</u>			
Compensation	\$3,516,205	\$3,527,299	\$3,662,961
Operating Expenses	517,364	415,846	562,380
Total Expenditures	\$4,033,569	\$3,943,145	\$4,225,341
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$4,033,569	\$3,943,145	\$4,225,341
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	44 / 44	45 / 45	45 / 45
Total Positions	44 / 44	45 / 45	45 / 45

Lines of Business Summary

LOB #	LOB Title	FY 2016 Adopted	
		Disbursements	Positions
247	Departmental Leadership and Administrative Services	\$355,000	3
248	Central Intake Customer Service	340,000	5
249	Code Compliance Operations	3,327,341	35
250	Code Official and Code Administration	203,000	2
Total		\$4,225,341	45

Department of Code Compliance

Lines of Business

LOB #247:

DEPARTMENTAL LEADERSHIP AND ADMINISTRATIVE SERVICES

Purpose

The Department of Code Compliance is a unified code enforcement organization focused and dedicated to the understanding that the community is constantly changing and citizen demands and expectations for quality service delivery are high. Our ability to partner with the neighborhoods and communities toward identifying code enforcement trends, and then effectively addressing those community concerns and trends is a core component of our department leadership philosophy.

Description

The Department of Code Compliance is under the general supervision of the Deputy County Executive for Planning and Development, and under specific delegation works collaboratively with the Zoning Administrator, Property Maintenance Official, Building Official, Fire Code Official, and Health Code Official, to ensure compliance and/or enforcement of applicable codes.

The DCC Leadership team is comprised of the Director, Operations Manager, the Code Official, Administrative Services Manager, Complaint Intake and Case Documentation Supervisor, and Field Operations Division Supervisors.

Administrative Services includes responsibilities for the Department's financial and human resources functions, training and employee development needs, strategic analyses, performance measurement, workforce planning, succession planning, and organizational development, in order to ensure services and resources are aligned with the agency's mission.

Benefits

DCC is dedicated to being a leader in code compliance and committed to responsive resolution of neighborhood concerns. The Directors Office guides agency leadership in remaining focused on the vision and values as stated in the DCC Strategic plan:

Education – a commitment to providing educational and training programs through a dynamic learning system designed to meet the changing needs of our community, our work force and the public.

Commitment – a dedication to providing the highest level of professional service consistent with the goals and values of our organization.

Teamwork - value the collective strengths and resources of our staff by sharing, collaborating and learning from others to achieve best results.

Respect – working together and treating colleagues and members of the public with compassion, dignity and professionalism.

Integrity – ensuring our staff conduct themselves according to the highest ethical standards by communicating openly and honestly to build a sense of mutual trust while delivering quality services.

Communication – continually fostering a culture that stimulates and supports a free and open exchange of ideas, information and knowledge through community participation and outreach.

Department of Code Compliance

Mandates

The Directors Office and Administrative Services is not mandated; however, these individuals ensure strict adherence to Fairfax County rules and regulations and federal laws related to human resources and financial activities (recruitment, hiring practices, time and attendance, work hours, employee relations, records retention, confidentiality, employee health and safety, driving records review, employee assistance, ADA, FMLA, EEO, separation of duties, internal control procedures, financial reconciliation, evaluation and assessment of organizational performance measures).

Trends and Challenges

Board of Supervisors and citizen expectations require a highly technical and integrated, collaborative approach, often with many agency representatives, to determine the best possible solution for attempting to resolve complicated community concerns such as Blight Abatement, Hoarding, Zoning, Property Maintenance, health and safety issues, overcrowding, Noise Ordinance, Sign Ordinance; and the interpretation and enforcement challenges associated with these cases.

DCC was created in 2010 as a consolidation of staff from varying partnering agencies. DCC has identified challenges related to the need for additional administrative support and dedicated IT personnel. DCC has partnered with various agencies during the evolution of the agency to provide critical needed administrative services. Most of the services are now handled in-house with the exception of dedicated agency IT personnel. DCC IT needs include: desktop support and PC replacement; agency requirements related to the Fairfax Inspections Database Online (FIDO) replacement project; improving the agency's ability to ensure quality and efficiency in case processing; generating dashboard data related to agency performance metrics; and providing a method to engage in community outreach utilizing an agency web page and other current social media methods.

Recently, the Code Administration Section was created for the Department of Code Compliance in an effort to assist the DCC Code Authority. The Code Authority is required to make decisions with in short timeframes and/or with strict deadlines on a daily basis. The time-sensitivity is typically related to court dates, life safety and/or issues of critical community concern, public hearings, and legal deadlines. Assistance to the Code Authority will provide the necessary support to facilitate faster and more efficient decision making in daily processes, reducing the time it takes to resolve or make progress on cases and afford the Code Authority opportunities to improve service delivery. The creation of this section is critical to ensuring case management quality, particularly for the almost 400 cases annually submitted for litigation. The Section will also be engaged with DCC staff as a resource when working with the public, providing staff training, and conducting research needed to solve complex problems and cases.

Department of Code Compliance

Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
LOB #247: Departmental Leadership and Administrative Services			
FUNDING			
Expenditures:			
Compensation	\$250,000	\$250,000	\$316,000
Operating Expenses	36,000	30,000	39,000
Total Expenditures	\$286,000	\$280,000	\$355,000
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$286,000	\$280,000	\$355,000
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
Positions:			
Regular	2 / 2	3 / 3	3 / 3
Total Positions	2 / 2	3 / 3	3 / 3

Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Agency planning activities linked to strategic initiatives	11	21	19	19	19
Number of annual workforce planning objectives achieved	1	2	1	2	3
Percentage of employees completing training/employee development opportunities identified in the CMP	NA	NA	NA	75%	75%
Number of Participants at Neighborhood and Community Leaders Conference	NA	NA	136	150	175

The Director's Office/Administrative Services group endeavors to provide clear direction, leadership, and strategic management necessary for, and in support of, DCC to achieve its mission to serve its customers and community.

Department of Code Compliance

Agency planning activities linked to strategic initiatives

The DCC Strategic Plan was established as a roadmap of goals and objectives to guide both current and future programmatic and operational initiatives in harmony with the Fairfax County Vision Elements. The Strategic Plan is intended to provide strategic directions for change that will be implemented through initiatives such as, focusing on achieving outcomes, creation of process improvements that are integrated into existing systems, developing responsibilities for achieving outcomes and measuring progress, and ensuring continuous analysis and refinement of strategic directions and programs. The plan lists twenty one initiatives, some of these are limited in scope and have been completed, while others are intended to be ongoing.

Number of annual workforce planning objectives achieved

DCC is dedicated to continually evaluating our staffing needs and works very closely with our Central partners in the Department of Human Resources and the Department of Management and Budget during workforce planning sessions to ensure that the agency's staffing needs are reviewed and properly considered in order to best achieve the mission. Due to fiscal constraints, alternative solutions to achieving workforce planning objectives are explored. The Department of Code Compliance continues to pursue additional staffing in the area of Complaint Intake and dedicated agency Information Technology personnel and it is anticipated that the number of annual workforce planning objectives achieved will increase in FY 2017.

Number of employees receiving training/employee development activities identified in the Career Management Plan

DCC is dedicated to ensuring employees possess the technical competencies required to perform the duties in their assigned positions. In addition, the department is committed to promoting continuous learning and employee development opportunities. Supervisors and employees continually discuss training goals and include these training goals in the employees' Career Management Plan (CMP) during the employee's Performance Evaluation Process. This metric is expected to increase in future years, as employees and supervisors become more familiar with the new Performance Evaluation Process and the CMP tool.

Increased number of participants at the annual Neighborhood and Community Leaders Conference

DCC was the host for the Neighborhood and Community Leaders Conference (NCLC) in the spring of 2015. This conference was intended for those individuals in the Community that are leaders in their community such as Home Owners Associations, Civic Associations and non-profit groups. The conference provided a full day agenda of presentations from various entities covering topics such as community association best practices, code compliance issues, community connectedness, emergency management and preparedness, Virginia Department of Transportation maintenance, successful children and youth, and zoning issues. The conference was commenced by introductions of Board members, the Deputy County Executive for Planning and Development, and Senior Agency Officials, and included nine presentations and information tables from 14 participating agencies. The number of participants at future NCLC Conferences is expected to increase.

Department of Code Compliance

LOB #248:

CENTRAL INTAKE CUSTOMER SERVICE

Purpose

Central Intake and Customer Services is responsible for managing the complaint intake and customer services center for the DCC. In addition, this business area provides all of the administrative support to DCC Operations for case processing and case documentation; ensures timely responses to Freedom of Information Act requests; ensures quality management of the data entered into the Fairfax Inspections Database Online case management tracking system; leads the business process improvement efforts and coordinates with the Department of Information Technology related to system improvements/replacements, web page content updates and assisting with agency data needs.

Description

The administration of compliance programs pertaining to Zoning, Building, Property Maintenance, and Fire Codes, as well as the Blight and Grass ordinances remain centralized in the DCC. This centralized approach to code enforcement creates a collaborative multi-functional environment that can investigate and resolve violations and concerns in the residential and commercial communities. One of the customer service highlights of the consolidation model is the provision of centralized customer services intake. By consolidating the intake processes from multiple agencies, DCC has been able to better support its customers by creating more of an integrated one-call center. This action greatly enhances customer satisfaction and support by reducing calls that, formerly, needed to be transferred to another agency and agencies.

Benefits

Central Intake and Customer Service is committed to the mission of the DCC. The mission is to provide services to protect the lives, property and environment of our community by providing a resource of trained professionals that promote and protect the integrity of our neighborhoods. This is accomplished through the enforcement of the Zoning Ordinance, Building Codes and other safety codes utilizing communication, cooperation and education in partnership with the community.

This line of business provides centralized customer services intake, by consolidating the intake processes from multiple agencies. This contributes to achieving Fairfax County vision elements such as:

Maintaining Safe and Caring Communities

The Customer Service Team maintains a high level of administrative expertise and provides assistance to citizens from the case intake process through the entire management process. The Customer Services Team also provides critical support to Operations throughout the life cycle of an investigation. This oversight and quality managements ensures we achieve our mission of providing prompt resolution of neighborhood concerns.

Exercising Corporate Stewardship

The focus of the DCC continues to be a multi-code enforcement organization within a unified leadership/management structure that responds effectively and efficiently to ensure safe, caring and sustainable neighborhoods and communities.

In addition, DCC meets with numerous civic and homeowners associations and participates in community events. These community outreach efforts are designed to educate the community about our mission and processes.

Department of Code Compliance

Mandates

Central Intake and Customer Service maintains investigation case files. These files are mandated to be available for requesting citizens as prescribed by the code:

Code of Virginia Title 2.2 - ADMINISTRATION OF GOVERNMENT. Chapter 37 - Virginia Freedom of Information Act (2.2-3700 thru 2.2-3714).

Trends and Challenges

DCC was created in 2010 as a consolidation of staff from varying partnering agencies. DCC has identified challenges related to the need for additional administrative support and dedicated IT personnel, due to fiscal constraints, DCC has been unable to acquire the necessary positions. The Complaint Intake and Case Documentation Section handled approximately 16,000 calls per year, in addition to walk-in customers, and they provide the administrative support for all DCC Operations. Currently, the merit staff are supplemented with non-merit staff, however there is a high turnover rate, losing a non-merit staff member approximately every 5 months. These positions require significant training related to the codes and ordinances. The decreased ability to answer citizen questions and interview callers for complaint details results in less than optimal service and delays for agency customers and increases the need for investigator involvement.

The administrative team also uses the case tracking database at an in-depth level in order to provide assistance to investigators and to aid in the capturing of accurate data for documentation and reporting purposes. Without a full complement of knowledgeable staff to maintain up-to-date information, the agency is vulnerable to delays with case opening, service of legal notices, follow-up inspections, gathering of research and historic materials, citizen inquiries, and legal action.

DCC continues to work with staff to reduce printing and copying supplies by reviewing internal printing policies and reducing the use of individual desktop printers by utilizing the Multi-Functional Devices available throughout the department. In addition, DCC is trying to reduce paper and toner consumption by only printing documents when necessary and by printing materials double-sided whenever possible.

Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
LOB #248: Central Intake Customer Service			
FUNDING			
<u>Expenditures:</u>			
Compensation	\$300,000	\$300,000	\$300,000
Operating Expenses	41,000	28,531	40,000
Total Expenditures	\$341,000	\$328,531	\$340,000
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$341,000	\$328,531	\$340,000
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	5 / 5	5 / 5	5 / 5
Total Positions	5 / 5	5 / 5	5 / 5

Department of Code Compliance

Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Percentage of service requests processed within two (2) business days	97%	97%	97%	97%	97%

One of the customer service highlights of the consolidation model is the provision of centralized customer services intake. By consolidating the intake process from multiple agencies, DCC has been able to better support its customers by creating more of an integrated one-call center. This action greatly enhanced customer support by reducing calls that, formerly, needed to be transferred to another agency or agencies.

The unified approach reduces the number of calls that customers need to make to report concerns or obtain information. Thus, the goal of processing all service requests within two business days was established to ensure an effective intake process and expedient service request processing and case file setup for referral to field operations. Service requests can be obtained from customer calls, website intake, emails, referrals from staff and other agencies, letters and correspondence, and a variety of other means. DCC Customer Services staff received over 15,000 calls and 5,000 web complaints in FY 2015 and processed 97 percent of the service requests within two business days. DCC's outstanding service model has ensured the ability to continue to effectively process the vast majority of service requests within one business day.

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.

Department of Code Compliance

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

Department of Code Compliance

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.

Department of Code Compliance

LOB #250:

CODE OFFICIAL AND CODE ADMINISTRATION

Purpose

Under the Direction of the Director of Code Compliance, the DCC Code Official serves as the Fairfax County Property Maintenance Code Official and Senior Deputy Zoning Administrator – collaborating closely with the Fairfax County Zoning Administrator, the Department of Code Compliance Operations Manager, the Office of the County Attorney, and other stakeholder agencies relevant to code administration, policy interpretation, and legal action.

Additionally, the Code Official manages the Code Administration Section of DCC, which is responsible for code analysis, code research, code amendment processing, legislative analysis, and litigation, all of which contributes to voluntary compliance or, other alternatives to resolving violations.

Description

The Code Official and Code Administration is responsible for the following DCC functions:

Serving as Manager of the Code Administration Section of DCC

- Makes determinations regarding the implementation and integrated use of the various codes and programs administered by DCC - such as the Uniform Statewide Building Code, Chapter 46 of the Fairfax County Code, and the blight program - in the response to complaints and abatement of violations or public menaces.
- Maintains close interaction, alignment and communication with Office of the County Attorney, and all applicable code officials including those for whom investigative staff is serving as technical assistants, and/or where authorities have been delegated to the DCC Code Official; and with DCC Field Operations for providing operational and enforcement quality control guidelines and oversight.
- Responds to requests for information and determinations from County staff, members of the public, and the Board of Supervisors in the enforcement of codes administered by DCC.
- Oversees services and functions of the Code Specialist III, which supports various responsibilities of the Code Official described herein, and also includes legislative tracking and analysis, and representing DCC work groups, committees, meetings, and public hearings.

Serving as Senior Deputy Zoning Administrator and Property Maintenance Code Official

- Providing technical assistance and determinations to DCC staff, other County staff members, and Board of Supervisors in responding to complaints and/or inquiries regarding enforcement of the Zoning Ordinance, Noise Ordinance, and Virginia Maintenance Code.
- Development and implementation of processes, policies, procedures, training and continuing education for the accurate and efficient enforcement of the Zoning Ordinance, Noise Ordinance, and Virginia Maintenance Code.
- Staffing various aspects of Zoning Ordinance amendments, including the drafting, review and comment of proposed text; public outreach and education; the public hearing process; staff training; and implementation of new or revised processes for enforcement of amended provisions.

Department of Code Compliance

Litigation

- Reviewing cases where voluntary compliance has not been obtained to determine if legal action should be initiated to obtain compliance.
- Ensuring that the determinations in Notice of Violation are correct and that legal requirements for notification and citation of violations have been satisfied so that litigation can be initiated.
- Ensuring the quality and accuracy of the investigation, analysis, and associated documentation are sufficient for referring cases for legal action.
- Authorizing, through the Office of the County Attorney, the course of, and/or resolution of, litigation associated with obtaining code compliance, including reviewing and approving terms of legal documents associated with initiating and/or resolving legal action, including, bills of complaint and agreed final orders.

Appeals

- Managing and staffing appeals pertaining to violations of Part III of the Building Code, and work without permits per Part I of the Building Code, to the Local Board of Building Code Appeals.
- Managing and staffing appeals to the State Technical Review Board pertaining to violations of Part III of the Building Code.
- Coordination with DCC and DPZ staff in appeals to the Board of Zoning Appeals.

Benefits

The Code Official and Code Administration Section provide the technical resources and guidance for enforcement of several codes, and the implementation of programs that address community concerns. These services contribute to ensuring that complaints and violations are resolved as quickly as possible, and the quality and integrity of the community is restored or maintained. Efficient and effective processing of appeals and referrals for litigation impacts the amount of time where a violation may persist because voluntary compliance has not been achieved. In addition, the integration of various code authorities available offers the potential for the Code Official to identify the most efficient and effective means for resolving and addressing of community concerns.

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 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

Department of Code Compliance

Trends and Challenges

The Code Administration section was established in FY 2016; therefore, trends and challenges are difficult to specify at this time. However, given the relationship between the functions of Code Administration and other County functions, there are certain trends and/challenges that might indicate at least some potential or likely trends and challenges.

Most notably, increases or decreases in the number of complaints to DCC Field Operations has relevance to the potential volume of cases referred for action by the Code Official, such as an appeal, request for legal action to obtain code compliance, and/or request for guidance and technical assistance in the investigation process. Field Operations has continued to receive a steady volume of service requests since the creation of the DCC in 2010. That given, the trend may be that the volume of cases referred to the Code Official could be steady, as well.

An anticipated trend and challenge in the increased demand to the Code Official and Code Administration section line of business is an increase in the number of codes and programs being enforced and/or administered. In 2015, the Code Official was granted authority to abate public menaces, per Ch. 46 of the Fairfax County Code. In addition, current and ongoing modifications to the County's blight abatement program bring additional resources – but also additional responsibilities – to the Code Official in resolving violations and/or sites of community concern. This trend in increasing scope presents both opportunities and challenges. While it will increase the resources to the Code Official in responding to complaints, there is the challenge of training and education of staff and ensuring sufficient staffing resources to meet the demands of enforcing and/or administering new codes and programs.

Another anticipated trend and challenge is meeting the demands of code amendment and legislative processes, especially as key amendments to the Zoning Ordinance and Fairfax County Code are underway and pending. Most notably, the current proposed amendment to the Noise Ordinance will require analysis, training, and the development of new investigation protocol once the amendment is adopted. In early 2016, the staff of the Code Administration section will be actively participating in an amendment to Article 12 of the Zoning Ordinance (Signs), which will likely require significant resources from the Code Administration section. The Noise Ordinance and Article 12 of the Zoning Ordinance are two major program areas for DCC.

Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
LOB #250: Code Official and Code Administration			
FUNDING			
<u>Expenditures:</u>			
Compensation	\$100,000	\$100,000	\$180,000
Operating Expenses	15,000	13,000	23,000
Total Expenditures	\$115,000	\$113,000	\$203,000
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$115,000	\$113,000	\$203,000
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	1 / 1	1 / 1	2 / 2
Total Positions	1 / 1	1 / 1	2 / 2

Department of Code Compliance

Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Number of days to review cases recommended for litigation	NA	NA	NA	15	15

The number of days to review cases recommended for litigation measures the efficiency and expediency with which the County is pursuing abatement of violations. Where voluntary compliance is not obtained, cases are typically referred to the Code Official to determine if legal action by the Office of the County Attorney is warranted to achieve compliance. The process of referring of cases for legal action requires detailed review by the Code Official to ensure that all legal requirements for investigation and notice of violations have been completed. Measuring the amount of time it takes to review cases for potential referral to the Office of the County Attorney is an additional step towards ensuring that violations are resolved as quickly as possible, and the quality and integrity of the community is restored or maintained. The goal is to have the referral for legal action reviewed within 15 days of submission to the Code Official.