

*(Also See Property Under County Control Amendment 16-17-2,
Taxation and Finance Amendment 17-17-4,
Minimum Private School and Child Care Facility Standards Amendment 18-17-30,
Building Provisions Amendment 19-17-61,
Excavation and Utility Line Installation Amendment 20-17-63,
Individual Sewage Disposal Facilities Amendment 21-17-68.1,
Expedited Building Plan Review Amendment 22-17-71,
Subdivision Provisions Amendment 23-17-101,
Streets and Sidewalks Amendment 24-17-102,
Air Pollution Control Amendment 25-17-103,
Erosion and Sedimentation Control Amendment 26-17-104,
Problem Soils Amendment 27-17-107,
Zoning Ordinance Amendment ZO-17-466,
Expedited Land Development Review Amendment 28-17-117,
Chesapeake Bay Preservation Ordinance Amendment 29-17-118,
Grass or Lawn Area Amendment 30-17-119,
Tree Conservation Ordinance Amendment 31-17-122,
Stormwater Management Ordinance Amendment 32-17-124,
Flood Plains Amendment 33-17-A, and
Land Development Services Fee Schedule Amendment 34-17-Q,
adopted simultaneously on July 11, 2017.)*

***ADOPTION OF AN AMENDMENT TO
CHAPTER 1 (GENERAL PROVISIONS)
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA***

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, July 11, 2017, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapter 1 (General Provisions) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA:

That the Code of the County of Fairfax, Virginia, Chapter 1 (General Provisions), is amended, as follows:

Amend Article 1, General Provisions, Section 1-1-16, Reorganization of departments, agencies and offices, by deleting paragraph (a)(5) and adding a new paragraph (b) to read as follows:

~~(a)(5) The Building Official of Fairfax County, Virginia shall be appointed by the Director of the Department of Public Works and Environmental Services.~~

(b) Effective July 12, 2017, as a result of prior action by the Board of Supervisors, a new agency to be named the Department of Land Development Services is hereby created from the operational unit of the same name that was part of the Department of Public Works and Environmental Services. It is the intention of the Board of Supervisors, by its adoption of this section, to facilitate this reorganization and to ensure continuity such that actions taken and decisions made prior to July 12, 2017, by Fairfax County officials affected by the reorganization remain in effect on and after July 12, 2017, as if such actions and decisions had been taken or made by the corresponding newly named officials. In furtherance thereof, the following shall apply:

(1) All provisions of the Public Facilities Manual, that refer to the "Director of the Department of Public Works and Environmental Services," the "Department of Public Works and Environmental Services," its divisions, branches or sections, and officials thereof whose positions shall be retitled or changed in the reorganization, shall mean the "Director of the Department of Land Development Services," "Department of Land Development Services," and the corresponding offices, divisions, branches or sections, as the case may be or if no corresponding, specified as the reorganization and separation of part of the Department of Public Works and Environmental Services into the Department of Public Works and Environmental Services and the Department of Land Development Services.

(2) For all provisions in all chapters of this Code, the term "Land Development Services" shall mean the "Department of Land Development Services." All actions taken and decisions made on and after July 12, 2017, by the Director under the title of "Director of Land Development Services" shall mean the "Director of the Department of Land Development Services."

(3) The Director of Land Development Services, or the Director's designee(s), shall be the agent of the Board of Supervisors with approval authority over all documents, plats and plans related to the subdivision and site plan process, as provided in Chapter 22, Planning, Subdivision of Land and Zoning, Title 15.2 of the Virginia Code.

(4) The Director of Land Development Services, or the Director's designee(s), may continue to execute and enforce all subdivision and site plan documents, plats and plans, agreements, bonds, letters of credit, escrows and other performance guarantees in the name of the Director of the Department of Public Works and Environmental Services or the Director of the Department of Environmental Management, as well as in the name of the Director of Land Development Services, as applicable under the circumstances.

(5) The Building Official of Fairfax County, Virginia shall be appointed by the Director of Land Development Services.

(6) The reorganization and separation of the Department of Public Works and Environmental Services into the Department of Public Works and Environmental Services and Land Development Services shall not affect any act done, any penalty incurred or any right established, accrued or accruing on or before July 12, 2017, or any proceeding, prosecution, suit or action pending on that day.

This amendment shall become effective on July 12, 2017 at 12:01 a.m.

GIVEN under my hand this 11th day of July, 2017.

CATHERINE A. CHIANESE
Clerk to the Board of Supervisors