



The Fairfax County Tree Commission
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035
703.324.1770

May 17, 2019

Fairfax County Board of Supervisors
c/o Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite
Fairfax, VA 22035

Re: Support for proposed Amendment to Chapter 122 (Tree Conservation Ordinance) of The Code of the County of Fairfax, regarding adding Civil Penalties

Dear Members of the Fairfax County Board of Supervisors:

The Fairfax County Tree Commission recommends that the Board of Supervisors (BOS) adopt the proposed amendment to Chapter 122 (Tree Conservation Ordinance) of the County Code. This is further described in the Fairfax County Staff report dated April 9, 2019.

Under the Tree Conservation Ordinance, violations of the Ordinance are deemed misdemeanors, punishable by a fine only after conviction. However, criminal prosecution discourages enforcement because of the long-term impact of a criminal conviction on a person's record and the need, in some cases, to rely on the Commonwealth's Attorney to prosecute violations. The proposed amendment will provide an option to seek civil penalties at the discretion of the Director. This, we hope, will create a deterrent against potential illegal land-disturbing activities and add an enforcement mechanism for Fairfax County to address potential violations.

We recommend the BOS adopt the proposed amendment.

Sincerely,

Catherine C. Ledec, Chairman
Fairfax County Tree Commission

cc: Fairfax County Planning Commission
Environment Quality Advisory Council