



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

August 28, 2018

To whom it may concern:

We are writing to you today to provide information about proposed changes to Fairfax County Code that will affect the ability of organizations to park company-owned vehicles on public roadways in Fairfax County. These proposed changes to Section 82-1-19 of Fairfax County Code would prohibit the parking of “fleet vehicles” on public Virginia Department of Transportation (VDOT) maintained roadways while the vehicles are not in use. To check if a road in Fairfax County is public or private, visit the Fairfax County interactive road map online at: <http://fairfaxcountygis.maps.arcgis.com/apps/Viewer/index.html?appid=45c59fef4ecb46398c211d5422b63ab2>.

Fleet vehicles, for this purpose, are defined as “...any vehicles and/or trailers, greater than one, that are controlled, owned or leased by a single company and are used in the normal business operations of that company.” This definition includes fleets of revolving inventory, and vehicles that are available for rent or lease to individuals or businesses. The restriction would not, however, apply to vehicles registered to individual employees that are used in the normal course of business. The restrictions would also not apply to any commercial vehicles when picking up or discharging passengers; when making a pickup or delivery of merchandise; or when temporarily parked while employees perform work or deliver service at a location, if parking of the fleet vehicle does not obstruct traffic.

The Fairfax County Board of Supervisors will consider these proposed changes at a public hearing on **Tuesday, September 25, 2018, at 4:00 pm, at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035**. The official notice of public hearing and the proposed revisions are enclosed. Anyone who wishes to speak at the public hearing, or submit written comments on the proposal to the Board of Supervisors should contact the Office of the Clerk to the Board of Supervisors at (703) 324-3151, TTY 711.

If you, or others in your organization, have any questions about the proposal, please contact Fairfax County Department of Transportation Parking Group by calling 703-877-5600, TTY 711.

Sincerely,

Henri Stein McCartney
Planner III, Traffic Engineering Section
Fairfax County Department of Transportation

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PUBLIC NOTICE
AMENDMENT TO THE COUNTY CODE
CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)
ARTICLE 5 (STOPPING, STANDING, AND PARKING)
SECTIONS 19 AND 29

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION

Notice is hereby given that the Fairfax County Board of Supervisors will hold a public hearing on September 25, 2018, at 4:00 p.m. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, to consider amending Fairfax County Code Chapter 82 (Motor Vehicles and Traffic), Article 5 (Stopping, Standing, and Parking), Sections 19 and 29 as follows:

- (1) Section 82-5-19: Proposed revision, along with editorial changes, to include the addition of a series of definitions ascribed to this section; and the addition of subsection (b), prohibiting fleet vehicles, as defined, from parking within the public right-of-way for the purpose of storage, when not in use.
- (2) Section 82-5-29: Proposed revision to expand the definition of unattended vehicles to include any vehicle that has been parked at a specific location for 10 days without being moved at least 300 feet (OPTION: Board to consider a vehicle unattended if parked at a specific location for 10-30 days). Provision not applicable if vehicle is parked within 1,000 feet of the property line where the vehicle is registered (OPTION: Board to consider exception for vehicles parked within 0-1,000 feet of the property line where the vehicle is registered).
- (3) Section 82-5-29: Additional amendments, largely administrative in nature, to revise outdated language and to reflect current processes and procedures related to abandoned vehicle disposal that are set forth in Title 46.2, Chapter 12 of the Code of Virginia.

All persons wishing to speak to this matter may contact the Office of the Clerk to the Board of Supervisors at (703) 324-3151 to be placed on the speaker's list, or may appear at the scheduled time and be heard. The full text of the amendment is on file in the Office of the Clerk to the Board of Supervisors. Written comments will be accepted. Mail written comments to:

The Clerk to the Board of Supervisors, Fairfax County
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Questions regarding this proposed amendment may be directed to the Department of Transportation at (703) 877-5600.

Fairfax County supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703-324-3151, TTY: 711, as soon as possible but no later than 48 hours before the public hearing. Assistive listening devices are available at the meeting.

Proposed Amendment

Amend The Code of the County of Fairfax, Virginia, by modifying the following Section, in accordance with Article 5 of Chapter 82:

Section 82-5-19. Parking for certain purposes prohibited.

For purposes of this Section, the following words and phrases shall have the meanings ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning:

Fleet Vehicles shall be defined as any vehicles and/or trailers, greater than one, that are controlled, owned or leased by a single company and are used in the normal business operations of that company. Fleet vehicles also include vehicles intended to be rented or leased to individuals or organizations. This includes fleets of revolving inventory. Vehicles which are used in the normal business operations of a company, but are owned or leased by company employees are not fleet vehicles.

Company means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession.

Storage means fleet vehicles parked on public right-of-way, when not in use.

(a) It shall be unlawful for any person:

- (1) To park or place any automobile, truck, trailer or other vehicle upon or in ~~any street, alley or parkway~~ the public right-of-way for the purpose of selling or offering the same for sale or rent;
- ~~(2)~~ ~~To attach or place any sign or lettering upon any automobile, truck, trailer or other vehicle parked in or upon any public street, alley or parkway indicating that such vehicle is offered for sale or for rent;~~
- ~~(3)~~-(2) To park any vehicle from which any merchandise is being sold upon any ~~street~~ public right-of-way in a ~~business~~ commercial district;
- ~~(4)~~-(3) To park or stop a vehicle at any time ~~upon the highway~~ in the public right-of-way for the purpose of advertising any article of any kind, or to display thereupon advertisements of any article or advertisement for the sale or rental of the vehicle itself.

(b) It shall be unlawful for employees and/or representatives of any company to park or allow to be parked, for the purpose of storage, any fleet vehicles, as defined in this section, within the public right-of-way.

- (1) Such restrictions do not apply to any commercial vehicle when picking up or discharging passengers, when making a pickup or delivery of merchandise, or when temporarily parked pursuant to the performance of work or service at a particular location, provided that such vehicle does not thereby obstruct traffic.
- (2) At such time as a single vehicle is rented or leased by an individual or organization, it is no longer considered a fleet vehicle.

(c) Penalty.

Penalties as defined in Section 82-1-32.