

**AN ORDINANCE AMENDING
CHAPTER 82, ARTICLE 5 OF THE FAIRFAX COUNTY CODE, RELATING TO
VEHICLES AND TRAFFIC, STOPPING STANDING AND PARKING**

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Chapter 82, Article 5 relating to stopping, standing, and parking.

Be it ordained by the Board of Supervisors of Fairfax County:

1. That Chapter 82, Article 5 is amended and readopted as follows:

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 and parked in the public right-of-way within 1000 feet of any other parked vehicle registered to the same company, 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 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 a single, company vehicle assigned to an individual employee for take home use provided, however, that the parking of such vehicle is otherwise permitted by law.

(2) 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.

(3) 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.

2. That the provisions of this ordinance are severable, and if any provision of this ordinance or any application thereof is held invalid, that invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application.

3. That the provisions of this ordinance shall take effect on October 16, 2018.

GIVEN under my hand this _____ day of _____, 2018.

Clerk to the Board of Superviso

