

# DEPARTMENT OF CODE COMPLIANCE

***March 19, 2024  
Springfield Civic Association***



# Department of Code Compliance (DCC) Overview

- Mission: to promote, protect and maintain a healthy and desirable living environment in Fairfax Co.
- Created in 2010 to combine multiple disciplines (enforcement of zoning, building, property maintenance)
- Except for signs in ROW, operates on a reactive complaint-basis

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Fairfax County  
Department of Code Compliance (DCC)  
Who are we and what do we do?



## What is compliance? How does it work?

Compliance means following the rules and regulations that apply to properties in the County. DCC responds to reports of code violations and prioritizes cases where there is danger to the health and safety of the public.



## What rules should I know about?

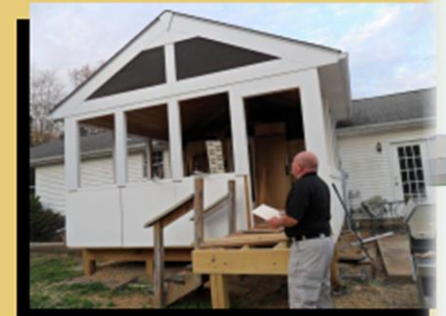
DCC handles various code violations, such as: zoning; property maintenance & fire safety; construction without approval; tall grass; bamboo; noise; and illegal signs in the roadway.



## What happens during an investigation?

Reports are received and assigned to investigators. If problems need to be fixed, we issue a "Notice of Violation," or NOV, which says what needs to be done by a deadline.

We work with the community to seek solutions and compliance. However, refusal to comply may result in legal actions.



## Contact Us



We are here to help – if you have questions, want to make a report, or if you are the subject of enforcement and need to contact us. You can report problems online, reach us via email ([codecompliance@fairfaxcounty.gov](mailto:codecompliance@fairfaxcounty.gov)), phone (703-324-1300 / TTY 711), or visit us in person.

Fairfax County Department of Code Compliance  
12055 Government Center Parkway Suite 1016, Fairfax, VA 22035



To request this information in an alternate format, contact the Department of Code Compliance. This Fairfax County, VA Publication (published 2023) summarizes a few regulations. See relevant codes for specific requirements.

## *Authorities of DCC*

# Zoning, Property Maintenance, and Unpermitted Construction

[Zoning Ordinance](#) – regulates land uses, building sizes, and locations. Further guidance is provided by the [Comprehensive Plan](#). Historically, zoning is used to separate uses to minimize impacts (e.g. keeping industrial away from residential uses). Zoning Administrator grants authority to DCC to enforce provisions of the Fairfax County Zoning Ordinance.

[Virginia Property Maintenance Code](#) – “Part 3” of the Uniform Statewide Building Code (USBC). Sets minimum standards for structures to protect public health, safety, and welfare of residents of the Commonwealth. Applies to existing buildings not under construction. The Director of DCC is appointed and credentialed by the state (DHCD) as the Property Maintenance Official, and each DCC Investigator is state certified as a Property Maintenance Inspector.

[Virginia Construction Code](#) – “Part 1” of the USBC. Sets the requirement for obtaining permits and inspections for construction work regulated by the USBC. The Building Official delegates technical authority to DCC Unpermitted Construction Investigators, who are otherwise certified as Building Inspectors, to enforce provisions of the USBC to require obtaining permits and inspections.

**Other Codes and Ordinances** – DCC also enforces local ordinances, including Noise, Tall Grass, Bamboo, and Signs in ROW



# Rules we enforce

## Zoning

Outdoor Storage in residential areas must not be in any front yard and can't exceed 100 sq. ft.



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# Rules we enforce

## Zoning

Exceeding Occupancy Limits often happens when separate rooms are rented individually.



# Rules we enforce

## Zoning

Creating multiple dwellings without approval of an [Accessory Living Unit \(ALU\)](#) is often the result of unpermitted second kitchens or separate rental units.



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# Rules we enforce

## Zoning

Renting for short-term lodging (STL) is allowed with a permit.  
This includes vacation rentals on AirBNB, VRBO, FlipKey, and others.



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# Rules we enforce

## Zoning

Buildings and structures can't exceed size limits or be placed in required yards and setbacks.



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# Rules we enforce

## Zoning

Glare and lighting standards help protect neighboring properties from light trespass, as well as promote benefits of “dark skies” for the environment.



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# Rules we enforce

## Zoning

Commercial business must operate with a Nonresidential Use Permit/Certificate of Occupancy (NonRUP). Additionally, commercial uses must have site plan approval showing the use and configuration of the property.



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# Rules we enforce

## Zoning

Only one commercial vehicle may be parked per residential lot/dwelling unit. Some commercial vehicles are prohibited from residential districts, including food trucks, trash trucks, tractor-trailers, and tow-trucks.



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# Rules we enforce

## Property Maintenance

Failing and unsafe structures includes unmaintained exterior and interior features of a property



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# Rules we enforce

## Property Maintenance

Property maintenance regulates most structures including businesses, apartments, and condos.



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# Rules we enforce

## Property Maintenance

Hoarding is a disorder induced problem that creates unsafe and unsanitary living conditions



Before



After



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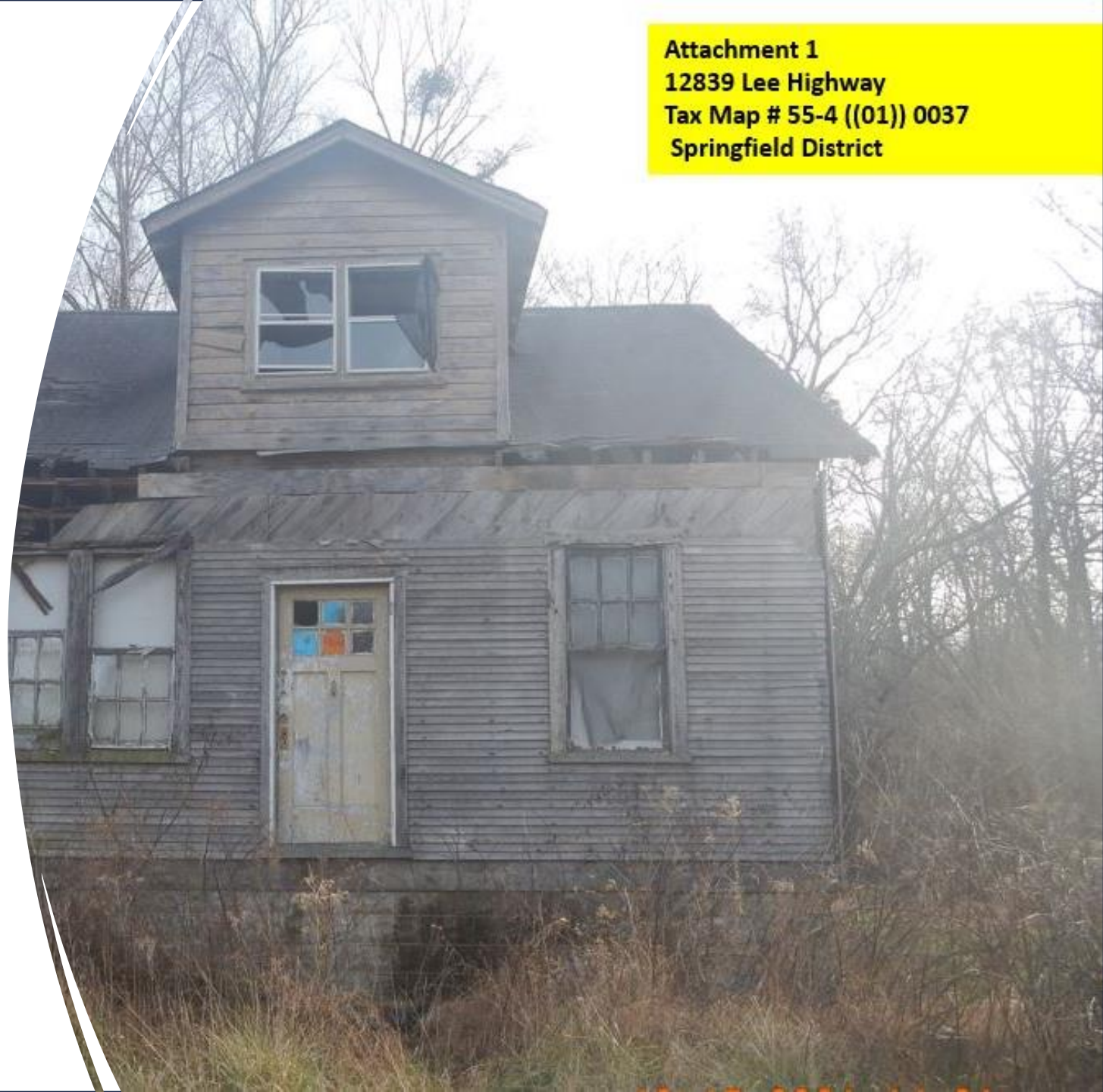
# *Rules we enforce*

## *Spot Blight*

### *Abatement*

- Fairfax County has established a Spot Blight Abatement Program, in conformance with Virginia Code Ann. §36-49.1:1 (2019) (“the Program”). The Program allows Fairfax County to demolish, acquire, or repair any blighted property and charge the owner (s) of record costs for removal of blight. Costs may then be collected in any manner provided by law for the collection of taxes.

Attachment 1  
12839 Lee Highway  
Tax Map # 55-4 ((01)) 0037  
Springfield District



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# Rules we enforce

## Unpermitted Construction

Construction without permits is common and these projects come in all shapes and sizes



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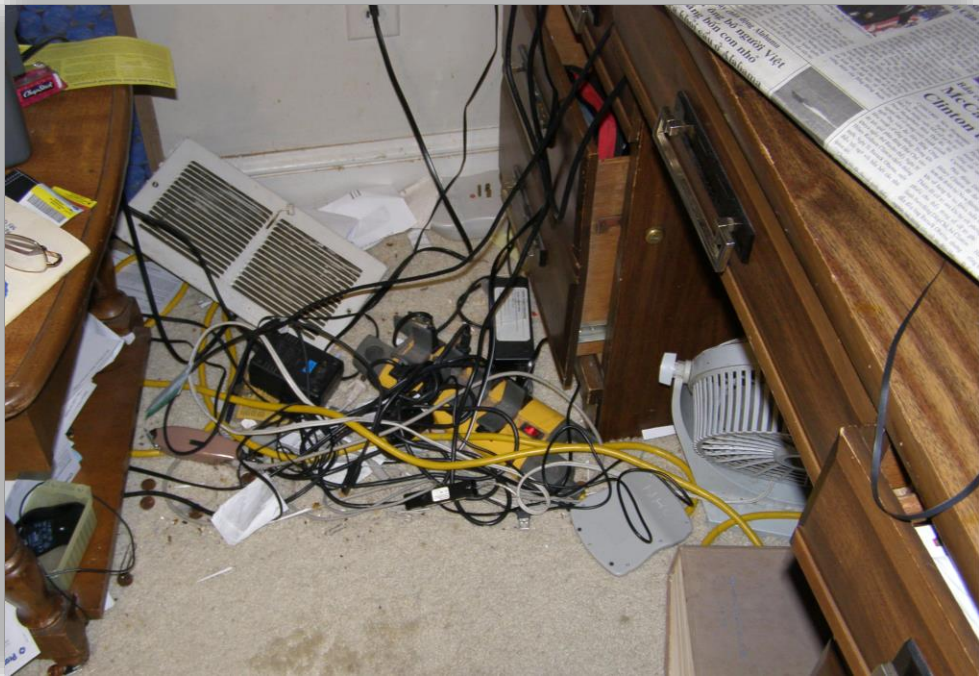
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# Rules we enforce

## Residential Fire Code

Risk of fire in the home increases due to lack of maintenance, improper installations of fixtures and equipment, or other issues, like improper storage of flammable materials.



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# Rules we enforce

## Loud Noise

The [Fairfax County Noise Ordinance](#) sets limits for daytime and nighttime noise.



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# Rules we enforce

# Illegal Signs in the Right-of-Way

Illegal Sign Removal is DCC's only proactive inspection program, covering 99 roads throughout the County



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## *Rules we enforce*

# Vegetation – Tall Grass & Bamboo

The Vegetation Ordinance requires properties under ½ acre to keep grass under 12 inches



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## *Rules we enforce*

# Vegetation – Tall Grass & Bamboo

Bamboo is prohibited from encroaching beyond property boundaries



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# Rules we **DON'T** enforce

## Common referrals to other agencies

- [Asbestos](#)
- [Dumping Hazardous Material](#)
- [Land Disturbance](#)
- [Mold](#)
- [Mosquitoes](#)
- [Parking on the Street](#)
- [Right of Way: Hazards / Concerns](#)
- [Snow Removal](#)
- [Storm Drains and Accumulation of Rainwater](#)
- [Trash Collection](#)
- [Trees: Fallen / Hazardous](#)
- [Unlicensed Contractors](#)
- [Yard Waste](#)



# What to expect from DCC

## Steps to an Investigation

1

- **Receive** reports from the community or referrals from other agencies.
- Complaints may be anonymous, but we encourage people to leave contact information.

2

- **Investigate** the case by visiting the property, taking pictures, and trying to contact the owner or tenants.
- We explain why we are there and help those responsible understand the rules and regulations subject to enforcement.

3

- **Provide Notice** when problems need to be fixed. We issue a Notice of Violation (NOV) which says what needs to be done to correct issues.
- NOV also provides a deadline for correcting issues.

4

- **Discuss and assist** to make sure all parties understand their responsibilities and expectations of how the case will progress.

5

- **Reinspect** the property to make sure issues have been resolved
- Investigators may visit the property many times for more complicated problems or only need to perform a single reinspection after the NOV deadlines have passed.

6

- **Seek solutions** with owners when problems are taking longer to resolve.
- Investigators will work with the owner when necessary to give more time, as long as an honest effort is being made to bring the property to compliance.

7

- **Hold accountable** those found in violation when an owner refuses to comply with an NOV.
- If our actions to gain voluntary compliance are unsuccessful, we may take legal action, including assessing fines and penalties on the property.



# *Trends and Initiatives*

## Equity and Inclusion



- **2024 Updated Equity Guiding Statement:** Through education, outreach, community partnerships, and seeking voluntary compliance, the Department of Code Compliance (DCC) will provide responsive enforcement actions and informational resources so that all members of the community may enjoy a healthy and desirable living environment.
- **Recognizing Challenges**
  - **Complaint-based enforcement** carries risks of discriminatory motivation and relies upon those who know how, or are willing, to submit complaints.
  - **Lack of knowledge** of local codes and ordinances that apply to properties in the County, and which may be difficult to understand.
  - **Reliance on agency partnerships** for subject matter expertise and authority means DCC has historically had a culture of reactive vs. proactive engagement.
- **Establishing Goals and Seeking Opportunities**
  - Improve communications; Support staff training and development; Evaluate casework with an equity lens; Collect and use data to inform decision making





## *Trends and Initiatives*

# Communications & Public Engagement

- **Code Compliance Corner:** Monthly outreach “newsletter” available on our website and distributed to Board of Supervisors.

<https://www.fairfaxcounty.gov/code/news-and-information> Please share!

**Proactive Engagement** through larger Countywide events and targeted activities, using shared resources and County partnerships.

- **Updating existing materials and using new media**
  - Refreshing website to make content more accessible and easier to understand for all audiences. Concise, approachable messaging.
    - New look flyers and handouts
    - Logo(s), graphics, and language
- **Continuous assessment** and looking for public feedback to help guide our agency



# Questions?

## Contact:

**Ben Aiken**

*Deputy Director*

<https://www.fairfaxcounty.gov/code/>

Direct 703-324-3807 or email [benjamin.aiken@fairfaxcounty.gov](mailto:benjamin.aiken@fairfaxcounty.gov)

Cell 571-585-7690

## Need to file a report?

Online, use PLUS (QR



Contact us at 703-324-1300

or email [codecompliance@fairfaxcounty.gov](mailto:codecompliance@fairfaxcounty.gov)



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