

# Department of Code Compliance

**Mission** The mission of the Department of Code Compliance is to promote, protect, and maintain a healthy and desirable living environment in Fairfax County. This is accomplished through education and outreach, community partnerships, voluntary compliance, and enforcement of the Zoning Ordinance, the Property Maintenance Code, the Building Code, and other applicable safety codes.

**Focus** The Department of Code Compliance (DCC) is a multi-code enforcement agency created in 2010 by combining the functions of the following:

- The Code Enforcement Strike Team
- A majority of the Zoning Enforcement function in the former Department of Planning and Zoning
- Components of the former Code Enforcement Branch in the Department of Public Works and Environmental Services
- The Blight Program from the Department of Housing and Community Development
- Public Safety staff from the Sheriff's Office, Police Department and Office of the Fire Marshall

The staff of DCC is proficient in all aspects of code enforcement related to violations of the Zoning Ordinance, the Virginia Maintenance Code, the Building Code, the Noise Ordinance, the Fire Code, the Blight Abatement Program and the Grass Ordinance, with the administration of compliance programs pertaining to these codes centralized in DCC. This centralized approach to code enforcement creates a collaborative multi-functional environment that can successfully investigate and resolve violations and concerns in residential and commercial communities. One of the benefits of the consolidated model is a centralized customer service intake in DCC. By consolidating the intake processes from multiple agencies, DCC better supports its customers by creating an integrated one-call center, which has greatly enhanced customer service and support by reducing calls that may have been incorrectly transferred to other agencies.

As Fairfax County continues to grow, DCC continues to gauge community trends and service needs through extensive customer outreach and education efforts. Through meetings with civic and homeowners associations and participation in public events, staff educates residents about the DCC mission and processes, encourages face to face contact between staff and residents, and creates opportunities for feedback about trends and issues in the community.

DCC staff members continue to engage in partnerships with other agencies and to serve on County committees that deal with community issues, such as the Hoarding Committee. DCC maintains a protocol for 'Combined Investigations Efforts Coordinated with Outside County Agencies' to coordinate scheduled, combined inspection efforts to investigate complaints, calls, and allegations involving uses in commercial businesses that are illegal, or not approved or allowed, based on the Non-Residential Use Permit (Non-RUP) that has been issued for that business. Such businesses may include restaurants with dance halls, local bars, karaoke bars, massage establishments, hookah bars, and other commercial enterprises. Additionally, DCC maintains a protocol for 'After-hours Emergency Assistance by DCC Investigators' to coordinate and respond to requests for after-hours emergency assistance from the Police or Fire Dispatcher, or other County agencies.

The agency utilizes the DCC Strategic Plan to implement measures that best serve the community; to identify issues and trends; to deploy services; and to provide educated, experienced staff along with the systems necessary to address community issues in a timely manner. The agency's Vision for FY 2021 and beyond is to be the leader in the preservation and protection of healthy and desirable neighborhoods through education, community partnerships, voluntary compliance, and enforcement.

Administrative Services staff endeavors to provide clear direction, leadership, and strategic management for the agency. DCC is committed to promoting continuous learning, providing employee development opportunities, succession planning, and continually evaluating staffing needs to recruit and retain employees who possess the competencies necessary to achieve its mission. The Code Administration Section enhances the agency's ability to provide a multi-code response in collaboration with the appropriate County agency and code authority. Field Operations continue to refer a high volume of cases to the Code Official for actions such as appeals, requests for legal action to obtain code compliance, requests for guidance, and technical assistance relevant to the investigative process. In FY 2018, DCC purchased and implemented the Lytx DriveCam safety program for all agency vehicles. With employee safety as the agency's top priority, DriveCam is an investment in ensuring staff can work and get home safely. Additionally, DriveCam protects the reputation of staff and the County.

DCC expects a continued increase in demand for responses to community concerns which affect core business areas: Administrative Services, Code Administration, Operations, and Public Safety and Support Staff. These increased demands are the result of expanded authorities granted to DCC, such as the authority to abate public menaces, modifications to the County's Blight Abatement Program, enforcement responsibility for the Grass Ordinance, enforcement and fine collections related to the Illegal Signs in the Right of Way Program, and enforcement of the Short-Term Lodging Amendment of the Zoning Ordinance.

The Illegal Signs in the Right of Way Program concluded its third full year in operation during FY 2019. This program is authorized through an agreement with the Virginia Department of Transportation (VDOT) and operates through a partnership with the Office of the Sheriff, with the Sheriff's Community Labor Force (CLF) collecting signs from roadways and DCC takes enforcement action in egregious cases. During FY 2019, DCC revised its enforcement practices, which has led to an increase in the issuance of invoices. Over 13,000 signs were collected by the CLF from 99 allotted roadways. Although sign collection numbers have decreased, all indications point to an increase in illegal signage posted on roadways which are not part of the program. This program is currently the subject of ongoing litigation and, once consistent resolution is reached, the possibility of expanding enforcement to additional roadways or to focus on all illegal signage will be reviewed.

Increased demands related to code amendment changes and new code enforcement challenges such as short-term lodging (STL) units and the noise ordinance require analysis, training, and the development of new investigation protocols. These recent amendments require DCC to provide continuous public outreach and education, to monitor the new investigation protocols and to coordinate with other affected departments. DCC expects there to be an increase in workload over the next several years due to new code changes a part of the Zoning Ordinance Modernization Project. This major initiative to modernize the County's current ordinance will result in the development of new investigative protocols associated with the new code, training needs and extensive research to carry out enforcement efforts.

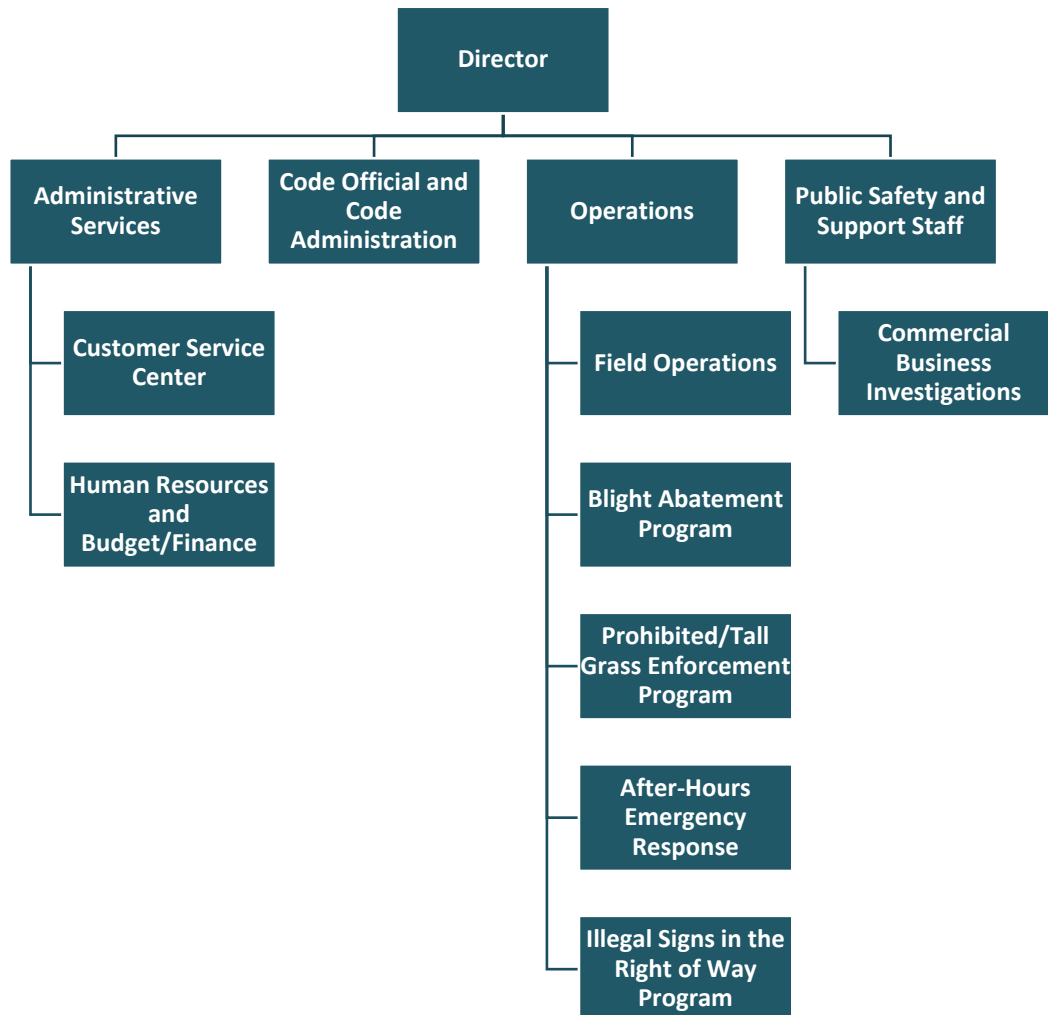
DCC is involved in the design and implementation of the new Planning and Land Use System (PLUS) application. This system will replace the legacy Fairfax Inspection Database Online (FIDO) with a solution that improves data collection and analysis. Once implemented, PLUS will improve efficiency within DCC and its sister agencies and help carry out the agency's strategic plan.

DCC, like all other County agencies, now considers and promotes equity in its decision-making processes and in the delivery of future policies, programs and services, as defined in the One Fairfax Policy. An agency action plan is being implemented and will continue to undergo review and updates to assure sustained progress on the initiative.

## Pandemic Response and Impact

In response to COVID-19, DCC has expanded telework opportunities for staff to provide flexible schedules and has eliminated overtime during this time. Overall, the department is managing its budget in a manner that will allow it to continue to serve the community and public without reducing service levels. DCC will continue to carefully monitor all operational expenditures to ensure that all approved transactions are essential to the agency's mission.

## Organizational Chart



**Budget and Staff Resources**

Category	FY 2019 Actual	FY 2020 Adopted	FY 2020 Revised	FY 2021 Advertised	FY 2021 Adopted
<b>FUNDING</b>					
<b>Expenditures:</b>					
Personnel Services	\$4,043,513	\$4,250,445	\$4,250,445	\$4,407,111	\$4,250,445
Operating Expenses	411,026	541,380	541,512	541,380	541,380
<b>Total Expenditures</b>	<b>\$4,454,539</b>	<b>\$4,791,825</b>	<b>\$4,791,957</b>	<b>\$4,948,491</b>	<b>\$4,791,825</b>
<b>Income:</b>					
Illegal Signs Fines	\$13,365	\$39,087	\$17,350	\$17,350	\$17,350
Miscellaneous Revenue	4,120	8,810	8,810	8,810	8,810
<b>Total Income</b>	<b>\$17,485</b>	<b>\$47,897</b>	<b>\$26,160</b>	<b>\$26,160</b>	<b>\$26,160</b>
<b>NET COST TO THE COUNTY</b>	<b>\$4,437,054</b>	<b>\$4,743,928</b>	<b>\$4,765,797</b>	<b>\$4,922,331</b>	<b>\$4,765,665</b>
<b>AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)</b>					
Regular	46 / 46	46 / 46	48 / 48	48 / 48	48 / 48

**FY 2021 Funding Adjustments**

The following funding adjustments from the FY 2020 Adopted Budget Plan are necessary to support the FY 2021 program. Included are all adjustments recommended by the County Executive that were approved by the Board of Supervisors, as well as any additional Board of Supervisors' actions, as approved in the adoption of the Budget on May 12, 2020.

FY 2021 funding remains at the same level as the FY 2020 Adopted Budget Plan.

**Changes to FY 2020 Adopted Budget Plan**

The following funding adjustments reflect all approved changes in the FY 2020 Revised Budget Plan since passage of the FY 2020 Adopted Budget Plan. Included are all adjustments made as part of the FY 2019 Carryover Review, FY 2020 Third Quarter Review, and all other approved changes through April 30, 2020.

**Carryover Adjustments** **\$132**  
 As part of the FY 2019 Carryover Review, the Board of Supervisors approved an increase of \$132 in encumbered funding for Operating Expenses associated with office supplies.

**Reclassification of Non-Merit Benefits Eligible Positions to Merit** **\$0**  
 As part of an ongoing Board-directed review of the County's use of limited-term staffing, 2/2.0 FTE new merit positions were included due to the reclassification of non-merit benefits-eligible positions to merit status. These are part of a total of 235 positions that were identified in the FY 2019 Carryover Review across all County agencies as candidates for possible conversion based on the tasks performed by each position and the hours worked by incumbents. No additional funding was included as the work hours of these positions are expected to remain largely unchanged.

**Cost Centers**    **Code Administration and Administrative Services**

Code Administration includes the DCC Code Official who serves as the Fairfax County Property Maintenance Code Official and Senior Deputy Zoning Administrator. This position collaborates closely with the Fairfax County Zoning Administrator, the DCC Field Operations Manager, the Office of the County Attorney, and other stakeholders relevant to code administration, policy interpretation, and legal action. Additionally, the DCC Code Official manages the Code Administration Section of DCC, which is responsible for code analysis, code research, code amendment processing, legislative analysis, and litigation.

DCC Administrative Services responsibilities include the department’s financial and human resources functions, training and employee development, strategic analysis, performance measurement, workforce planning, succession planning, organizational development and other functions necessary to ensure services and resources are aligned with the agency’s mission.

The Central Intake and Customer Services Section is responsible for managing the complaint intake and customer service center for DCC. This section provides all the administrative support to DCC Operations for case processing and case documentation, responds to Freedom of Information Act (FOIA) requests, and coordinates with the Department of Information Technology on systems replacements, web page content updates and technology needs. The Central Intake and Customer Services Center maintains a high level of administrative expertise and provides assistance to citizens from case intake through the entire case management process.

Category	FY 2019 Actual	FY 2020 Adopted	FY 2020 Revised	FY 2021 Advertised	FY 2021 Adopted
<b>EXPENDITURES</b>					
Total Expenditures	\$1,135,263	\$1,431,832	\$1,431,964	\$1,464,829	\$1,431,832
<b>AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)</b>					
Regular	10 / 10	10 / 10	11 / 11	11 / 11	11 / 11

**Field Operations**

The Field Operations cost center focuses on the assignment and resolution of complaints within five field divisions based on the geographic location of the complaint in Fairfax County. Complaints are received through a Central Intake Center. Requests for service come to DCC from a variety of sources, including customer calls, website intake and referrals from other agencies. Operations staff follows up on these complaints utilizing a review process which involves research, investigation, documentation, issuance of formal notices of violation, follow-up inspections to ensure compliance, and referral to court processes. Both DCC cost centers work closely together throughout the complaint evolution, from intake, investigation, compliance, and prosecution if necessary, to case resolution and closure. DCC Leadership collaboratively work together on strategic planning, community education, inter-agency coordination, and policy development.

Category	FY 2019 Actual	FY 2020 Adopted	FY 2020 Revised	FY 2021 Advertised	FY 2021 Adopted
<b>EXPENDITURES</b>					
Total Expenditures	\$3,319,276	\$3,359,993	\$3,359,993	\$3,483,662	\$3,359,993
<b>AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)</b>					
Regular	36 / 36	36 / 36	37 / 37	37 / 37	37 / 37

## Position Detail

The FY 2021 Adopted Budget Plan includes the following positions:

CODE ADMINISTRATION AND ADMINISTRATIVE SERVICES – 11 Positions			
1	Director, Code Compliance	1	Management Analyst II
1	Code Auth./Strategic Initiatives Mgr.	1	Management Analyst I
1	Code Specialist III	5	Administrative Assistants IV
1	Management Analyst III		
FIELD OPERATIONS – 37 Positions			
1	Code Compliance Operations Manager	17	Code Compliance Investigators II
5	Code Compliance Supervisors	2	Code Specialists I
12	Code Compliance Investigators III		

## Performance Measurement Results

The Director's Office, Code Administration and Administrative Services Section focuses on customer contact, service request intake, and overall support to field operations. The goal of processing all service requests within two business days was established to ensure an effective intake process and expedient service request processing and case file setup for referral to field operations. Service requests can be obtained from customer calls, website intake, emails, referrals from staff and other agencies, letters and correspondence, and a variety of other means. DCC Customer Services staff received approximately 11,601 calls and more than 4,700 web complaints in FY 2019. This section processed 98 percent of service requests within two business days, thereby meeting the established target. DCC's outstanding service model has ensured the ability to continue to effectively process most service requests within one business day.

The primary goal of Field Operations is to provide efficient and effective resolution to the alleged code violations. Two objectives are considered critical to achieving this goal: conducting a first inspection within 14 business days and resolving non-litigated service requests within 120 days. During FY 2019, over 6,400 first inspections were conducted, and 93 percent were conducted within 14 business days, just shy of the target of 96 percent. In the past, the agency consistently met the prior target of completing inspections within 20 days; therefore, starting in FY 2018, DCC set a higher goal of conducting 96 percent of first inspections within 14 days. Targets for FY 2020 and FY 2021 have been revised down to reflect more realistic goals given the workload and case complexity. Additionally, 82 percent of non-litigated service requests were resolved within 120 days in FY 2019, short of the 90 percent target.

Indicator	FY 2017 Actual	FY 2018 Actual	FY 2019 Estimate/Actual	FY 2020 Estimate	FY 2021 Estimate
<b>Code Administration and Administrative Services</b>					
Percent of service requests processed within two business days	97.0%	98.0%	98.0% / 98.0%	98.0%	98.0%
<b>Field Operations</b>					
Percent of first inspections conducted within 14 business days <sup>1</sup>	97.0%	95.0%	96.0% / 93.0%	95.0%	96.0%
Percent of non-litigated service requests resolved within 120 days	76.0%	84.0%	90.0% / 82.0%	85.0%	85.0%

<sup>1</sup> For FY 2018, DCC set a new goal of conducting first inspections in 14 days; FY 2017 Actuals show the percent of first inspections completed within the previous target of 20 days.

A complete list of performance measures can be viewed at <https://www.fairfaxcounty.gov/budget/fy-2021-adopted-performance-measures-pm>