

**Fairfax County Federation of Citizens Associations
Draft Resolution on**

Recreational Vehicles In Residential Zones

(for membership approval at the September 21, 2006 meeting)

WHEREAS, the Board of Supervisors of Fairfax County, as authorized by Virginia Statute 46.2-1224, has approved Fairfax County Code Section 82-5-7 which prohibits the parking of commercial vehicles* on highways** in residential zones to wit:

Section 82-5-7 Parking commercial vehicles in residential districts. (b) No person shall park any commercial vehicle on the highways of the County in areas zoned for residential use. However, one resident of each single-family dwelling unit zoned for residential use may park one vehicle licensed as a taxicab or limousine on such highways, provided other vehicles are permitted to park thereon, and the provisions of this Subsection do not apply to a commercial vehicle when picking up or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location., and

WHEREAS, the Board of Supervisors, as authorized by Virginia Statute 46.2-1222.1, also approved Fairfax County Code Article 82-5B-2, which permits Fairfax County communities to establish Community Parking Districts to prohibit the parking of recreational vehicles such as watercraft, trailers, motor homes on public streets to wit:

Section 82-5B-2 Community parking district designation; exemption. (a) Community Parking Districts (CPD) prohibiting restricted vehicles*** may be created by the Board of Supervisors in accordance with the provisions of this Article. Any such Districts shall be adopted by ordinance, and violations of such ordinances shall be punishable as provided in Section 82-5B-7. Any such Districts, including the particular prohibitions or restrictions within each particular District, shall be set forth in Appendix M of this Code, and any such districts shall be identified by appropriate signage as described by Section 82-5B-6. (b) No such Community Parking District prohibitions shall apply to restricted vehicles that are temporarily parked on a public street within any such District for use by federal, state, or local public agencies to provide services. (c) No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip. (39-03-82; 1-04-82; 38-04-82; 6-06-82.), and

WHEREAS, 24 Fairfax County communities with Community Parking Districts now possess adequate protection against safety hazards of parked recreational vehicles, and

WHEREAS, the creation of a Community Parking Districts by other communities have been abandoned because it requires a community to petition at least 60% home owners, petition at least 50% of every block, pay an application fee of \$10 for each petitioner unless waived by the Board of Supervisors, attend hearings, seek monetary contributions to pay for District administration costs and costs to procure/emplace prescribed signage which exceeds small community funds and foments intra-community friction, and

WHEREAS, all Fairfax County communities should receive equal

protection from recognized parked safety hazards regardless of size, organization or financial resources, and

WHEREAS, County police would welcome a countywide standard to simplify, improve and make enforcement efficient, and

WHEREAS, the Board of Supervisors is authorized by Article 46.2-1222.1 to adopt a countywide ordinance as neighboring jurisdictions have done which prohibit the parking of recreational vehicles such as watercraft, trailers, motor homes countywide and eliminate the need for erecting sign on all streets in Community Parking Districts, and

WHEREAS, Fairfax County is authorized by the Commonwealth of Virginia, through enabling legislation, to adopt all, any or none of the Commonwealth Statutes governing parking.

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors achieve equal protection for communities countywide from large hazardous recreational vehicles parked on streets in residential zones, as authorized by Virginia Statute 46.2-1222.1, by preparing and adopting an ordinance that prohibits the parking of recreational vehicles such as watercraft, boat trailers, motor homes and camping trailers in residential zones, similar to Fairfax County Code 82-5-7 that now prohibits the parking of commercial vehicles in residential zones.

* *"Commercial Vehicle"* includes: (i) any solid waste collection vehicle, tractor truck or tractor truck/semitrailer or tractor truck/trailer combination, dump truck, concrete mixer truck, towing and recovery vehicle with a registered gross weight of 12,000 pounds or more, and any heavy construction equipment, whether located on the highway or on a truck, trailer, or semitrailer; (ii) any trailer, semitrailer, or other vehicle in which food or beverages are stored or sold; (iii) any trailer or semitrailer used for transporting landscaping or lawn-care equipment whether or not such trailer or semitrailer is attached to another vehicle; and (iv) any vehicle licensed by the Commonwealth for use a common or contract carrier or as a limousine.

** *"Highway"* means the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys, and, for law-enforcement purposes, the entire width between the boundary lines of all private roads or private streets that have been specifically designated "highways" by an ordinance adopted by the governing body of the county, city, or town in which such private roads or streets are located.

*** *"Restricted Vehicles"* means watercraft, boat trailer, motor home, camping trailer, or any other trailer or semitrailer, regardless of whether such trailer or semitrailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code 46.2-341.4.

Earl Flanagan

Co-chair, Transportation Committee

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