FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 3, 2026

AGENDA

9:30	**Done**	Presentations
9:30	**Adopted Report #3**	Report on General Assembly Activities
10:00	**Done**	Matters Presented by Board Members
10:00	**Done**	Items Presented by the County Executive
	ADMINISTRATIVE ITEMS	
1	**Approved**	Authorization for the Department of Neighborhood and Community Services to Apply for and Accept Grant Funding from the U.S. Department of Health and Human Services for the Continuation of Funding Associated with the Head Start and Early Head Start Grant
2	**Approved**	Approval of a “Watch for Children” Sign as Part of the Residential Traffic Administration Program – John Milton Drive (Hunter Mill District)
3	**Approved**	Approval of a “Watch for Children” Sign as Part of the Residential Traffic Administration Program – Forest Lake Drive (Dranesville District)
4	**Approved**	Authorization to Advertise a Public Hearing on the Sale of 0.5 Million Gallons Per Day of Fairfax County's Unused Treatment Capacity and 2.7 Million Gallons Per Day of Conveyance Capacity at the Alexandria Renew Treatment Plant and Associated Conveyance System to the City of Fall Church
5	**Approved**	Authorization to Advertise a Public Hearing to Consider an Ordinance to Amend and Readopt Section 67.1-10-2 of the Fairfax County Code Relating to Sewer Charges
6	**Approved**	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Minor and Editorial Revisions and Changes to Reflect Virginia Code Updates
7	**Approved**	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Zoning Application Fees and Planned District Recreation Minimum Expenditure

FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 3, 2026

ADMINISTRATIVE ITEMS (continued)

8	**Approved**	Authorization to Advertise Public Hearings on Proposed Amendments to Appendix Q (Land Development Services Fee Schedule) of The Code of the County of Fairfax, Virginia (County Code) Regarding Adjustment of the Fees Charged by Land Development Services for Plan Review, Permits, and Inspection Services
9	**Approved**	Authorization to Advertise a Public Hearing on Proposed Amendments to Chapter 62, Fire Protection, of the Code of the County of Fairfax, Virginia
10	**Approved**	Authorization to Advertise a Public Hearing on Proposed Amendments to Appendix Q, Section I, Subsection H, and Section II, Subsection D, of the Code of the County of Fairfax, Virginia

ACTION ITEMS

1	**Approved**	Authorization of Subordinate Financing Up to $2,000,000 to a Subsidiary of Enterprise Community Development for the Renovation of Coralain Gardens (Mason District)
2	**Approved**	Designation of Coralain Gardens Apartments, Located at 7435 Arlington Boulevard, as a Revitalization Area (Mason District)
3	**Approved**	Authorization to Make Loans to Affiliates of Wellington Development Partners of up to $8,100,000 to Finance the Development of Agape Chantilly House Phase Two (Sully District)
4	**Approved**	Approval of the Calendar Year 2026 Forest Health Program
5	**Approved**	Approval of the Annual Head Start Transportation Waiver Request for the Continuation of Fairfax County Public Schools 2026-2027 Transportation Services and the Head Start Self-Assessment Report
6	**Approved**	Endorsement of Design Plans for the Route 29 Southbound Shared-Use Paths Project (Sully District)
7	**Approved**	Approval of the Disease Carrying Insects Program

FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 3, 2026

CLOSED SESSION

	Held	Closed Session

PUBLIC HEARINGS

3:30	**Approved**	Public Hearing on RZ-2025-SP-00003 (High Ridge TEI Equities LLC) (Springfield District)
3:30	**Deferred to 03/17/2026 at 3:30p.m.**	Public Hearing on SE-2025-HM-00001 (Comstock Reston Station Holdings LC) (Hunter Mill District)
3:30	**Approved**	Public Hearing on SEA-95-M-077-02 (5722 General Washington Dr LLC) (Mason District)
3:30	**Deferred to 03/17/2026 at 3:30p.m.**	Public Hearing on RZ-2025-FR-00005 (Franconia Development Partners, LLC) (Franconia District)

Fairfax County, Virginia

BOARD OF SUPERVISORS AGENDA

Tuesday
March 3, 2026

9:30 a.m.

PRESENTATIONS

RESOLUTION — To honor Claudia Palacios for her historic international adaptive boxing championship and the pride she has brought to the County. Requested by Chairman McKay.

RESOLUTION — To commemorate Peace Corps Day and the 65th Anniversary of the Returned Peace Corps Volunteers. Requested by Chairman McKay, Supervisor Alcorn and Supervisor Palchik.

PROCLAMATION — To designate March 2026 as Women's History Month in the County. Requested by Chairman McKay, Vice-Chairman Smith, Supervisor Heizer and Supervisor Palchik.

PROCLAMATION — To designate March 2026 as National Nutrition Month in Fairfax County. Requested by Chairman McKay.

STAFF:
Tony Castrilli, Director, Office of Public Affairs
Jeremy Lasich, Office of Public Affairs
Imtiaz Ali, Office of Public Affairs

Board Agenda Item
March 3, 2026

9:30 a.m.

Report on General Assembly Activities

BACKGROUND:
The County's Legislative Program sets the County's state legislative priorities and positions, which connect to the Strategic Plan and the One Fairfax policy, including education, housing, the environment, health and human services, and transportation. In addition to the Legislative Program, County staff review individual bills during the General Assembly session and bring bills to the Legislative Committee of the Board of Supervisors for consideration. As part of this bill review, staff consider the equity implications, local fiscal impact, and potential impacts on local authority as a result of the proposed legislation. The Committee's positions on specific bills are outlined in the memo and tracking chart included in the Committee's report.

ENCLOSED DOCUMENTS:
Documents available online at https://www.fairfaxcounty.gov/boardofsupervisors/, under "2026 Board Legislative Reports," by March 2, 2026.

PRESENTED BY:
Supervisor Andres F. Jimenez, Chairman, Board of Supervisors' Legislative Committee
Bryan J. Hill, County Executive

Board Agenda Item
March 3, 2026

10:00 a.m.

Matters Presented by Board Members

Board Agenda Item
March 3, 2026

10:00 a.m.

Items Presented by the County Executive

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 1

Authorization for the Department of Neighborhood and Community Services to Apply for and Accept Grant Funding from the U.S. Department of Health and Human Services for the Continuation of Funding Associated with the Head Start and Early Head Start Grant

ISSUE:
Board of Supervisors authorization is requested for the Department of Neighborhood and Community Services (NCS) to apply for and accept grant funding, if received, from the U.S. Department of Health and Human Services in the amount of $13,275,033 including $2,135,946 in Local Cash Match. Funding will be used to continue to provide services through the County's Head Start and Early Head Start programs. Funding will enable the County to serve 686 children and their families in a comprehensive, seamless birth-to-five Head Start and Early Head Start program. The grant period is July 1, 2026, through June 30, 2027. The total required non-federal match will be met through $2,135,946 in Local Cash Match from the Federal-State Grant Fund and $648,827 from in-kind contributions.

While the Head Start and Early Head Start grants are included in the Adopted Budget, the grantor has indicated that before funding is awarded, the Board of Supervisors must formally approve the application. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy. Board authorization is also requested for the Chairman of the Board of Supervisors, the County Executive, and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors authorize the Department of Neighborhood and Community Services to apply for and accept grant funding, if received, from the U.S. Department of Health and Human Services. Funding in the amount of $13,275,033, including $2,135,946 in Local Cash Match, will support the continuation of Head Start and Early Head Start services to 686 children and their families. This funding will continue to support 63/54.4 FTE existing grant positions. No new grant positions are associated with this funding. The County Executive also recommends the Board authorize the Chairman of the Board of Supervisors, the County Executive, and/or a designee appointed by the County Executive to enter into the grant

agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

TIMING:
Board action is requested on March 3, 2026.

BACKGROUND:
Head Start and Early Head Start are national child and family development programs that provide quality early childhood education and comprehensive family support services to income eligible families with children birth to 5 years of age and expectant parents. Federal funding for the programs is consolidated into a single federal award and supports services offered in center-based and family child care options that are provided by NCS, Fairfax County Public Schools, and Higher Horizons Day Care Center, Inc. (Higher Horizons).

The Department of Neighborhood and Community Services was awarded a five-year Head Start and Early Head Start grant in June 2016, with four annually appropriated renewals. Funding of the original grant project expired June 30, 2021, and continuation funding was awarded for a five-year project period on July 1, 2021, which expires June 30, 2026. This baseline application is for a new five-year project period. If awarded, this grant will represent year one of a five-year project period. Funding enables the County to serve 686 children and their families in a comprehensive, seamless birth-to-five Head Start and Early Head Start program.

EQUITY IMPACT:
The Department of Neighborhood and Community Services is committed to transforming systems and mobilizing resources to enable equitable access to opportunities, experiences, and services for all to succeed. Not all children have access to high-quality early childhood education supports and the services they need. In Fairfax County, there is an estimated 5,848 children below age 5, living in households with income below 100 percent of the federal poverty level. This program is targeted to primarily serve families whose income is at or below the 100 percent of the federal poverty level.

FISCAL IMPACT:
Federal grant funding in the amount of $13,275,033, including $2,135,946 in Local Cash Match, is being requested to support the continuation of Head Start and Early Head Start services to 686 children and their families. The total required non-federal match

will be met through $2,135,946 in Local Cash Match from the Federal-State Grant Fund and $648,827 from in-kind contributions. It should be noted that including the in-kind contributions, total funding for this program is $13,923,860. This action does not increase the expenditure level of the Federal-State Grant Fund, as funds are held in reserve for anticipated grant awards. The Local Cash Match funding included in the FY 2027 anticipated table as well as residual Local Cash Match from prior program years is sufficient to meet the program year 2027 requirements. This grant does allow the recovery of indirect costs; however, because this funding opportunity is highly competitive, the Department of Neighborhood and Community Services has elected to omit inclusion of indirect costs to maximize the proposal's competitive position.

CREATION OF NEW POSITIONS:
There are no new grant positions associated with this award. This funding is a continuation of the existing Head Start and Early Head Start programs; therefore, funding will continue to support 34/23.1 FTE positions associated with Head Start services and 29/31.3 FTE positions associated with Early Head Start services for a total of 63/54.4 FTE positions. The County is under no obligation to continue these positions if grant funding expires.

ENCLOSED DOCUMENTS:
Attachment 1: Head Start/Early Head Start Summary of Grant Proposal
Attachment 2: Head Start and Early Head Start Letter of Funding Guidance dated January 12, 2026, regarding grant #03CH012068

STAFF:
Christopher Leonard, Deputy County Executive
Lloyd Tucker, Director, Department of Neighborhood and Community Services (NCS)
Keisha Dotson, Deputy Director, NCS
Flor Philips, Division Director, NCS
Janet Stewart, Head Start Program Manager, NCS

HEAD START/EARLY HEAD START GRANT

SUMMARY OF GRANT PROPOSAL

Grant Title:	Head Start and Early Head Start Grant
Funding Agency:	U.S. Department of Health and Human Services, Administration for Children and Families, Office of Head Start
Applicant:	Department of Neighborhood and Community Services
Partners:	Department of Neighborhood and Community Services, Fairfax County Public Schools, Higher Horizons Day Care, Inc., and Community Family Childcare Providers
Purpose of Grant:	The Head Start and Early Head Start Grant are national child development programs that provide quality early childhood education and comprehensive family support services to income eligible families with children birth to 5 years of age and expectant parents. The purpose of this grant is to serve 686 children and their families in a comprehensive, seamless birth-to-five Head Start and Early Head Start Grant. Children will be served in a home-based, center-based, or family childcare option.
Funding Amount:	$13,275,033, including $2,135,946 in Local Cash Match. The total required non-federal match will be met through $2,135,946 in Local Cash Match from the Federal-State Grant Fund, and $648,827 from in-kind contributions. It should be noted that including the in-kind contributions, total funding for this program is $13,923,860.
Positions:	Funding will continue to support a total of 63/54.4 FTE existing grant positions.
Proposed Use of Funds:	Funding will support the continuation of quality early childhood education and comprehensive family support services. Funding will primarily support program operations, staffing, materials, and equipment. Funding will also support training and technical assistance for the purpose of improving quality and helping prepare children to succeed in school.
Target Population:	Children from birth to 5 years of age and their families and expectant parents who reside in areas of the County that have high poverty rates, large numbers of children on Head Start/Early Head Start waiting lists,

	lack of affordable housing, limited transportation, and large populations of immigrant families.
Performance Measures:	The success of the program will be based on full compliance with Head Start program performance standards.
Grant Period:	The grant period is from July 1, 2026, through June 30, 2027.

ADMINISTRATION FOR CHILDREN & FAMILIES
Office of Head Start | 330 C St., SW, 4th Floor, Washington DC 20201 | headstart.gov

January 12, 2026

Grant No. 03CH012068

Dear Head Start Grant Recipient:

Your funding application for the upcoming budget period must be submitted by April 1, 2026. The following table reflects the annual funding and enrollment levels available to apply for:

Period of Funding: 07/01/2026 - 06/30/2027

Annual Funding	Head Start	Early Head Start
Program Operations	$5,508,163	$5,458,444
Training and Technical Assistance	$69,574	$102,906
Total Funding		**$11,139,087**

Enrollment Levels	Head Start	Early Head Start
Federal Funded Enrollment	434	252

Application Submission Requirements

The application must be prepared and submitted in accordance with the Head Start Grant Application Instructions with Guidance, Version 4.0 (Application Instructions) for a baseline application. It must be submitted on behalf of the Authorizing Official registered in HSES. Incomplete applications will not be processed.

Application Instructions are available on the homepage and in the 'Resources' section of HSES. Please review the instructions carefully prior to preparing the application.

Funding is contingent upon the availability of federal funds and satisfactory performance under the terms and conditions of the Head Start award. Annual funding levels are subject to change because of Congressional action or program performance and may result in additional funding guidance from the Office of Head Start.

One-time Program Improvement or Health and Safety Requests

Grant recipients encountering program improvement needs that cannot be supported by the agency budgets or other resources are invited to apply for one-time funding. This funding must be applied for separately through the Supplement or Supplement-Facilities 1303 amendment

type in HSES. Please select the appropriate amendment based on the description.

Requests generally include but are not limited to:

- Facility projects (construction, purchase, or major renovations requiring 1303 applications)
- Minor repairs and enhancements
- Playground installations or upgrades
- Funding to support transportation needs with investments in buses or other vehicles necessary to operate the program
- Security and surveillance investments to assure maximum safety of children

Requests are prioritized and funded based on funding availability and may require additional time before a final decision.

For questions regarding application instructions or program improvement needs and requests, please use HSES Correspondence. For assistance submitting the application in HSES, contact help@hsesinfo.org or 1-866-771-4737.

Thank you for your cooperation and timely submission of the grant application.

Sincerely,

Office of Head Start

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 2

Approval of a "Watch for Children" Sign as Part of the Residential Traffic Administration Program – John Milton Drive (Hunter Mill District)

ISSUE:
Board endorsement of a "Watch for Children" sign as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:
The County Executive recommends approval for the installation of the following:

- One "Watch for Children" sign on John Milton Drive (Hunter Mill District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved "Watch for Children" sign as soon as possible.

TIMING:
Board action is requested on March 3, 2026, to help facilitate prompt installation of the proposed signage.

BACKGROUND:
RTAP allows for the installation of one or more "Watch for Children" signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care centers, or community centers. FCDOT reviews each request to ensure the proposed sign(s) will be effectively located and will not conflict with any other traffic control devices.

On January 20, 2026, FCDOT received verification from the Hunter Mill District Supervisor's Office confirming community support for one "Watch for Children" sign on John Milton Drive.

EQUITY IMPACT:
None.

Board Agenda Item
March 3, 2026

FISCAL IMPACT:
Funding in the amount of $300 is available in Fund 300-C30050, Project 2G25-076-000, Traffic Calming Program.

ENCLOSED DOCUMENTS:
None.

STAFF:
Jennifer Miller, Deputy County Executive
Gregg Steverson, Director, Fairfax County Department of Transportation (FCDOT)
Martha Elena Coello, Deputy Director, FCDOT
Eric Teitelman, Chief, Active Transportation, Capital Projects and Traffic Engineering Division, FCDOT
Neil Freschman, Chief, Traffic Engineering Section, FCDOT
Steven K. Knudsen, Transportation Planner, Traffic Engineering Section, FCDOT
Nicole Machacuay, Transportation Planner, Traffic Engineering Section, FCDOT
Ryan O'Carroll, Transportation Planner, Traffic Engineering Section, FCDOT
Grace Vaughn, Planning Technician, Traffic Engineering Section, FCDOT

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 3

Approval of a "Watch for Children" Sign as Part of the Residential Traffic Administration Program – Forest Lake Drive (Dranesville District)

ISSUE:
Board endorsement of a "Watch for Children" sign as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:
The County Executive recommends approval for the installation of the following:

- One "Watch for Children" sign on Forest Lake Drive (Dranesville District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved "Watch for Children" sign as soon as possible.

TIMING:
Board action is requested on March 3, 2026, to help facilitate prompt installation of the proposed signage.

BACKGROUND:
RTAP allows for the installation of one or more "Watch for Children" signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care centers, or community centers. FCDOT reviews each request to ensure the proposed sign(s) will be effectively located and will not conflict with any other traffic control devices.

On January 14, 2026, FCDOT received verification from the Dranesville District Supervisor's Office confirming community support for one "Watch for Children" sign on Forest Lake Drive.

EQUITY IMPACT:
None.

Board Agenda Item
March 3, 2026

FISCAL IMPACT:
Funding in the amount of $300 is available in Fund 300-C30050, Project 2G25-076-000, Traffic Calming Program.

ENCLOSED DOCUMENTS:
None.

STAFF:
Jennifer Miller, Deputy County Executive
Gregg Steverson, Director, Fairfax County Department of Transportation (FCDOT)
Martha Elena Coello, Deputy Director, FCDOT
Eric Teitelman, Chief, Active Transportation, Capital Projects and Traffic Engineering Division, FCDOT
Neil Freschman, Chief, Traffic Engineering Section, FCDOT
Steven K. Knudsen, Transportation Planner, Traffic Engineering Section, FCDOT
Nicole Machacuay, Transportation Planner, Traffic Engineering Section, FCDOT
Ryan O'Carroll, Transportation Planner, Traffic Engineering Section, FCDOT
Grace Vaughn, Planning Technician, Traffic Engineering Section, FCDOT

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 4

Authorization to Advertise a Public Hearing on the Sale of 0.5 Million Gallons Per Day of Fairfax County's Unused Treatment Capacity and 2.7 Million Gallons Per Day of Conveyance Capacity at the Alexandria Renew Treatment Plant and Associated Conveyance System to the City of Fall Church

ISSUE:
Authorization to advertise a public hearing to consider an agreement to sell 0.5 million gallons per day (MGD) of Fairfax County's (County) unused treatment capacity and 2.7 MGD of conveyance capacity at the Alexandria Renew treatment plant and associated conveyance system to the City of Fall Church (City) to meet its growing need for additional treatment plant and conveyance capacities.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing on May 5th, 2026, at 4:30 p.m. to consider this sale.

TIMING:
Board action is requested on March 3rd, 2026, to advertise the proposed public hearing for sale of this capacity on May 5th, 2026, at 4:30 p.m.

BACKGROUND:
Alexandria Renew owns and operates a wastewater treatment plant that receives wastewater from City of Alexandria and Fairfax County. The treatment plant has a total capacity of 54 MGD. The County's allocated capacity at this plant is 32.4 MGD with current average daily flow of approximately 17 MGD.

Under the existing 1978 service agreement between the City and the County, the City's existing capacity allocations in the County's system include 4.3 MGD of conveyance and 1.0 MGD of the County's treatment capacity at Alexandria Renew treatment plant. As proposed, the City would purchase an additional 1.08 MGD of conveyance capacity and 0.5 MGD of treatment capacity from the County. Then the City would partner with the County to enlarge the conveyance capacity of a portion of the County's conveyance system and purchase an additional 1.62 MGD of conveyance capacity when construction of the enlarged pipe is completed. Following these transactions, the City's

conveyance allocation will increase from 4.3 MGD to 7.0 MGD, and treatment capacity will increase from 1.0 MGD to 1.5 MGD.

Staff projects that future flows in the County's portion of the Alexandria Renew service area will be 25 MGD. Our current unused capacity is 15.4 MGD (32.4 – 17 = 15.4 MGD). After the sale of 0.5 MGD, our unused capacity will be 14.9 MGD. Staff are confident that this unused capacity will be enough to serve the County's future growth in the Alexandria Renew service area. If, in the future, the County's treatment capacity needs exceed its allocation, the treatment plant capacity can be expanded to meet the County's needs. By selling the unused capacity now, the County can recover the County's cost of constructing any future capacity needs and avoids paying for the upcoming capacity upgrades at the plant that are not projected to be used by the County. The changes in allocation to the City will not materially adversely affect the efficiency of the system.

A public hearing is required to execute the capacity sales agreement between the County and the City. Staff request that the Board authorize the advertisement for the public hearing as to the form shown in Attachment I. A draft of the sales agreement is provided in Attachment II.

EQUITY IMPACT:
This agreement promotes regional environmental equity by allowing the City of Falls Church, a smaller jurisdiction, to access Fairfax County's unused wastewater system capacity to meet its growing needs. It provides a cost-effective option, helping ensure that a smaller community can meet its growing needs without disproportionate financial burden. The agreement supports shared environmental benefits across jurisdictions, aligning with the County's broader equity and sustainability commitments.

FISCAL IMPACT:
The County will receive $9,557,013 in proceeds from the sale of unused treatment and conveyance capacity. The City will pay $8,258,500 for 0.5 MGD treatment capacity and $519,405 for 1.08 MGD conveyance capacity once the County and City execute a sale agreement, which would be an amendment to the 1978 service agreement.

In addition to the City's purchases described above, it will pay a share of the cost to enlarge a segment of the County's conveyance system and then purchase an additional 1.62 MGD of conveyance capacity once the project is completed. The City's share of the project is estimated to be $6,000,000, which is subject to adjustment based on actual construction costs. And the City will pay $779,108 to obtain the additional 1.62 MGD of conveyance capacity.

The proceeds from the sale of this capacity will go into the County's Integrated Sewer Fund to fund future wastewater projects.

ENCLOSED DOCUMENTS:
Attachment I: Notice for Public Hearing Advertisement
Attachment II: Wastewater Capacity Sale and Purchase Agreement Between the Board of Supervisors of Fairfax County and The City of Falls Church, Virginia, Dated February 2, 2026.

STAFF:
Jennifer Miller, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eleanor Ku Codding, Deputy Director, Water Resources and Infrastructure, DPWES
William Barrack II, Director, Wastewater Planning and Monitoring Division, DPWES

ASSIGNED COUNSEL:
Marc Gori, Assistant County Attorney

FAIRFAX COUNTY NOTICE OF PUBLIC HEARING
ON SALE OF 0.5 MILLION GALLONS-PER-DAY OF FAIRFAX COUNTY'S UNUSED TREATMENT CAPACITY AND 2.7 MILLION GALLONS-PER-DAY OF CONVEYANCE CAPACITY AT THE ALEXANDRIA RENEW'S TREATMENT PLANT AND ASSOCIATED CONVEYANCE SYSTEM TO THE CITY OF FALLS CHURCH

NOTICE is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING** in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on:

Tuesday
May 5, 2026
Commencing at 4:30 p.m.

on the matter of the sale of 0.5 million gallons-per-day (MGD) of Fairfax County's unused treatment capacity and 2.7 MGD of conveyance capacity at the Alexandria Renew treatment plant and associated conveyance system to the City of Falls Church.

The purpose of this public hearing is to authorize the advertisement of a public hearing to consider the sale of 0.5 million gallons per day (MGD) of Fairfax County's unused wastewater treatment capacity and 2.7 MGD of conveyance capacity at the Alexandria Renew treatment plant and associated conveyance system to the City of Falls Church.

The Fairfax County Board of Supervisors' meeting is available to view live on Channel 16 and stream live online at www.fairfaxcounty.gov/cableconsumer/channel-16/live-video-stream. Live audio of the meeting may be accessed at 703-324-7700. Please contact the Office of the Clerk to the Board at (703) 324-3151 or ClerktotheBOS@fairfaxcounty.gov, or review on-line at www.fairfaxcounty.gov/boardofsupervisors/2026-board-meetings at least one week prior to the meeting for additional information on the status of the meeting (in person or electronic). All persons wishing to present their views on these subjects may call the Office of the Clerk for the Board at 703- 324-3151 or register online at www.fairfaxcounty.gov/clerkservices/ to be placed on the Speakers List and may appear and be heard via telephone or pre-recorded video. Deadlines by type of testimony are on the website. If the Board is meeting in person at the Government Center, speakers may also attend and testify in person. In addition, written testimony and other submissions will be received at 12000 Government Center Parkway, Suite 552, Fairfax, 22035 and ClerktotheBOS@fairfaxcounty.gov. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as information concerning the documentation for any proposed fee, levy, or increase, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 552 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. For the convenience of the public, copies may also be distributed to the County's Regional and Community Public Libraries.

Fairfax County supports the American with Disabilities Act by making reasonable accommodations for persons with disabilities. For sign language interpreters or other accommodations, please call the Clerk's Office at 703-324-3151, TTY: 703-324-3903 at least five days in advance of the public hearing. Assistive listening devices are available at the meeting.

GIVEN under my hand this ___ day of February 2026.

_____
Chief Deputy Clerk to the Board of Supervisors

Ad Run Dates: April 14 & April 21, 2026

WASTEWATER CAPACITY SALE AND PURCHASE AGREEMENT

between

THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY

and

THE CITY OF FALLS CHURCH

AND

AMENDMENT TO THE JULY, 1978 AGREEMENT ENTITLED "SEWER SERVICE AGREEMENT BETWEEN FAIRFAX COUNTY, VIRGINIA, AND CITY OF FALLS CHURCH, VIRGINIA"

Dated ___ ___, 2026

Wastewater Capacity Sale and Purchase Agreement

and

Amendment to the July, 1978 Sewer Service Agreement

THIS AGREEMENT, made as of the _____ day of _____, 2026, by and among the BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, a body politic and corporate, hereinafter referred to as "**Fairfax**," and the CITY OF FALLS CHURCH, VIRGINIA, a body politic and corporate, hereinafter referred to as the "**City**" (with such two Political Subdivisions being collectively referred to as the "Parties").

WITNESSETH:

WHEREAS, a portion of Fairfax residents receive their wastewater services pursuant to an agreement with the City of Alexandria, Virginia Sanitation Authority (aka Alexandria Renew Enterprises, and referred to herein as "**ASA**"), known as the ASA Service Agreement. The ASA Service Agreement provides that Fairfax is entitled to use a prescribed portion of the ASA Delivery System and the ASA Plant for the delivery and treatment of Fairfax wastewater; and

WHEREAS, the ASA Service Agreement allocates to Fairfax 60 percent of ASA's wastewater treatment capacity (the ASA treatment capacity is also referred to under the ASA Service Agreement as the "authorized design flow capacity") and variable amounts of ASA's wastewater delivery capacity and

WHEREAS, 54.0 mgd is the treatment capacity of the ASA Plant under its Virginia Pollutant Discharge Elimination System Permit as issued by the Department of Environmental Quality of the Commonwealth of Virginia; therefore, Fairfax's allocated share of treatment capacity under the ASA Service Agreement is 32.4 mgd; and

WHEREAS, Fairfax and the City entered into a Sewer Service Agreement dated July 1, 1978 (the "**1978 Agreement**"), which provided, among other things, for the City to receive in perpetuity 1.0 mgd of Fairfax's allocated share of treatment capacity at the ASA Plant, which 1.0 mgd is to be calculated on an Annual Average Daily Flow basis; and

Confidential

WHEREAS, Fairfax currently uses less than its allocated treatment capacity in the ASA Plant, and less than its implied delivery capacity that necessarily comes with that treatment capacity. Fairfax is therefore able to sell both additional treatment capacity and additional delivery capacity to the City, which the City desires to purchase; and

WHEREAS, Fairfax has the authority under the ASA Service Agreement to sell a portion of its unutilized wastewater delivery and treatment capacities to the City for its exclusive use and availability; and

WHERAS, the City has a present need for the additional delivery and treatment capacities purchased under this Agreement, and this Agreement satisfies that present need; and

WHEREAS, this Agreement does not cause the City to become a participant in the ASA Service Agreement, but enables the City's purchase of a portion of Fairfax's, reserved capacity under the ASA Service Agreement for the City's exclusive use. The City of Alexandria, Virginia Sanitation Authority is not a third-party beneficiary to this Agreement; and

WHEREAS, all obligations of Fairfax under the ASA Service Agreement will remain the sole obligations of Fairfax, including but not limited to the payment of all costs and liabilities assessed to Fairfax thereunder; and

WHEREAS, Fairfax and the City have the authority and the desire to enter into this Agreement; and

WHEREAS, the sale to the City of a portion of Fairfax's unutilized Delivery and Treatment Capacity under the ASA Service Agreement serves to promote the economic and environmental objectives of the Parties for their mutual benefit; and

WHEREAS, this Agreement for the City to purchase a portion of Fairfax's unutilized Delivery and Treatment Capacity constitutes an amendment to the 1978 Agreement; the terms of both agreements shall be effective and shall be harmonized as needed in order to give full effect to both agreements; when terms between the two agreements conflict and cannot be harmonized, the terms of this Agreement shall govern; and

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NOW, THEREFORE, in consideration of the aforementioned premises and of the mutual benefits to be derived therefrom, and of the respective undertakings, promises, and covenants of the Parties hereto as hereinafter contained, and that the above recitals are true and correct and incorporated herein by reference, the Parties hereto mutually covenant, undertake, promise, and agree as follows:

ARTICLE I
INCORPORATION, SHORT TITLE AND DEFINITIONS

SECTION 1.0: INCORPORATION OF RECITALS

The aforementioned recitals are incorporated into this Agreement as if fully set forth herein.

SECTION 1.1: SHORT TITLE.

Fairfax hereby conveys to the City legal entitlement to 2.7 mgd of the Fairfax Conveyance Capacity in the ASA Delivery System, and 0.5 mgd of the Fairfax Treatment Capacity in the ASA Plant, both of which constitute portions of the capacity allocated to Fairfax by the ASA under the ASA Service Agreement. The capacities hereby conveyed to the City are in addition to the capacities already conveyed by Fairfax to the City under the 1978 Agreement. The two agreements, together, will provide the City with a total of 1.5 mgd of wastewater treatment capacity and 7.0 mgd of wastewater conveyance capacity in the Fairfax System. As used in this agreement, "mgd" is calculated as an annual average daily flow.

SECTION 1.2: DEFINITIONS.

The terms in this Section, for all purposes of this Agreement and any amendments or other changes thereto, have the following meanings:

1. "1978 Agreement" means the agreement dated July, 1978, entitled, "Sewer Service Agreement between Fairfax County, Virginia and City of Falls Church, Virginia."

2. "2026 Acquisition Price" is equal to $8,777,905 and is the price to be paid by the City to Fairfax under this Agreement to use the capital infrastructure needed to deliver 1.08 mgd of the City's Conveyance Peak Flow and treatment of 0.5 mgd of wastewater. The 2026

Acquisition Price is the City's proportional share of the estimated fair market value of the capacity in the Fairfax Conveyance System and the Fairfax Treatment Capacity.

3. "2026 Transfer Date" means the date that the City's Total 2026 Capacity is sold and allocated to the City for its exclusive use.

4. "2027 Acquisition Price" is estimated to be $6,779,108 and is the price to be paid by the City to Fairfax under this Agreement for the use of capital infrastructure to deliver and treat the City's wastewater. The 2027 Acquisition Price is the City's proportional share of the estimated fair market value of an additional 1.62 mgd of peak flow capacity in the Fairfax Conveyance System. This price includes $779,108 for the use of the existing Fairfax Conveyance System downstream of Sisler's sub-shed, and an estimate of $6,000,000 for the City's proportional share of the cost to upsize a portion of the Fairfax Conveyance System in Tripps Run (the "Tripps Project," as defined below), which will provide an additional 1.62 mgd for City's Conveyance Peak Flow capacity. The City's share of the cost of the Tripps Project will be based on the actual cost of construction.

5. "2027 Transfer Date" means the date that the City's Total 2027 Capacity is sold and allocated to the City for its exclusive use. This date is subject to the completion of the Tripps Project.

6. "Annual Average Daily Flow" is the Average Daily Flow over the course of a year, and is calculated as a number equal to the average of (i) the Average Daily Flow calculation for the current month, and (ii) the Average Daily Flow calculations for the preceding 11 months. The Annual Average Daily Flow is expressed in "millions of gallons per day," or "mgd."

7. "ASA Costs" means all of Fairfax's costs associated with (i) operating, maintaining, replacing, and upgrading the ASA System and includes all costs of operation, maintenance, and replacement, including indirect costs of administration and overhead; (ii) deposits to funds required by the ASA Service Agreement for capital renewals, replacements and improvements and any other specific funding requirements; (iii) payment of any direct

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billed capital improvements made to the ASA System allocable to Fairfax; (iv) payment of Fairfax's proportional share of any debt service or loan service payments to ASA for capital improvements financed by ASA on behalf of Fairfax; and (v) any other expenditures that are the responsibility for payment by Fairfax, all as determined by ASA and billed to Fairfax.

8. "ASA Delivery System" means the regional delivery system of sewer trunk lines and interceptor sewer lines now existing or to be expanded, constructed, or modified that are now or will be owned, operated, and managed by ASA for the transmission of wastewater from the respective Participant's sewer sheds or service areas to the ASA Plant including, but not limited to, power supplies, pumping facilities, force mains, flow metering and measuring devices, storage facilities, and other related utility plant elements that are necessary to convey wastewater. Such facilities are in addition to the facilities that comprise the ASA Plant.

9. "ASA Operating Expense Charge" means the City's share of Fairfax's actual operational cost incurred as invoiced to Fairfax by ASA, and is calculated by multiplying the operational cost invoiced to Fairfax by the percentage of the City's wastewater flow, as metered or calculated, of the total wastewater flow delivered to the ASA Points of Delivery by Fairfax during each month of the Fiscal Year.

10. "ASA Plant" means ASA's regional wastewater treatment facility (also known as a water reclamation facility), now existing, or as it may be expanded, constructed, re-rated, or modified, that is owned, operated, or managed by ASA, including administration buildings, plant offices, laboratory buildings, retention and ballast basins, power supplies, storage facilities, and necessary appurtenances and equipment, for the treatment of wastewater and the utilization or disposal of residuals and by-products in conformance with the requirements of DEQ and policies of the ASA Board of Directors.

11. "ASA Points of Delivery" means the connection points at which Fairfax's wastewater drains into the ASA Delivery System for the delivery of wastewater to the ASA Plant for treatment and disposal.

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12. "ASA Service Agreement" means the Amended and Restated Service Agreement dated October 1, 1998, as may be amended, restated, or modified from time to time, which, among other things, contractually obligates ASA to provide wastewater delivery and treatment capacity and service to Fairfax. A copy of the version of the ASA Service Agreement in effect as of the date of this Agreement is included in Attachment A to this Agreement.

13. "ASA System" means the combination of the ASA Plant and the ASA Delivery System.

14. "Average Daily Flow" is a number equal to the amount of wastewater flow measured over the course of a day, averaged across the number of days in a given month.

15. "City('s) 2026 Conveyance Capacity" means the additional 1.08 mgd capacity in the Fairfax Conveyance System purchased by the City pursuant to this Agreement, for the City's exclusive use to transmit wastewater from the City through the Fairfax Conveyance System to the ASA Plant.

16. "City('s) 2026 Treatment Capacity" means the amount of Fairfax Treatment Capacity purchased by and allocated to the City for its exclusive use pursuant to this Agreement, which must not exceed an Annual Average Daily Flow of 0.5 mgd, nor a Maximum Total Daily Volume of 1.0 million gallons, and is exclusive of the City's Current Treatment Capacity.

17. "City('s) Conveyance Capacity Percentage" means the percentage of Fairfax's conveyance capacity allocated to the City, and is obtained by dividing the City Conveyance Capacity by the Fairfax Conveyance Capacity.

18. "City's Conveyance Peak Flow" means the actual flow rate of the City's wastewater through the Fairfax Conveyance System, as measured every 15 minutes at each City Point of Delivery. The City's "conveyance peak flow" will be determined by averaging the most recent 15-minute flow rate measurement with the three immediately preceding 15-minute measurements. This averaging method represents a *rolling hourly average* flow rate,

expressed in million gallons per day (mgd), and is used for determining compliance with the City's Conveyance Peak Flow Capacity. "City's Conveyance Peak Flow Capacity" means the Conveyance Peak Flow Capacity that is purchased by the City for its use under this Agreement.

19. "Conveyance Peak Flow Capacity" means the maximum rolling hourly average flow rate, expressed in mgd derived from 15-minute flow measurements.

20. "City('s) Current Conveyance Capacity" means the portion of Fairfax's Conveyance Capacity in the ASA Delivery System that was allocated to the City for its exclusive use pursuant to the 1978 Agreement, which portion is equal to 4.30 mgd.

21. "City('s) Current Treatment Capacity" means the portion of Fairfax's Treatment Capacity at the ASA Plant that was allocated to the City for its exclusive use under the 1978 Agreement, which portion is equal to 1.0 mgd, expressed on an Annual Average Daily Flow.

22. "City('s) Disposal Area" means the geographical area of the City from which wastewater drains into the Fairfax Conveyance System, as delineated and identified on Attachment B.

23. "City Points of Delivery" means the connection points at which the City's wastewater drains into the Fairfax Conveyance System for transmission to the ASA Plant for treatment and disposal.

24. "City('s) Total 2026 Capacity" means the combination of the City's 2026 Treatment Capacity and the City's 2026 Conveyance Capacity.

25. "City('s) Total Conveyance Capacity" means the total volume of conveyance capacity in the Fairfax Conveyance System purchased by and allocated to the City for its exclusive use. The City's Total Conveyance Capacity is equal to the sum of: (i) the City's Current Conveyance Capacity (equal to 4.30 mgd maximum peak flow), (ii) the City's 2026 Conveyance Capacity (equal to 1.08 mgd maximum peak flow), and (iii) the City's 2027 Conveyance capacity (equal to 1.62 mgd maximum peak flow) for a Total Conveyance

Capacity equal to 7.0 mgd maximum peak flow.

26. "City('s) Total Treatment Capacity" means the total amount of Fairfax Treatment Capacity purchased by and allocated for the City's exclusive use and represents the sum of (i) the City's Current Treatment Capacity of 1.0 mgd, and (ii) the City's 2026 Treatment Capacity of 0.5 mgd, which together equal 1.50 mgd. The City's Total Treatment Capacity of 1.5 mgd reflects the Annual Average Daily Flow that will be treated by Fairfax.

27. "City('s) Treatment Capacity Percentage" means the percentage obtained by dividing the City Treatment Capacity of 1.50 mgd by the Fairfax Treatment Capacity at the ASA Plant of 32.4 mgd, which quotient equals 4.63 percent, and may be amended if the Fairfax Treatment Capacity changes.

28. "Conveyance" as used in this Agreement is interchangeable with "delivery."

29. "Conveyance System Expenditure Charge" as used in this agreement is the cost billed to the City for the operation, maintenance, and examination of the Fairfax Conveyance System and ASA delivery System, and testing of the accuracy of the sewage meters and associated repair and maintenance cost of the meters.

30. "Delivery" as used in this Agreement is interchangeable with "conveyance."

31. "DEQ" means the Virginia Department of Environmental Quality or the State Water Control Board or any other agency or agencies of the Commonwealth of Virginia or the United States that may succeed to their duties.

32. "Fairfax('s) Conveyance Capacity" means the total capacity in the Fairfax Conveyance System; it does not include Fairfax's Conveyance Capacity in the ASA Delivery System.

33. "Fairfax('s) Conveyance System" means the wastewater conveyance facilities owned and operated by Fairfax that convey wastewater from the City Points of Delivery to the ASA Points of Delivery. The City Points of Delivery and the ASA Points of Delivery are delineated on Attachment B.

34. "Fairfax('s) Disposal Area" means that geographic area served by the Fairfax sewerage system that then drains into the City's sewerage system. The Fairfax Disposal Area is delineated and identified on Attachment B.

35. "Fairfax System" means the combination of the (i) Fairfax Treatment Capacity and (ii) the Fairfax Conveyance System.

36. "Fairfax('s) Treatment Capacity" means (i) Fairfax's capacity in the ASA Plant, which is currently equal to 32.4 mgd, or sixty percent (60%) of the total capacity of the ASA Plant (currently 54.0 mgd), plus (ii) Fairfax's implied capacity in the ASA Delivery System necessary to deliver wastewater from the ASA Point of Delivery to the ASA Plant.

37. "Fiscal Year" means the twelve consecutive months beginning July 1st and ending June 30th.

38. "Force Majeure" includes, but is not limited to, acts of God, weather, strikes, lockouts, or other industrial disturbances, acts of any public enemy, wars, blockades, riots, acts of armed forces, epidemics and pandemics, delays by carriers, inability to obtain materials or rights-of-way on reasonable terms, acts or failures to act by public authorities not under the control of any party to this Agreement, or acts or failures to act by regulatory authorities.

39. "Maximum Total Daily Volume" means the maximum volume of wastewater that is allowed to be conveyed from the City to the Fairfax System over the course of 24 hours of any given calendar day. Under this Agreement, the Maximum Total Daily Volume is 3.0 million gallons.

40. "Meters", "metering", or "metered" means or refers to any device for measuring the flow of wastewater delivered to the ASA System by the Participants.

41. "mgd" stands for *million gallons per day*. "MGD" is a ratio that is used to denote the Annual Average Daily Flow.

42. "New Connection" means the installation of a new sewer lateral from a property to a sewer main, when the subject property did not previously have a sewer lateral connecting to the sewer main, or the enlargement of an existing sewer lateral due to a change in use of the property, which use is anticipated to generate a greater volume of wastewater.

43. "Participants" means Fairfax and the City of Alexandria, Virginia Sanitation Authority, who are parties to the ASA Service Agreement.

44. "Sewage Unit" means a source of wastewater flow that is not metered from a structure or structures that flow from the City Disposal Area into the Fairfax Conveyance System or from a structure or structures in Fairfax that flow into the City sewage collection system ("Unmetered Flow" is the wastewater flow from a Sewage Unit).

45. "Sewer" and "Sewage" are used in this Agreement interchangeably with "wastewater."

46. "Total Acquisition Price" means the combination of the 2026 Acquisition Price ($8,777,905), and the 2027 Acquisition Price (estimated to be $6,779,108), which will be determined based on the actual cost of construction when the Tripps Project is completed.

47. "Total Conveyance Peak Flow" is the coincident sum of the Conveyance Peak Flow measurements at each of the three City Points of Delivery.

48. "Tripps Project" means the County project to upsize the Fairfax Conveyance System downstream of the Sisler's sub-shed, which will be constructed by Fairfax and funded by both Parties, with the City's share of cost being based on the acquisition of 7 mgd in that conveyance system improvement.

49. "Tripps Run Sewer Relocation Project Contribution Estimate" means the City's pro rata share of the cost of increasing the Fairfax Conveyance Capacity in Tripps Run (the Tripps Project) to achieve the City's Total Conveyance Capacity of 7 mgd of City's Conveyance Peak Flow capacity in that section of the Fairfax Conveyance System.

50. "Unmetered Flow" is the wastewater flow from a Sewage Unit.

51. "12-Month Rolling Period" means a flexible timeframe of 12 consecutive months that is continuously updated. This means that as each month passes, the period shifts forward, always encompassing the most recent 12 months.

52. "Wastewater" is used interchangeably in this Agreement with "sewer."

ARTICLE II
SALE OF CAPACITY

SECTION 2.1: 2026 and 2027 CAPACITY TRANSFERs.

Fairfax agrees to sell, and the City agrees to purchase, 0.50 mgd of Fairfax's Treatment Capacity in the ASA Plant, and 2.7 mgd of Fairfax's Conveyance System Capacity in the ASA Delivery System. Fairfax shall reserve these purchased entitlements for the City's sole and exclusive use.

The City's Total 2026 Capacity will be available to the City on the 2026 Transfer Date and is in addition to the City's Current Capacity. The City's Total 2026 Capacity is perpetual unless the Parties agree to amend this Agreement. The City's Total 2027 Capacity will be available to the City on the 2027 Transfer Date. The City's Total 2027 Capacity is perpetual unless the Parties agree to amend this Agreement. The Parties affirm that this Agreement does not assign or transfer Fairfax's rights, obligations, or liabilities under the ASA Service Agreement to the City and does not alter Fairfax's obligations under the ASA Service Agreement. Fairfax retains sole responsibility for the payment of the ASA Costs as billed, and the City is a wholesale wastewater customer of Fairfax only.

SECTION 2.2: ACQUISITION PRICE OF 2026 and 2027 CAPACITIES

The acquisition price of the City's 2026 Capacity is $8,777,905 (the 2026 Acquisition Price), which is based on the City's proportional share of the estimated fair market value of the capacity in the Fairfax Conveyance System and the Fairfax Treatment Capacity in the ASA System. The breakdown of the 2026 Acquisition Price is summarized below. Payment of the 2026 Acquisition Price is due from the City within 30 days after the execution of this Agreement.

Table 1: 2026 Acquisition Price	
ASA System Capital Cost per 0.5 mgd	$8,258,500
Fairfax Conveyance System – Capital Cost per 1.08 mgd	$519,405
Total 2026 Acquisition Price	$8,777,905

Payment of the 2027 Acquisition Price is due from the City within 90 days after Fairfax provides to the City an accounting of the final cost of the upsizing the Fairfax Conveyance System in Tripps Run and the City's share of the project.

Table 1A: 2027 Acquisition Price	
Tripps Run Sewer Relocation Project Contribution Estimate	$6,000,000
Fairfax Conveyance System – Capital Cost per 1.62 mgd	$779,108
Total 2027 Acquisition Price	$6,779,108

SECTION 2.3: NOTIFICATION OF INTENT TO PURCHASE AND TRANSFER OF CAPACITY; PERFORMANCE.

Execution of this Agreement will create a binding contract between the parties. The City is not entitled to the 2026 Capacity until Fairfax receives payment of the 2026 Acquisition Price from the City.

ARTICLE III
CAPACITY PURCHASED BY THE CITY

SECTION 3.1: FAIRFAX RESPONSIBILITIES.

Once the City remits payment of the 2026 Acquisition Price to Fairfax, Fairfax will fulfill all of its obligations under this Agreement, including:

(1) Fairfax will receive all wastewater from the City Disposal Area at the City Points of Delivery in such capacities as provided in this Agreement.

(2) Fairfax will convey, treat, and dispose of the wastewater collected at the City Points of Delivery in the Fairfax System, in the same manner and to the same extent or degree as provided for all other wastewater entering the Fairfax System.

(3) Fairfax will provide, and reserve unto the City, permanent capacity for conveyance and treatment of wastewater in the Fairfax System from the City Disposal Area in such capacities as provided in this Agreement.

SECTION 3.2: CITY RESPONSIBILITIES.

Section 3.2.1 – Treatment Capacity Limitations:

(a) If the City's Annual Average Daily Flow at the City Points of Delivery equals or exceeds 95% of the City's Total Treatment Capacity for six consecutive months, then the City must submit a plan to Fairfax, as approved by the City Manager, to either (a) purchase additional treatment capacity from Fairfax, if additional capacity is available for purchase, or (b) propose a plan outlining how the City will prevent its wastewater flows from exceeding the City's Total Treatment Capacity.

(b) If the City's Annual Average Daily Flow at the City Points of Delivery exceeds the City's Total Treatment Capacity for six consecutive months, then the City must stop New Connections within the City's Disposal Area until such time as (1) flows are reduced to within the limits of the City's Total Treatment Capacity for a period of 6 consecutive months; or (2) the City acquires additional treatment capacity from Fairfax, if additional capacity is available for purchase.

(c) If the City exceeds the Maximum Total Daily Volume (3.0 million gallons) three times in any 12-month rolling period, then the City will stop any New Connections to the City sewer system that drain to the City Points of Delivery until the City acquires additional treatment capacity for any new sewer connections in the City Disposal Area.

Section 3.2.2 Conveyance Capacity Limitations:

(a) If at any time after payment of the 2027 Acquisition Price, the City's Conveyance Peak Flow at any one of the City's Points of Delivery exceeds 95% of the assigned allocation

(as shown in Table 3) two times in any rolling 6-month period, then, within 12 months of the second occurrence, the City will: (i) complete a sewer inflow study for the affected sewer sub-shed; (ii) provide the study results to Fairfax; and (iii) develop and submit to Fairfax a plan that outlines how compliance with the peak flow limit for the affected sewer sub-shed will be maintained.

(b) If at any time after payment of the 2027 Acquisition Price, the City's peak flow at any one of the City's Points of Delivery, or the City's Total Conveyance Peak Flow, exceeds the Conveyance Peak Flow Capacity shown in the last column of Table 3 three times in any 12-month rolling period, the City will: (i) submit a plan to Fairfax within 6 months describing how the City will achieve compliance with the Conveyance Peak Flow Capacity assigned to the affected Point of Delivery; and (ii) stop any New Connections in the sub-shed(s) responsible for the exceedances until Fairfax has approved the City's plan, and the City has implemented that plan.

(c) If, after the measures described in (a) and (b) above have been taken by the City, the City continues to exceed the Conveyance Peak Flow Limit at any of the City's Points of Delivery, then Fairfax may at its discretion install a weir at the City's Point of Delivery exceeding its Conveyance Peak Flow Limit, as necessary to enforce the Conveyance Peak Flow Limits of this agreement.

(d) If the City and Fairfax agree it is in their mutual best interests to increase conveyance capacity in the Fairfax system downstream of the Cedar Lane sub-shed, the City and Fairfax will proportionally, based on peak flow allocation, share the cost of a project to increase the capacity of the downstream conveyance system to meet each Party's capacity requirements.

(e) If there are documented sewer overflow or sewage backups in Fairfax caused by the City exceeding its Conveyance Peak Flow Capacity under this Agreement, the City will be responsible for its proportionate share of any penalties assessed against Fairfax by DEQ and any other damages paid by Fairfax.

(f) Peak flow allocations at each of the City's Points of Delivery will be determined by calculating a rolling hourly average peak flow at each point of entry at 15-minute intervals.

SECTION 3.3: CITY TREATMENT CAPACITY.

(a) Purchased Treatment Capacity. On the 2026 Transfer Date, Fairfax will provide to the City, and the City will be entitled to use, the City's Total Treatment Capacity (equal to 1.50 mgd, expressed as an Annual Average Daily Flow) and the City Treatment Capacity Percentage (4.63% of Fairfax Treatment Capacity), as calculated below in Table 2:

Table 2: City Treatment Capacity and Percentage

	Amount
Current Treatment Capacity (mgd)	1.0
2026 **Treatment Capacity (mgd)**	0.5
City Treatment Capacity at 2026 Transfer Date (mgd)	1.50
Total Fairfax Treatment Capacity in ASA Plant (mgd)	32.400
Purchased Treatment Capacity Percentage	4.63%

(b) Additional Future Capacity. Fairfax will permit the City to purchase additional capacity in the Fairfax System if capacity is available as determined by Fairfax, or the City may contribute to future projects to increase conveyance and treatment capacities on a prorated cost basis when such additional capacity is for the joint use of the Parties. The City may fund the total cost of any project that increases conveyance capacity that is for the City's exclusive use. This Agreement does not limit the City's right to obtain from other sources, or to create for itself, capacity for the conveyance or treatment of its wastewater, nor does it obligate the City to use the capacities purchased under this Agreement.

(c) If the Fairfax Treatment Capacity in the ASA Plant is reduced by ASA, then the City Treatment Capacity will be reduced proportionately.

(d) Notice. Fairfax is obligated to provide the City with notice of any threatened reduction in Fairfax's Treatment Capacity promptly after Fairfax itself is notified, and to notify the City of the date upon which any reduction will take effect as soon as that information is known to Fairfax.

(e) Voluntary Reductions. If Fairfax voluntarily reduces its treatment capacity at the ASA Plant, or sells a portion of its treatment capacity to another entity, the City's capacity will remain unchanged.

SECTION 3.4: CITY CONVEYANCE PEAK FLOW CAPACITY.

On the 2026 Transfer Date, the City's Conveyance Peak Flow Capacity will equal 5.38 mgd, expressed on a Peak Flow Capacity basis. Further, the City cannot, in any given hour, exceed either

(i) the Conveyance Peak Flow Capacity at any of the individual City Points of Delivery, as specified in the Table 3, column "2026 Conveyance Peak Flow Capacity", or (ii) the Total Conveyance Peak Flow Capacity of 5.38 mgd for all City Points of Delivery taken together; provided that calculations of the City's Conveyance Peak Flow Capacity will be performed consistent with the definition for that term set forth in this Agreement.

TABLE 3: City Allocated Capacity by Point of Delivery – Fairfax Conveyance System				
Current Meter ID Number and Meter Location / City Points of Delivery	**City Disposal Area Reference**	**Average Daily Treatment Capacity (mgd)**	**2026 Conveyance Peak Flow Capacity (mgd)**	**2027 Conveyance Peak Flow Capacity (mgd)**
I1801 – Cedar Lane	**M-A**	**0.07**	**0.50**	**0.50**
I1802 – Tinners Hill	**M-B**	**0.17**	**0.54**	**0.54**
I1803 – Sislers	**M-C**	**1.26**	**4.34**	**5.96**
Total		**1.50**	**5.38**	**7.00**

Upon payment of the 2027 Acquisition Price, the City's Conveyance Peak Flow capacity will equal 7.00 mgd. Further, the City cannot, in any given hour, exceed either (i) the Conveyance Peak Flow capacity at any of the individual City Points of Delivery, as specified in the Table 3, column "2027 Conveyance Peak Flow Capacity," or (ii) the Total Conveyance Peak Flow Capacity of 7.00 million gallons for all City Points of Delivery taken together; provided however that calculations of City's Conveyance Peak Flow capacity will be performed consistent with the definition for that term set forth in this Agreement.

ARTICLE IV

CHARGES FOR SERVICE

SECTION 4.1: TOTAL COST.

(a) The term "Total Cost" as used in this Section means the total amount of cost to be incurred by Fairfax and the City for the construction or improvement of jointly used sewerage facilities, including the cost of construction and equipment of all or any part of the sewerage system jointly used by the Parties, and the costs of acquiring any property rights, easements, privileges, agreements, and franchises necessary or useful and convenient, as determined by the constructing party. The Total Cost includes interest, premiums, or discounts on bonds, cost of issuance of bonds, engineering and inspection costs, permitting and other regulatory expenses, legal expenses, cost of financial, professional, and other estimates, and advice, contingencies, and all such other expenses as may be necessary or incidental to the financing, construction, equipment, and completion of the sewage system jointly used, and placing the same in operation except as hereinafter stated.

(b) Any Federal, State, or local grants, and any dedication or payment by developers or others received by Fairfax or the City for construction or improvement of any portion of the sewerage system jointly used will be deducted from the Total Cost attributable to the portion of the system to which such grants, dedications, or payments apply. The remaining Total Cost, after deductions are made, will be used to determine each Party's proportional share of the Total Cost for the construction or improvement of a jointly used sewage facility.

SECTION 4.2: CHARGES FOR SERVICE AND CAPITAL REIMBURSEMENT.

Beginning on the 2026 Transfer Date, the City will be responsible for all expenses and liabilities incurred by Fairfax that are allocable to the City's 2026 Treatment Capacity and the City's 2026 Conveyance Capacity. The rates and charges billed to the City will include the total sum of the following components:

(1) ASA Operating Expense Charge – This charge is the City's allocation of Fairfax's share of the billed Operating Expenses directly or indirectly attributable to the ownership or operation of the Joint Use Facilities and payable as operating expenses under generally-accepted accounting principles, all as defined in the ASA Service Agreement. The City's share of this charge is the percentage of the City's actual wastewater flow of the total wastewater flow delivered to the ASA Point of Delivery by Fairfax during each month of the Fiscal Year, as metered at the City's Points of Delivery.

(2) Joint Use Facilities Account Charge (also referred to as the Joint Improvement, Repair and Replacement Fund By ASA) – This charge is the City's allocation of the Fairfax share of all payments to the Joint Use Facilities Account, as defined in the ASA Service Agreement. The City's allocation of costs is calculated using the City's Treatment Capacity Percentage which, on the Transfer Date is 4.63%. The Joint Facilities Use Account is held and managed by ASA to fund ongoing renewals and replacements of Joint Use Facilities and is not included as a Cost of Improvements as referenced below. To the extent that ASA distributes any funds held in the Joint Use Facilities Account to Fairfax as provided in the ASA Service Agreement, the City will be paid for its pro rata share of such distributed funds equal to the total distributed funds received by Fairfax multiplied by the City's Treatment Capacity Percentage.

(3) ASA Joint Use Facilities Debt Service Charge – This charge is the City's allocation of the Fairfax share of all debt service charges for Bonds issued by ASA, if any, to finance the Total Cost of the i) Cost of Improvements on Joint Use Facilities incurred by the Participants in connection with the acquisition, construction, improvement, renovation and equipping thereof; ii) purchase of lands, properties, rights, easements, franchises and permits; iii) cost of all machinery and equipment; and iv) other costs that are required to be capitalized or which ASA elects to capitalize to the ASA System that are considered as a Joint Use Facility and allocable to Fairfax, all as defined in the ASA Service Agreement. The City's allocation of the funding of the payment of the allocated Bonds debt service payments is calculated using the City's Treatment Capacity Percentage.

(4) ASA Joint Use Facilities Capital Improvement Charge – This charge is the City's allocation of Fairfax's share of the Total Cost of the ASA capital improvements to Joint Use Facilities that are funded directly by Fairfax from its own available funds or through the issuance of debt by Fairfax and not directly funded by ASA or by the use of funds on deposit in the Joint Use Facilities Account, all as defined in the ASA Service Agreement. The City's share of the Total Cost will be based on the Cost of Improvements made by ASA as invoiced by ASA to Fairfax. The City's allocation of the Total Cost of the Fairfax funded portion of ASA Cost of Improvements is based on the City's Treatment Capacity Percentage. If the Cost of Improvements is debt-financed by Fairfax, the City may prepay all or a portion of its allocated cost of such improvements. If the City prepays its share of the Cost of Improvements, then it will not be responsible for any financing charges attributable to those improvements.

(5) Fairfax Conveyance System Expenditure Charge – This charge is the operating expense, including renewals and replacements, debt service charges, and other directly assignable costs associated with the operation, maintenance, and replacement of, and capital improvements to, the Fairfax Conveyance System. The City's share of Fairfax's operation and maintenance expenditures on the Fairfax Conveyance System will be a function of actual City flows; the City's share of Fairfax's expenditures on replacements of, and capital improvements to, the Fairfax Conveyance System, will be a function of the City's Conveyance Capacity Percentage.

If the Fairfax Treatment Capacity is modified by an amendment to the ASA Service Agreement, Fairfax will notify the City as soon as practicable of such change, and will proportionately adjust the City's Conveyance Capacity or the City's Treatment Capacity, or both, as appropriate, which will affect charges allocable to the City.

ARTICLE V
PAYMENTS

SECTION 5.1: PAYMENT OF ACQUISITION PRICE.

The City must make a payment of $8,777,905 (the 2026 Acquisition Price) within 30 days after execution of this Agreement. The City is not entitled to the 2026 Capacity until Fairfax receives payment of the 2026 Acquisition Price, and Fairfax may by written notice terminate this Agreement at any time after the deadline if payment has not been made, effective immediately upon the date the City receives notice.

To receive the 2027 Capacity, which adds 1.62 million gallons to City's Conveyance Peak Flow capacity to the City's 2026 Conveyance Capacity, the City must make an additional payment estimated to be $6,779,108 (the 2027 Acquisition Price). The final amount for the 2027 Acquisition Price will be provided to the City after completion of the Tripp's Project, as specified in Section 2.2. Payment of the 2027 Acquisition Price by the City must be completed within 90 days of when the final amount is communicated by the County.

SECTION 5.2: PAYMENTS FOR SERVICE.

Fairfax will bill the City monthly for the operation and maintenance charges and quarterly for all other charges to be paid by the City as described in Article IV and as follows:

(a) Payment of ASA Operating Expense Charge: The City must pay its share of the actual operating cost invoiced to Fairfax by ASA as follows:

(1) The City's share of the actual operational cost incurred by Fairfax and invoiced to Fairfax by ASA, is calculated by multiplying the operational cost invoiced to Fairfax by the percentage of the City's wastewater flow, as metered or calculated, of the total wastewater flow delivered to the ASA Points of Delivery by Fairfax during each month of the Fiscal Year.

(2) If the invoiced cost to Fairfax by ASA is based on the ASA budget for the respective Fiscal Year (in terms of expenses and / or sewer volume), the invoiced cost is considered an estimated cost.

(3) If the invoiced cost to Fairfax is estimated as specified in Section 5.2(a)(2) above, Fairfax will reconcile the estimated cost with the actual cost as follows: upon receipt of the actual costs and related wastewater volume being treated at the ASA Plant by all Participants, Fairfax will determine the actual total Operating Expense Charges allocated to and the actual respective quantity of sewage delivered from Fairfax to the ASA Plant during such period. Fairfax will then issue a statement to the City showing the actual total amount of charge due and payable by the City for the services rendered to it during such Fiscal Year and the amount previously paid by the City. If the amount due and payable by the City exceeds the actual amount paid by the City, the City must pay Fairfax the difference in full on or before the 10th day of the month following the month in which the statement was issued. If the amount paid by the City exceeds the City's actual share of the costs, then Fairfax will give the City a credit for the overpaid amount on the next successive monthly bills to the City until the credit for the return of the overpayment is returned to the City in full (estimated to actual costs are referred to as the "cost reconciliation").

(b) Payment of the Joint Use Facility Charge, Joint Use Facility Debt Service Charge, Joint Use Facility Capital Improvement Charge, and Fairfax Conveyance System Expenditure Charge: The City must pay Fairfax for its share of the actual amounts of these charges invoiced by ASA to Fairfax as follows:

(1) The City's cost is equal to the actual cost incurred by Fairfax as invoiced by ASA for providing such services multiplied by the City's Treatment Capacity Percentage.

(2) If the invoiced cost to Fairfax by ASA is based on the ASA budget for the respective Fiscal Year (in terms of the total deposit required to the respective fund as determined by ASA), the invoiced cost is considered an estimated cost.

(3) If the cost is estimated as specified in Section 5.2(b)(2), Fairfax will reconcile the estimated cost with the actual cost as follows: upon receipt of the actual costs to Fairfax from ASA, Fairfax will determine the actual total of the Joint Use Facility Charge, Joint Use Facility Debt Service Charge, Joint Use Facility Capital Improvement Charge, and Fairfax Conveyance System Expenditure Charge allocated to Fairfax during such

period. Fairfax will then issue a statement to the City showing the actual total amount of charge due and payable by the City for each specified charges during the applicable Fiscal Year and the amount previously paid by the City. If the amount due and payable by the City exceeds the actual amount paid by the City, the City must pay Fairfax the difference on or before the 10th day of the month following the month in which the statement was issued. If the amount paid by the City exceeds the City's actual share of the costs, then Fairfax will give the City a credit for the overpaid amount on the next successive monthly bills to the City until the credit for the return of the overpayment is returned to the City in full.

SECTION 5.3: CITY RATES.

During the term of this Agreement, the City must establish rates, fees, and charges for wastewater service that are billed to its customers located in the City utility service area and served outside the City's corporate boundaries, if any, that will be sufficient to pay all the Charges for Service as invoiced by Fairfax. The City agrees that the invoiced amount of the Charges for Service incurred for the conveyance and treatment of sewage to Fairfax, including all capital reimbursements as invoiced by Fairfax, will be senior in payment priority to all other City expenses and capital expenditures for the City's wastewater utility system as allowed by law, and with the exception of bond payments and other interjurisdictional agreements. The City covenants and agrees that it will annually, within a reasonable time after the adoption of its wastewater utility system budget, revise such rates, fees and charges billed to its users of wastewater utility service in an amount necessary to comply with the terms of this Agreement. To the extent that the City does not adjust the rates, fees and charges which are necessary to fully fund the operating and capital needs of the City's wastewater system pursuant to prudent utility practice, including limiting the wastewater flow delivered to Fairfax to the amount of the City Capacity, Fairfax will consider this as a default to the Agreement and may terminate the Agreement.

ARTICLE VI
PRETREATMENT

The Parties must comply with all applicable rules and regulations adopted by Fairfax that pertain to the conveyance, treatment, and disposal of sewage in the publicly owned treatment works. Specifically, the Parties must comply with and enforce the prohibitions in Chapter 67.1 of the Fairfax County Code, as may be amended. The Parties agree to execute an Interjurisdictional Pretreatment Agreement within 12 months of the 2026 Transfer Date.

ARTICLE VII
SEWAGE METERS

(a) Existing sewage flow meters will be used to measure the City's sewage flow rate to the Fairfax Conveyance System and Fairfax's sewage flow rate to the City Disposal Area, except as stated in paragraph (e) of this section, for compliance with the terms of this Agreement, determination of the use of the City Capacity, and billing of the Charges for Service, as applicable.

(b) If new sewage flow meters are needed, the type, location, and size of the sewage flow meter installed is at Fairfax's sole discretion. Each meter will be capable of recording all sewage flow rates and volume.

(c) Fairfax will read, operate, maintain, examine, and test the accuracy of the sewage flow meters, and furnish the City with a copy of the readings, maintenance data, and test results, as needed. The City will reimburse Fairfax for its share of the costs incurred in performance of this service and will be included as a cost component of the Fairfax Conveyance System Expenditure Charge.

(d) The flows recorded on the meters will be used to determine the sewage flows, except as provided in subsection (e) below.

(e) A "Sewage Unit," is unmetered sewage flow from a structure or structures that flow from the City Disposal Area into the Fairfax Conveyance System or from a structure or structures in Fairfax that flow into the City sewage collection system (referred to as "Unmetered Flow", which is the sum of the flows from Sewage units).

(f) The flow from each Sewage Unit will be determined by the water consumption in gallons as registered by the water meter for the contributing structure(s).

(g) City's Share of Sislers Point of Delivery Flow Calculation:

Because Unmetered Flow from Fairfax enters the City sewage collection system upstream of the Sislers Point of Delivery, the City's share of the flow at the Sislers point of delivery will be calculated as shown in formula below:

City's share of Sislers average flow = Sislers average flow – Fairfax unmetered average flow - sum of average flows from the following meters (Gordons Road + Poplar Drive + Tod Street + Timber Lane)

Fairfax unmetered peak flow enters the City's sewage collection system at multiple locations upstream of the Sislers meter and will be calculated by multiplying the sum of water consumption in gallons as registered by the water meter for the contributing structure(s) by the peaking factor of 3.59.

City's share of Sislers peak flow = Sislers peak flow – Fairfax unmetered peak flow - sum of peak flows from following meters (Gordons Road + Poplar Drive + Tod Street + Timber Lane)

(h) City Total Flow Calculation

Because the City's Unmetered Flow enters the Fairfax collection system at multiple points, the City's share of the total average flow will be calculated as shown in the formula below:

City's total average flow = City's share of Sislers average flow + Cedar Lane average flow + Tinner Hill average flow + City unmetered average flow

City's unmetered peak flow enters Fairfax's collection system at multiple points and will be calculated by multiplying the sum of water consumption in gallons as

registered by the water meter for the contributing structure(s) by the peaking factor of 3.59.,

City's total peak flow = City's share of Sislers peak flow + Cedar Lane peak flow + Tinner Hill peak flow + City's unmetered peak flow

(i) When a sewage flow meter fails to function or record accurately for any reason, the flow for the period of such failure will be equal to the flow as determined during the most recent corresponding period during which the meter was operating in a satisfactory manner, and if there is no such corresponding period, the flow will be determined or estimated in such manner mutually agreeable to the Parties.

(j) The Parties will use every practical precaution in the construction and regulations governing the use of their sewerage systems to exclude groundwater, surface water, or stormwater from entering their respective sewer conveyance system.

(k) The City will at all times operate and maintain its facilities in the City Disposal Area and Fairfax will at all times operate and maintain those portions of the Fairfax Conveyance System in an efficient and economical manner under standard utility practices.

ARTICLE VIII
TERM OF AGREEMENT

As of the 2026 and 2027 Transfer Dates, the City will have a permanent entitlement to the conveyance and treatment capacities associated with the occurrence of those events, as specified in this Agreement. The City may terminate this Agreement by giving Fairfax at least five years prior written notice of its intent to terminate. The City must pay all Charges for Service as billed in accordance with Section IV before this Agreement is terminated. Fairfax will not refund any of the City's payments made to Fairfax to acquire the City Capacity. The City must demonstrate that there will be no wastewater discharges to the Fairfax Conveyance System after the termination date of this Agreement.

ARTICLE IX
MISCELLANEOUS PROVISIONS

SECTION 9.1: NO PARTNERSHIP.

This Agreement does not create a joint venture, partnership, or other relationship whereby either Party would be liable for the omissions, commissions, or performance of the other Party.

SECTION 9.2 WAIVER.

The failure of either Party to insist on the performance of any of the terms and conditions of this Agreement, or any waiver of any breach of any of the terms and conditions of this Agreement, does not waive any such terms and conditions of this Agreement, and the terms and conditions of this Agreement will remain in full force and effect as if no such forbearance or waiver had occurred.

SECTION 9.3 ENTIRE AGREEMENT; AMENDMENT.

This Agreement, including the recitals, which are incorporated by this reference, amends the 1978 Agreement, which, together, constitute the entire agreement between the Parties. This Agreement can be amended only by mutual agreement of the Parties and by execution of such amended agreement in the same manner as the original.

SECTION 9.4: CONFLICTS.

This Agreement amends the 1978 Agreement; the terms of both agreements shall be effective and shall be harmonized as needed in order to give full effect to both agreements; when terms between the two agreements conflict and cannot be harmonized, then the terms of this Agreement shall govern.

SECTION 9.5 GOVERNING LAW.

This Agreement is governed and must be construed in accordance with the laws of the Commonwealth of Virginia.

SECTION 9.6 SEVERABILITY.

The invalidity of any portion of this Agreement will not and does not affect the validity of any other provision. If any provision of this Agreement is held to be invalid by a court of competent jurisdiction, the Parties agree that the remaining provisions will be in full force and effect as if they had been executed by both Parties subsequent to the expungement of the invalid provision.

SECTION 9.7 FURTHER ASSURANCE.

The Parties will execute and deliver any other instruments and do further acts and things as may be required to carry out the intent and purposes of this Agreement as may be reasonably requested by either Party.

SECTION 9.8 HEADINGS.

The descriptive headings in this Agreement are inserted for convenience only.

SECTION 9.9 COUNTERPARTS.

This Agreement may be executed electronically and in counterparts, each of which constitute one and the same instrument.

SECTION 9.10 ASSIGNMENT.

Neither Party may assign its rights under this Capacity Agreement to any person, entity, or other government or quasi-governmental body without the prior written consent of the other Party.

SECTION 9.11 FORCE MAJEURE.

With respect to matters contemplated by this Agreement, neither Party is liable or responsible to the other for any injury to property, or for any inability to meet the terms of this Agreement, if that injury or inability was caused by any Force Majeure event.

SECTION 9.12 NOTICE.

All notices or requests must be in writing and be given by hand delivery or certified mail, return receipt requested, postage prepaid, and addressed as follows:

If to Fairfax, to:

Director, Wastewater Planning and Monitoring Division

12000 Government Center Parkway, Suite 358
Fairfax, Virginia 22035

With a copy to:
Office of the County Attorney
12000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035

Or such persons or places as Fairfax may specify by notice. The date of the notice or request shall be the date of receipt, if delivered by hand, or the postmarked date thereof.

If to Falls Church, to:
City Manager's Office
300 Park Avenue, Harry E. Wells Building
Falls Church, Virginia 22046
Attention: Wyatt Shields, City Manager

With a copy to:
Office of the City Attorney
300 Park Avenue, Harry E. Wells Building
Falls Church, Virginia 22046
Attention: Sally Gillette, City Attorney

Or such persons or places as City may specify by notice. The date of the notice or request is the date of receipt, if delivered by hand, or the postmarked date thereof.

The use of electronic means of notification (e.g., email) is not considered as a method of providing notice for the purposes of this Agreement. Any Party may, by notice in writing given to the other, designate any further or different addresses to which subsequent notices, certificates or other communications may be sent. Any notice shall be deemed given on the date such notice is

delivered by hand or three days after the date mailed. Each Party to this Agreement has a continuing duty to promptly notify the other Party of any change to any of this information.

SECTION 9.13 APPROVALS AND EFFECTIVE DATE.

The provisions of the Agreement may be amended or added to as mutually agreed to by the Parties. This Agreement shall become effective upon the Transfer Date:

(Remainder of page left intentionally blank)

IN WITNESS WHEREOF, the Parties hereto have caused this Wastewater Capacity Sale and Purchase Agreement and Sewer Service Agreement Amendment to be executed, and their seals to be affixed and attested by their duly authorized officers, all as of the date appearing next to their signatures.

ATTEST:

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

By: _____
Bryan J. Hill
County Executive

APPROVED AS TO FORM:

_____
County Attorney

ATTEST:

CITY OF FALLS CHURCH, VIRGINIA

Celeste Heath
CLERK

BY: Wyatt Shields
Wyatt Shields
City Manager

DATE: Feb 5, 2026

APPROVED AS TO FORM:

_____
City Attorney

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 5

Authorization to Advertise a Public Hearing to Consider an Ordinance to Amend and Readopt Section 67.1-10-2 of the Fairfax County Code Relating to Sewer Charges

ISSUE:
Authorization to advertise a public hearing to consider an ordinance that proposes to amend and readopt Fairfax County (County) Code Section 67.1-10-2, relating to Sewer Charges:

1) Re-affirming the Availability Charges (including the fixture unit rate) for FY 2026 through FY 2027, increasing the Availability Charges for FY2028 through FY2030, and establishing the Availability Charges for FY 2031;
2) Re-affirming the Sewer Service Charges for FY 2026 through FY 2027, increasing the Sewer Service Charges for FY2028 through FY2030, and establishing the Sewer Service Charges for FY 2031;
3) Re-affirming the Base Charges for FY 2026 through FY 2027, increasing the Base Charges for FY2028 through FY2030, and establishing the Base Charges for FY 2031; and
4) Re-affirming the Connection Charges, Lateral Spur Charges, and Hauled Wastewater Charges for FY 2026 and maintaining the same charges as FY 2026 for FY2027.

Although the sewer charges in the sewer ordinance, Chapter 67.1, are multi-year, all sewer charges are reviewed, adjusted as necessary, and adopted annually to ensure sewer charges are accurately priced.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors (Board) authorize the advertisement for a public hearing on April 14, 2026, at 3:00 p.m. to consider these ordinances.

TIMING:
A Board action is requested on March 3, 2026, to provide sufficient time to advertise the proposed public hearing for consideration of these ordinances on April 14, 2026, at 3:00 p.m. decision on the sewer rate revisions will coincide with the markup and adoption of

the FY 2027 Advertised Budget Plan.

BACKGROUND:
In December 2025, the Wastewater Management Program (Program) and its consultants, Raftelis, completed the annual "Revenue Sufficiency and Rate Analysis" (the Rate Study) for the Sewer System. Based upon the results of the Rate Study, changes are proposed to the previously approved rates for FY 2028 to FY 2030 and new rates are proposed for FY 2031.

The following proposed 5-year rate schedule will meet the Program's current and projected 5-year revenue requirements of approximately $2.0 billion by increasing the Availability Charges, the Sewer Service Charges, and the Base Charges, all of which are the industry practice. This allows for recovering a portion of the Program's costs through the Base Charge and recovering the remaining required revenues through the Sewer Service Charge, based on the volume of water consumed by the commercial customers and volume of the winter quarter average consumed by residential customers; Availability Charges, based on the capacity needs of new connections to the system; and Hauled Wastewater Charges, based on the volume of the hauling truck. New or revised rates that were not advertised as part of last year's annual rate schedule review are shown in bold.

PROPOSED AVAILABILITY CHARGE SCHEDULE

The County has completed reviewing the adequacy of the amount of the Availability Charges. Based upon the results of this review, the Availability Charges are proposed to increase to $9,398 in FY 2027 from $9,218 in FY 2026, a 1.0 percent increase for a single-family residence in FY 2027 for purchase of capacity in the system plus an additional 1.0 percent increase due to the revised sewer reimbursement policy, as was identified in the prior fiscal year rate study. Proposed Availability Charge increases for a single-family residence in FY 2028 to FY 2031 are 3.0 percent for purchase of capacity in the system plus an addition of approximately 1.0 percent due to the revised sewer reimbursement policy, as was identified in the prior fiscal year. The Availability Charge is a one-time charge, which is paid at the time of connection to the sewer system. The revised five-year rate schedule for the Availability Charges is as follows:

AVAILABILITY CHARGE SCHEDULE Proposed New Rates in **Bold**						
Type of Connection	Current Rate	**New Rates**				
	FY 2026	FY 2027	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**
Single-Family Detached	$9,218	$9,398	**$9,757**	**$10,124**	**$10,500**	**$10,884**
Lodging House, Hotel, Inn, or Tourist Cabin	$9,218	$9,398	**$9,757**	**$10,124**	**$10,500**	**$10,884**
Townhouse	$7,374	$7,518	**$7,806**	**$8,100**	**$8,400**	**$8,708**
Apartment	$7,374	$7,518	**$7,806**	**$8,100**	**$8,400**	**$8,708**
Mobile Home	$7,374	$7,518	**$7,806**	**$8,100**	**$8,400**	**$8,708**
Any other residential dwelling unit	$7,374	$7,518	**$7,806**	**$8,100**	**$8,400**	**$8,708**
Hotels, Motels, or Dormitory rental unit	$2,304	$2,349	**$2,439**	**$2,531**	**$2,625**	**$2,721**

Availability Charges for all nonresidential uses will be computed as the number of fixture units (including roughed-in fixture units) in accordance with Part I of the current Virginia Uniform Statewide Building Code, Section 101.2, Note 1, which incorporates by reference the 2012 International Plumbing Code (Chapter 7, Section 709), times the fixture unit rate with a minimum charge equivalent to one (1) single-family detached dwelling per premises. The revised five-year rate schedule for the fixture unit charge for nonresidential uses is as follows:

AVAILABILITY CHARGE SCHEDULE Cost ($) per Quarterly Bill Proposed New Rates in **Bold**						
	Current Rate	**New Rates**				
	FY 2026	FY 2027	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**
Nonresidential per fixture unit	$461	$470	**$488**	**$506**	**$525**	**$544**

PROPOSED SEWER SERVICE CHARGE SCHEDULE

The following proposed Sewer Service Charge of $9.88 per 1,000 gallons of water consumption in FY 2027 will recover a portion of the sewer system costs in FY 2027 based on the volume of water consumed by commercial customers and the volume of the winter quarter average consumed by residential customers or the actual water consumption, whichever is less. The revised five-year rate schedule for the Sewer Service Charges is as follows:

SEWER SERVICE CHARGE SCHEDULE Per 1,000 gallons of water consumption Proposed New Rates in **Bold**						
	Current Rate	**New Rates**				
	FY 2026	FY 2027	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**
Sewer Service Charge	$9.33	$9.88	**$10.78**	**$11.75**	**$12.81**	**$13.69**

PROPOSED BASE CHARGE SCHEDULE

The following proposed Base Charge of $55.78 per quarterly bill for FY 2027 will recover approximately 25.5 percent of the sewer system costs in FY 2027. Industry practice is to recover 25 to 30 percent of the total costs through a Base Charge. To strive towards such a recovery rate, a phased-in approach is being proposed, as shown in the table on the following page.

BASE CHARGE SCHEDULE* Cost ($) per Quarterly Bill Proposed New Rates in **Bold**						
Type of Connection	Current Rate	**New Rates**				
	FY 2026	FY 2027	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**
Residential (3/4” meter)	$52.62	$55.78	**$60.79**	**$66.26**	**$72.22**	**$77.20**
All customers based on meter size						
3/4" and smaller, or no meter	$52.62	$55.78	**$60.79**	**$66.26**	**$72.22**	**$77.20**
1"	$131.55	$139.45	**$151.98**	**$165.65**	**$180.55**	**$193.00**

1 1/2"	$263.10	$278.90	**$303.95**	**$331.30**	**$361.10**	**$386.00**
2"	$420.96	$446.24	**$486.32**	**$530.08**	**$577.76**	**$617.60**
3"	$789.30	$836.70	**$911.85**	**$993.90**	**$1,083.30**	**$1,158.00**
4"	$1,315.50	$1,394.50	**$1,519.75**	**$1,656.50**	**$1,805.50**	**$1,930.00**
6"	$2,631.00	$2,789.00	**$3,039.50**	**$3,313.00**	**$3,611.00**	**$3,860.00**
8"	$4,209.60	$4,462.40	**$4,863.20**	**$5,300.80**	**$5,777.60**	**$6,176.00**
10" and larger	$6,051.30	$6,414.70	**$6,990.85**	**$7,619.90**	**$8,305.30**	**$8,878.00**

***Adjustment to the Base Charge for non-residential customers who have sub-meters for irrigation and other water uses that do not enter the sewer system must be justified.**

PROPOSED HAULED WASTEWATER CHARGES

The County's Septage Receiving Facility (SRF) was constructed to receive and treat septage from local onsite sewage disposal systems in accordance with Section 15.2-2123 of the Code of Virginia. In addition, the SRF receives landfill leachate, portable toilet waste, restaurant grease, and recycled carwash water. Hauled Wastewater Charges were introduced in FY 2020 to recover a portion of the costs of operation, maintenance, and upcoming necessary improvements to the SRF. It is proposed that the charge for High-Strength and Low-Strength Wastes remain the same as the FY 2026 charges as follows:

(1) High-Strength Waste - $27 per 1,000 gallons of the hauler's truck capacity for septic tank and restaurant grease wastes.

(2) Low-Strength Waste - $7.72 per 1,000 gallons of the hauler's truck capacity for portable toilet, recycled carwash water, landfill leachate, or other such low-strength waste.

The County's sewer charges remain very competitive on a local basis. Below are average annual sewer service billings and Availability Charges per Single-Family Residential Equivalent (SFRE) for Fairfax County compared to other regional jurisdictions, as of December 2025 (FY 2026). Average sewer service billings for the other regional jurisdictions have been developed by applying each jurisdiction's equivalent base charge and sewer service rate to appropriate SFRE water usage determined from Fairfax Water's average water usage for SFREs.

Comparison of Average Service Charges, Availability Charges, and Base Charges for SFREs as of December 2025 (FY 2026)
Based on 16,000 gallons per quarter for all jurisdictions

Jurisdiction*	Average Annual Sewer Service Billing	Sewer Availability Fees
DCWASA	**$1,409**	**$2,809**
City of Alexandria	**$1,019**	**$11,119**
WSSC (improved)	**$1,038**	**$15,000**
Fairfax County	**$808**	**$9,218**
Arlington County	**$727**	**$4,440**
Prince William County	**$670**	**$12,000**
Loudoun Water	**$566**	**$10,439**

Quarterly Base Charges for Sewer Service for Residential Customers	
DC Water	$84.32
Fairfax County	**$52.62**
Alexandria Renew Enterprises	$45.87
Washington Suburban Sanitation Commission	$42.81
Prince William County Service Authority	$42.75
Loudoun Water	$42.92
Arlington	$13.98
Neighboring Utilities Average	**$45.44**

EQUITY IMPACT:
This Board action has no adverse equity impact. The sewer rates are a significant part of the County's award-winning Wastewater Management Program which protects public health and the environment. They are also the primary revenue source for repayment of the proposed sewer revenue bonds to be sold, and current as well as future estimated rates are included in the annual County budget documents. Untreated wastewater causes diseases to proliferate, including hepatitis, tetanus, typhoid, cholera, enterovirus, and others, that thrive in untreated human sewage. Untreated wastewater also ruins water quality and kills aquatic life.

Department of Public Works and Environmental Services (DPWES) administers an integrated sewer system, with fees dedicated to capital improvements County-wide, regardless of the amount of fees contributed. Fairfax County also surpasses the Environmental Protection Agency (EPA) national average for good control of its sewer system by controlling sanitary sewer overflows with aggressive cleaning of sewers Countywide.

The Fairfax County Wastewater Management Program also ensures proper conveyance and treatment of sewage away from 91 percent of households with high vulnerability index ratings, and 100 percent of households with a vulnerability index greater than 4. The Sewer Service area map shows Fairfax County Approved Sewer Service Area (ASSA) in comparison to the vulnerability index scores.

Vulnerability Index	Number of Households in ASSA	Number of Households Not in ASSA	% IN	% OUT
0-1	1,501	181	89%	11%
1-2	133,782	21,021	86%	14%
2-3	133,687	5,299	96%	4%
3-4	34,169	4,684	88%	12%
4-5	2,037	-	100%	0%
	305,176	31,185	91%	9%

The sewer rates are structured to be equivalent across all customers of the County.

The quarterly sewer bills have two components, a Sewer Service (or volumetric) Charge and Base Charge. The volumetric charge is based on the amount of water consumed by a customer, providing customers with the ability to reduce the amount of water they use and thereby reduce the amount they are charged. In addition, the volumetric charge for residential units is capped at the volume of water used during winter quarter months or the actual use, whichever is less. So, residential customers are not charged a wastewater fee for water used outside of the house (e.g., for landscape irrigation, washing cars) during warmer months. Commercial customers are charged based on all the water consumed. However, commercial customers may install a “deduct water meter” to measure and subtract from the total water consumed the amount of water that does not enter the sewer system.

The County’s sewer charge is well below the EPA’s Financial Capability Assessment Guidance. One common measure of rate affordability is to evaluate the typical residential bill (annualized) relative to the annual median household income (“MHI”) within the service area. Industry standards consider a wastewater bill at 1 percent or

lower than the MHI as a low potential economic impact on residents. The proposed residential wastewater charges for the County for 2027 would be 0.6 percent of MHI, well below the lowest industry threshold.

The sewer rate equity impact is further addressed by the County-wide programs that assist low-income households and those living in vulnerable communities and Fairfax Water's policy for providing water service. Fairfax Water bills ratepayers on behalf of the DPWES wastewater management program. Customers who do not pay their water bills on time receive a grace period to come into compliance. Fairfax Water directs customers to the following assistance options, provided in multiple languages:

- Set up a Payment Plan. Customers may establish a payment plan with Fairfax Water.
- Request payment assistance through local community organizations that may assist with utility bill payment.
- Refers customers to:
    - Fairfax County Department of Family Services - 703.324.7450
    - Fairfax Department of Housing - 703.324.8122
    - Fairfax County Coordinated Services Planning - 703.222.0880

When Fairfax Water refers the nonpaying community to Coordinated Services Planning, community members can rely on several County-wide programs. Ratepayers who are struggling to pay their water and sewer bills are typically experiencing other hardships, and several County departments focus on providing a holistic solution to improve the food and water security for vulnerable households through the Community Consolidated Funding Pool and Coordinated Services Planning:

- Offers 17 languages on staff.
- Provides a CAREVAN, which targets areas of food insecurity, and Title I schools to provide food pantry availability.
- Coordinated Services Planning (CSP) does outreach to the community as part of a program. They have a long-standing relationship with the community and the partners in the community.
- The Community Provider Strategy Team (CPST) represents a collaborative network of community/County health and human services providers representative of the County's diversity. The CPST strategically works to increase a collective capacity to serve and meet urgent and ongoing basic needs in the Fairfax County community.

In addition, the Department of Neighborhood and Community Services (NCS) operates community centers throughout the County that can assist ratepayers. The Department of Housing and Community Development provides Section 8 housing and administers a

Home Improvement Loan Program.

Finally, DPWES has sought opportunities to improve equitable service delivery, because the LIHWAP is a federally funded program that will expire when funding is expended. Under current state law, DPWES is not empowered by state law to establish a sewer fee to assist low-income and vulnerable households. As a County in the Commonwealth of Virginia, Fairfax County is subject to the Dillon Rule and can only establish programs and ordinances expressly empowered by Virginia. As a result, the best improvement currently available is for DPWES to perform outreach by contributing wastewater ratepayer information to the NCS and CPST outreach programs.

FISCAL IMPACT:
In FY 2027, assuming water usage for a typical residential customer of 16,000 gallons/quarter (or 64,000 gallons/year), the annual sewer bill will be approximately $855.44 per year, which is an increase of 5.9 percent or $47.84 over the FY 2026 annual sewer bill. This is equal to an increase of $3.99 per month.

In FY 2027, revenue is projected to be $335.0 million, which is an increase of approximately $17.8 million over the *FY 2026 Adopted Budget Plan* primarily due to the proposed rate increases. Revenues from the collection of Sewer Availability Charges, Service Charges, Base Charges, and Hauled Wastewater Charges are recorded in Fund 69000, Sewer Revenue.

ENCLOSED DOCUMENTS:
Attachment 1: The Proposed Amendment to Chapter 67.1 Article 10 (Charges), Section 2 of the Code of the County of Fairfax
Attachments 2a, and 2b: Proposed Public Hearing Advertisements for proposed Charges for Availability (including the Fixture Unit rate), Sewer Service, Base, and Hauled Wastewater

STAFF:
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William Barrack II, Director, Wastewater Planning and Monitoring Division, DPWES

ASSIGNED COUNSEL:
Emily H. Smith, Assistant County Attorney

AN ORDINANCE AMENDING
ARTICLE 10 OF CHAPTER 67.1 OF THE FAIRFAX COUNTY CODE, RELATING TO CHARGES FOR THE AVAILABILITY OF, CONNECTION TO, AND/OR USE OF THE SEWERAGE FACILITIES OF THE COUNTY

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Section 67.1-10-2, relating to charges for the availability of, connection to, and/or use of the sewerage facilities of the County.

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

1. **That Section 67.1-10-2 of the Fairfax County Code is amended and readopted as follows:**

ARTICLE 10. - Charges

Section 67.1-10-2. – Availability, Connection, Lateral Spur, Service Charges, Base Charges, and Hauled Wastewater Charges.

(a) *Availability Charges:*

(1) *Residential uses:* The following schedule of availability charges for residential uses desiring to connect to the Facilities of the County is hereby established and imposed:

		Fiscal Year (July 1-June 30)					
	Customer Class	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
(A)	Single-Family Detached	$9,218	$9,398	$9,757	$10,124	$10,500	$10,884
(B)	Lodging House, Hotel, Inn or Tourist Cabin	$9,218	$9,398	$9,757	$10,124	$10,500	$10,884
(C)	Townhouse	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
(D)	Apartment	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
(E)	Mobile Home	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708

(F)	Any other residential dwelling unit	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
(G)	Hotel, Motel, or Dormitory rental unit	$2,304	$2,349	$2,439	$2,531	$2,625	$2,721

(2) *Commercial and all other uses:* The following schedule of fixture unit rates for computing availability charges for all nonresidential uses is hereby established and imposed:

	Fiscal Year (July 1-June 30)					
	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Fixture unit rate	$461	$470	$488	$506	$525	$544

The availability charge will be computed as the number of fixture units (including roughed-in fixture units) in accordance with Part I of the current Virginia Uniform Statewide Building Code (VUSBC), (as amended), Section 101.2, Note 1, which incorporates by reference the 2012 International Plumbing Code (Chapter 7, Section 709) ("VUSBC"), times the fixture unit rate with a minimum charge equivalent to one single-family detached dwelling per premises. For Significant Industrial Users with wastewater discharge permits authorizing discharge into the Integrated Sewer System and other industrial or commercial Users determined by the Director to have processes generating significant wastewater flows, the availability charge will be calculated on the basis of equivalent units. One equivalent unit is equal to 280 gallons per day and rated equal to one single-family detached dwelling unit. Therefore, the availability charge for Significant Industrial Users and other industrial or commercial Users determined by the Director to have processes generating significant flow will be equal to the current rate for a single-family detached dwelling unit times the number of equivalent units associated with the permitted flow. The number of equivalent units is equal to the permitted or projected flow in gallons per day divided by 280 gallons per day. Fixture unit counts, for Users having fixtures discharging continuously or semi-continuously to drainage system leading to the County sanitary sewer facilities, shall be increased by two fixture units for each gallon per minute of such continuous or semi-continuous discharge. The rate of such discharge shall be deemed to be that rate certified by the manufacturer of the fixture or other equipment, or such other rates as the Director shall determine.

(3) *Effective date:* The rate will change on July 1st of each new fiscal year. The rate applicable to each fiscal year is subject to annual review by the Board.

(b) *Connection Charges.*

(1) *Residential and community uses:* Except as otherwise provided herein, there is hereby established and imposed a connection charge of $152.50 per front foot of premises (with a minimum of $7,625 and a maximum of $15,250 for the connection of single-family detached and attached dwellings, churches, schools, fire stations, community centers, or other such similar community uses, to the Facilities of the County.

(2) *All other uses:* There is hereby established and imposed a connection charge of $152.50 per front foot of premises (with a minimum charge of $15,250) for the connection of all other uses to the Facilities of the County.

(3) The connection charges established and imposed above shall not apply to premises to be connected to the Facilities of the County if such Facilities of the County are constructed totally at private expense.

(4) For the purposes of Section 67.1-10-2(b), front foot of premises will be determined by measuring the frontage of the premises located on the street address side of the premises.

(c) *Lateral spur charges:* There is hereby established and imposed a lateral spur charge of $600.00 for the connection of all uses to a lateral spur, where such lateral spur has been installed by the County at the expense of Fairfax County.

(d) *Service charges:* There are hereby established and imposed the following sanitary sewer service charges:

	Sewer Service Charges — Fiscal Year (July 1 - June 30)					
	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Sewer Service Charge, $/1,000 gallons	$9.33	$9.88	$10.78	$11.75	$12.81	$13.69

(e) *Base charges:* There are hereby established and imposed the following quarterly base charges in addition to the sewer service charge:

BASE CHARGE Cost ($) per Quarterly Bill						
	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Residential Base Charge	$52.62	$55.78	$60.79	$66.26	$72.22	$77.20
Commercial: (meter size)						
¾" and smaller, or no meter	$52.62	$55.78	$60.79	$66.26	$72.22	$77.20
1"	$131.55	$139.45	$151.98	$165.65	$180.55	$193.00
1½"	$263.10	$278.90	$303.95	$331.30	$361.10	$386.00
2"	$420.96	$446.24	$486.32	$530.08	$577.76	$617.60
3"	$789.30	$836.70	$911.85	$993.90	$1,083.30	$1,158.00
4"	$1,315.50	$1,394.50	$1,519.75	$1,656.50	$1,805.50	$1,930.00
6"	$2,631.00	$2,789.00	$3,039.50	$3,313.00	$3,611.00	$3,860.00
8"	$4,209.60	$4,462.40	$4,863.20	$5,300.80	$5,777.60	$6,176.00
10" and larger	$6,051.30	$6,414.70	$6,990.85	$7,619.90	$8,305.30	$8,878.00

If requested, the Base Charge for nonresidential customers, who have irrigation systems and other water uses that do not enter the sewer system, will be adjusted. Calculations prepared by a Virginia licensed professional engineer must be provided to demonstrate what size of main water meter would be necessary for the building to accommodate only the water that enters the sewer system.

The Base Charge will be adjusted based on the calculated meter size. In no case the Base Charge will be smaller than that for ¾" meter.

(1) *Effective date:* The Service charges and Base charges will change on July 1st of each new fiscal year. For metered accounts, the change is effective with meter readings beginning October 1st of each year. For unmetered accounts, the change is effective with billings beginning October 1st of each year.

(2) *Premises having a metered water supply:*

Category of Use	Service Charges
(A) Single-family detached and single-family attached dwellings such as townhouses, duplexes, multiplexes, semi-detached, rowhouses, garden court and patio houses with a separate water service line meter.	For each 1,000 gallons of water, based on winter-quarter consumption or current quarterly consumption, as measured by the service line meter, whichever is lower, a charge equal to the effective unit cost rate ($/1,000 gallons).
(B) All other uses.	For each 1,000 gallons of water as measured by the water service line, a charge equal to the effective unit cost rate ($/1,000 gallons).
(C) All users.	Base charge per billing as established in Section 67.1-10-2(e).

(D) The winter-quarter-maximum consumption is determined as follows:

(i) The quarterly-daily-average consumption of water is the consumption, measured by the water service line meter for the period between meter readings divided by the number of days elapsed between meter readings.

(ii) The quarterly consumption is 91.5 times the quarterly-daily-average consumption of water in leap years or 91.25 times the quarterly-daily-average consumption in non-leap years.

(iii) The winter-quarter-consumption is the quarterly consumption determined at the water service line meter reading scheduled between February 1 and April 30. The winter-quarter-consumption of each respective year shall be applicable to the four quarterly sewer billings rendered in conjunction with the regular meter reading scheduled after the next May.

(iv) All water delivered to the premises, as measured by the winter-quarter-consumption for single-family dwellings and townhouses or the meter of all other Users, shall be deemed to have been discharged to the Facilities of the

County. However, any person may procure the installation of a second water service line meter. Such person may notify the Director of such installation, in which event the Director shall make such inspection or inspections as may be necessary to ascertain that no water delivered to the premises or only the water delivered through any such additional meter may enter the Facilities of the County. If the Director determines that water delivered through an additional meter may not enter the Facilities of the County, no charge hereunder shall be based upon such volume of water delivery. If the Director determines that only the water delivered through an additional meter may enter the Facilities of the County, only the water recorded on the additional meter shall be charged. In the alternative, any person may procure the installation of a sewage meter which shall be of a type and installed in a manner approved by the Director, who shall make periodic inspection to ensure accurate operation of said meter; in such event, the charge imposed hereunder shall be based upon the volume measured by such meter. The cost of all inspections required by the foregoing provisions for elective metering, as determined by normal cost accounting methods, shall be an additional charge for sanitary sewer service to the premises on which such meter or meters are installed.

(E) For single-family premises as in (e)(2)(A) not able to register valid meter readings for the measurement of winter-quarter-consumption the following billing method shall apply:

(i) Premises not existing, unoccupied or occupied by a different household during the applicable winter quarter, or which due to unfavorable weather, meter failure or for any other reason of meter inaccuracy cannot register valid meter readings, shall not be considered to have a valid meter reading for the purpose of winter-quarter-consumption measurement.

(ii) Such premises may be billed on the basis of the average winter-quarter-consumption for similar dwelling units or the current quarterly consumption, as registered by water service line meter, or based on historical water usage. Accounts for single-family premises established by a builder for sewerage service during construction shall be considered a nonresidential use.

(3) Premises not having metered water supply or having both well water and public metered water supply:

(A) Single-family dwellings, as in (e)(2)(A). An amount equal to the average winter-quarter-consumption, during the applicable winter quarter, of similar dwelling units, times the effective unit cost rate ($/1,000 gallons). In the alternative, any such single-family residential customer may apply to the County, via the water supplier providing water service to the area in which the residential customer is located, for special billing rates, based on average per capita consumption of water in similar type units.

(B) All other uses: The charge shall be based upon the number of fixture units and load factor in accordance with the VUSBC, Table I and Table II Fixture Units and Load Factors for All Other Premises. There shall be an additional charge equal to the effective unit cost ($/1,000 gallons) for the volume discharged by fixtures

discharging continuously or semi-continuously. Volume of continuous or semi-continuous discharge shall be deemed to be that used in determining availability charge.

(f) Hauled Wastewater Charges*:* There are hereby established and imposed the following Hauled Wastewater Charges:

(1) High-Strength Waste - $27 per 1,000 gallons of the hauler's truck capacity for septic tank and restaurant grease wastes.

(2) Low-Strength Waste – $7.72 per 1,000 gallons of the hauler's truck capacity for portable toilet, landfill leachate, or any such low- strength wastewater.

TABLE I. Table of Fixture Units

Type of Fixture or Group of Fixtures	Drainage Fixture Unit Value (DFU)
Commercial automatic clothes washer (2" standpipe)	3
Bathroom group consisting of water closet, lavatory and bathtub or shower stall (Residential):	
Tank type closet	6
Bathtub (with or without overhead shower)	2
Combination sink-and-tray with food disposal unit	2
Combination sink-and-tray with 1½" trap	2
Dental unit or cuspidor	1
Dental lavatory	1
Drinking fountain	½
Dishwasher, domestic	2

Floor drains with 2" waste	2
Kitchen sink, domestic, with one 1½" waste	2
Kitchen sink, domestic, with food waste grinder and/or dishwasher	2
Lavatory with 1¼" waste	1
Laundry tray (1 or 2 compartments)	2
Shower stall	2
Sinks:	
Surgeon's	3
Flushing rim (with valve)	6
Service (trap standard)	3
Service (P trap)	2
Pot, scullery, etc.	4
Urinal, pedestal, syphon jet blowout	6
Urinal, wall lip	4
Urinal stall, washout	4
Urinal trough (each 6-ft. section)	2
Wash sink (circular or multiple) each set of faucets	2
Water closet, tank-operated	4
Water closet, valve-operated	6
Fixture drain or trap size:	

1¼ inches and smaller	1
1½ inches	2
2 inches	3
2½ inches	4
3 inches	5
4 inches	6

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159 *TABLE II.*
160 *Fixture Units and Load Factors for All Other Premises*
161 *Quarterly Service Charges*
162 Fiscal Year (July 1 - June 30)

Fixture Units	Load Factor	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
20 or less	1.00	149.28	158.08	172.48	188.00	204.96	219.04
21 to 30	1.25	186.60	197.60	215.60	235.00	256.20	273.80
31 to 40	1.45	216.46	229.22	250.10	272.60	297.19	317.61
41 to 50	1.60	238.85	252.93	275.97	300.80	327.94	350.46
51 to 60	1.75	261.24	276.64	301.84	329.00	358.68	383.32
61 to 70	1.90	283.63	300.35	327.71	357.20	389.42	416.18
71 to 80	2.05	306.02	324.06	353.58	385.40	420.17	449.03
81 to 90	2.20	328.42	347.78	379.46	413.60	450.91	481.89

91 to 100	2.30	343.34	363.58	396.70	432.40	471.41	503.79
101 to 110	2.40	358.27	379.39	413.95	451.20	491.90	525.70
111 to 120	2.55	380.66	403.10	439.82	479.40	522.65	558.55
121 to 130	2.65	395.59	418.91	457.07	498.20	543.14	580.46
131 to 140	2.75	410.52	434.72	474.32	517.00	563.64	602.36
141 to 150	2.85	425.45	450.53	491.57	535.80	584.14	624.26
151 to 160	2.95	440.38	466.34	508.82	554.60	604.63	646.17
161 to 170	3.05	455.30	482.14	526.06	573.40	625.13	668.07
171 to 180	3.15	470.23	497.95	543.31	592.20	645.62	689.98
181 to 190	3.25	485.16	513.76	560.56	611.00	666.12	711.88
191 to 200	3.35	500.09	529.57	577.81	629.80	686.62	733.78
201 to 210	3.45	515.02	545.38	595.06	648.60	707.11	755.69
211 to 220	3.55	529.94	561.18	612.30	667.40	727.61	777.59
221 to 230	3.65	544.87	576.99	629.55	686.20	748.10	799.50
231 to 240	3.75	559.80	592.80	646.80	705.00	768.60	821.40
241 to 250	3.85	574.73	608.61	664.05	723.80	789.10	843.30
251 to 260	3.90	582.19	616.51	672.67	733.20	799.34	854.26
261 to 270	4.00	597.12	632.32	689.92	752.00	819.84	876.16
271 to 280	4.05	604.58	640.22	698.54	761.40	830.09	887.11
281 to 290	4.10	612.05	648.13	707.17	770.80	840.34	898.06

291 to 300	4.15	619.51	656.03	715.79	780.20	850.58	909.02
301 to 310	4.20	626.98	663.94	724.42	789.60	860.83	919.97
311 to 320	4.30	641.90	679.74	741.66	808.40	881.33	941.87
321 to 330	4.40	656.83	695.55	758.91	827.20	901.82	963.78
331 to 340	4.50	671.76	711.36	776.16	846.00	922.32	985.68
341 to 350	4.60	686.69	727.17	793.41	864.80	942.82	1,007.58
351 to 360	4.70	701.62	742.98	810.66	883.60	963.31	1,029.49
361 to 370	4.80	716.54	758.78	827.90	902.40	983.81	1,051.39
371 to 380	4.90	731.47	774.59	845.15	921.20	1,004.30	1,073.30
381 to 390	5.00	746.40	790.40	862.40	940.00	1,024.80	1,095.20
391 to 400	5.10	761.33	806.21	879.65	958.80	1,045.30	1,117.10
401 to 410	5.20	776.26	822.02	896.90	977.60	1,065.79	1,139.01
411 to 420	5.30	791.18	837.82	914.14	996.40	1,086.29	1,160.91
421 to 430	5.40	806.11	853.63	931.39	1,015.20	1,106.78	1,182.82
431 to 440	5.50	821.04	869.44	948.64	1,034.00	1,127.28	1,204.72
441 to 450	5.60	835.97	885.25	965.89	1,052.80	1,147.78	1,226.62
451 to 460	5.70	850.90	901.06	983.14	1,071.60	1,168.27	1,248.53
461 to 470	5.80	865.82	916.86	1,000.38	1,090.40	1,188.77	1,270.43
471 to 480	5.90	880.75	932.67	1,017.63	1,109.20	1,209.26	1,292.34
481 to 490	6.00	895.68	948.48	1,034.88	1,128.00	1,229.76	1,314.24

491 to 500	6.10	910.61	964.29	1,052.13	1,146.80	1,250.26	1,336.14
501 to 525	6.25	933.00	988.00	1,078.00	1,175.00	1,281.00	1,369.00
526 to 550	6.50	970.32	1,027.52	1,121.12	1,222.00	1,332.24	1,423.76
551 to 575	6.75	1,007.64	1,067.04	1,164.24	1,269.00	1,383.48	1,478.52
576 to 600	7.00	1,044.96	1,106.56	1,207.36	1,316.00	1,434.72	1,533.28
601 to 625	7.25	1,082.28	1,146.08	1,250.48	1,363.00	1,485.96	1,588.04
626 to 650	7.50	1,119.60	1,185.60	1,293.60	1,410.00	1,537.20	1,642.80
651 to 675	7.75	1,156.92	1,225.12	1,336.72	1,457.00	1,588.44	1,697.56
676 to 700	8.00	1,194.24	1,264.64	1,379.84	1,504.00	1,639.68	1,752.32
701 to 725	8.20	1,224.10	1,296.26	1,414.34	1,541.60	1,680.67	1,796.13
726 to 750	8.40	1,253.95	1,327.87	1,448.83	1,579.20	1,721.66	1,839.94
751 to 775	8.60	1,283.81	1,359.49	1,483.33	1,616.80	1,762.66	1,883.74
776 to 800	8.80	1,313.66	1,391.10	1,517.82	1,654.40	1,803.65	1,927.55
801 to 825	9.00	1,343.52	1,422.72	1,552.32	1,692.00	1,844.64	1,971.36
826 to 850	9.20	1,373.38	1,454.34	1,586.82	1,729.60	1,885.63	2,015.17
851 to 875	9.35	1,395.77	1,478.05	1,612.69	1,757.80	1,916.38	2,048.02
876 to 900	9.50	1,418.16	1,501.76	1,638.56	1,786.00	1,947.12	2,080.88
901 to 925	9.65	1,440.55	1,525.47	1,664.43	1,814.20	1,977.86	2,113.74
926 to 950	9.80	1,462.94	1,549.18	1,690.30	1,842.40	2,008.61	2,146.59
951 to 975	9.95	1,485.34	1,572.90	1,716.18	1,870.60	2,039.35	2,179.45

976 to 1,000	10.15	1,515.19	1,604.51	1,750.67	1,908.20	2,080.34	2,223.26
1,001 to 1,050	10.55	1,574.90	1,667.74	1,819.66	1,983.40	2,162.33	2,310.87
1,051 to 1,100	10.90	1,627.15	1,723.07	1,880.03	2,049.20	2,234.06	2,387.54
1,101 to 1,150	11.30	1,686.86	1,786.30	1,949.02	2,124.40	2,316.05	2,475.15
1,151 to 1,200	11.70	1,746.58	1,849.54	2,018.02	2,199.60	2,398.03	2,562.77
1,201 to 1,250	12.00	1,791.36	1,896.96	2,069.76	2,256.00	2,459.52	2,628.48
1,251 to 1,300	12.35	1,843.61	1,952.29	2,130.13	2,321.80	2,531.26	2,705.14
1,301 to 1,350	12.70	1,895.86	2,007.62	2,190.50	2,387.60	2,602.99	2,781.81
1,351 to 1,400	13.00	1,940.64	2,055.04	2,242.24	2,444.00	2,664.48	2,847.52
1,401 to 1,450	13.25	1,977.96	2,094.56	2,285.36	2,491.00	2,715.72	2,902.28
1,451 to 1,500	13.50	2,015.28	2,134.08	2,328.48	2,538.00	2,766.96	2,957.04
1,501 to 1,600	14.05	2,097.38	2,221.02	2,423.34	2,641.40	2,879.69	3,077.51
1,601 to 1,700	14.60	2,179.49	2,307.97	2,518.21	2,744.80	2,992.42	3,197.98

1,701 to 1,800	15.15	2,261.59	2,394.91	2,613.07	2,848.20	3,105.14	3,318.46
1,801 to 1,900	15.70	2,343.70	2,481.86	2,707.94	2,951.60	3,217.87	3,438.93
1,901 to 2,000	16.25	2,425.80	2,568.80	2,802.80	3,055.00	3,330.60	3,559.40
2,001 to 2,100	16.80	2,507.90	2,655.74	2,897.66	3,158.40	3,443.33	3,679.87
2,101 to 2,200	17.35	2,590.01	2,742.69	2,992.53	3,261.80	3,556.06	3,800.34
2,201 to 2,300	17.90	2,672.11	2,829.63	3,087.39	3,365.20	3,668.78	3,920.82
2,301 to 2,400	18.45	2,754.22	2,916.58	3,182.26	3,468.60	3,781.51	4,041.29
2,401 to 2,500	19.00	2,836.32	3,003.52	3,277.12	3,572.00	3,894.24	4,161.76
2,501 to 2,600	19.55	2,918.42	3,090.46	3,371.98	3,675.40	4,006.97	4,282.23
2,601 to 2,700	20.10	3,000.53	3,177.41	3,466.85	3,778.80	4,119.70	4,402.70
2,701 to 2,800	20.65	3,082.63	3,264.35	3,561.71	3,882.20	4,232.42	4,523.18
2,801 to 2,900	21.20	3,164.74	3,351.30	3,656.58	3,985.60	4,345.15	4,643.65
2,901 to 3,000	21.75	3,246.84	3,438.24	3,751.44	4,089.00	4,457.88	4,764.12

3,001 to 4,000	26.00	3,881.28	4,110.08	4,484.48	4,888.00	5,328.96	5,695.04
4,001 to 5,000	29.50	4,403.76	4,663.36	5,088.16	5,546.00	6,046.32	6,461.68
5,001 to 6,000	33.00	4,926.24	5,216.64	5,691.84	6,204.00	6,763.68	7,228.32
6,001 to 7,000	36.40	5,433.79	5,754.11	6,278.27	6,843.20	7,460.54	7,973.06
7,001 to 8,000	39.60	5,911.49	6,259.97	6,830.21	7,444.80	8,116.42	8,673.98
8,001 to 9,000	42.75	6,381.72	6,757.92	7,373.52	8,037.00	8,762.04	9,363.96
9,001 to 10,000	46.00	6,866.88	7,271.68	7,934.08	8,648.00	9,428.16	10,075.84
10,001 to 11,000	48.85	7,292.33	7,722.21	8,425.65	9,183.80	10,012.30	10,700.10
11,001 to 12,000	51.60	7,702.85	8,156.93	8,899.97	9,700.80	10,575.94	11,302.46
12,001 to 13,000	54.60	8,150.69	8,631.17	9,417.41	10,264.80	11,190.82	11,959.58
13,001 to 14,000	57.40	8,568.67	9,073.79	9,900.35	10,791.20	11,764.70	12,572.90
14,001 to 15,000	60.00	8,956.80	9,484.80	10,348.80	11,280.00	12,297.60	13,142.40

NOTES:

(1) Base charge is not included in rates above.

GIVEN under my hand this _____ day of _____, 2026

_____
Jill G. Cooper
Clerk for the Board of Supervisors

AN ORDINANCE AMENDING
ARTICLE 10 OF CHAPTER 67.1 OF THE FAIRFAX COUNTY CODE, RELATING TO CHARGES FOR THE AVAILABILITY OF, CONNECTION TO, AND/OR USE OF THE SEWERAGE FACILITIES OF THE COUNTY

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Section 67.1-10-2, relating to charges for the availability of, connection to, and/or use of the sewerage facilities of the County.

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

1. **That Section 67.1-10-2 of the Fairfax County Code is amended and readopted as follows:**

ARTICLE 10. - Charges

Section 67.1-10-2. – Availability, Connection, Lateral Spur, Service Charges, Base Charges, and Hauled Wastewater Charges.

(a) *Availability Charges:*

(1) *Residential uses:* The following schedule of availability charges for residential uses desiring to connect to the Facilities of the County is hereby established and imposed:

		Fiscal Year (July 1-June 30)					
	Customer Class	FY ~~2025~~ 2026	FY ~~2026~~ 2027	FY ~~2027~~ 2028	FY ~~2028~~ 2029	FY ~~2029~~ 2030	FY ~~2030~~2031
(A)	Single-Family Detached	$9,218 ~~$9,038~~	$9,398 ~~$9,218~~	$9,757~~$9,398~~	$10,124~~$9,578~~	$10,500~~$9,759~~	$10,884~~$9,941~~
(B)	Lodging House, Hotel, Inn or Tourist Cabin	$9,218 ~~$9,038~~	$9,398 ~~$9,218~~	$9,757~~$9,398~~	$10,124~~$9,578~~	$10,500~~$9,759~~	$10,884~~$9,941~~
(C)	Townhouse	$7,374 ~~$7,231~~	$7,518 ~~$7,374~~	$7,806~~$7,518~~	$8,100~~$7,662~~	$8,400~~$7,807~~	$8,708~~$7,953~~
(D)	Apartment	$7,374 ~~$7,231~~	$7,518 ~~$7,374~~	$7,806~~$7,518~~	$8,100~~$7,662~~	$8,400~~$7,807~~	$8,708~~$7,953~~

(E)	Mobile Home	$7,374 ~~$7,231~~	$7,518 ~~$7,374~~	$7,806~~$7,518~~	$8,100~~$7,662~~	$8,400~~$7,807~~	$8,708~~$7,953~~
(F)	Any other residential dwelling unit	$7,374 ~~$7,231~~	$7,518 ~~$7,374~~	$7,806~~$7,518~~	$8,100~~$7,662~~	$8,400~~$7,807~~	$8,708~~$7,953~~
(G)	Hotel, Motel, or Dormitory rental unit	$2,304 ~~$2,260~~	$2,349 ~~$2,304~~	$2,439~~$2,349~~	$2,531~~$2,394~~	$2,625~~$2,440~~	$2,721~~$2,485~~

(2) *Commercial and all other uses:* The following schedule of fixture unit rates for computing availability charges for all nonresidential uses is hereby established and imposed:

	Fiscal Year (July 1-June 30)					
	FY 2026 ~~FY 2025~~	FY 2027~~FY 2026~~	FY 2028 ~~FY 2027~~	FY 2029 ~~FY 2028~~	FY 2030~~FY 2029~~	FY 2031
Fixture unit rate	$461 ~~$452~~	$470 ~~$461~~	$488~~$470~~	$506~~$479~~	$525~~$488~~	$544

The availability charge will be computed as the number of fixture units (including roughed-in fixture units) in accordance with Part I of the current Virginia Uniform Statewide Building Code (VUSBC), (as amended), Section 101.2, Note 1, which incorporates by reference the 2012 International Plumbing Code (Chapter 7, Section 709) ("VUSBC"), times the fixture unit rate with a minimum charge equivalent to one single-family detached dwelling per premises. For Significant Industrial Users with wastewater discharge permits authorizing discharge into the Integrated Sewer System and other industrial or commercial Users determined by the Director to have processes generating significant wastewater flows, the availability charge will be calculated on the basis of equivalent units. One equivalent unit is equal to 280 gallons per day and rated equal to one single-family detached dwelling unit. Therefore, the availability charge for Significant Industrial Users and other industrial or commercial Users determined by the Director to have processes generating significant flow will be equal to the current rate for a single-family detached dwelling unit times the number of equivalent units associated with the permitted flow. The number of equivalent units

is equal to the permitted or projected flow in gallons per day divided by 280 gallons per day. Fixture unit counts, for Users having fixtures discharging continuously or semi-continuously to drainage system leading to the County sanitary sewer facilities, shall be increased by two fixture units for each gallon per minute of such continuous or semi-continuous discharge. The rate of such discharge shall be deemed to be that rate certified by the manufacturer of the fixture or other equipment, or such other rates as the Director shall determine.

(3) *Effective date:* The rate will change on July 1st of each new fiscal year. The rate applicable to each fiscal year is subject to annual review by the Board.

(b) *Connection Charges.*

(1) *Residential and community uses:* Except as otherwise provided herein, there is hereby established and imposed a connection charge of $152.50 per front foot of premises (with a minimum of $7,625 and a maximum of $15,250 for the connection of single-family detached and attached dwellings, churches, schools, fire stations, community centers, or other such similar community uses, to the Facilities of the County.

(2) *All other uses:* There is hereby established and imposed a connection charge of $152.50 per front foot of premises (with a minimum charge of $15,250) for the connection of all other uses to the Facilities of the County.

(3) The connection charges established and imposed above shall not apply to premises to be connected to the Facilities of the County if such Facilities of the County are constructed totally at private expense.

(4) For the purposes of Section 67.1-10-2(b), front foot of premises will be determined by measuring the frontage of the premises located on the street address side of the premises.

(c) *Lateral spur charges:* There is hereby established and imposed a lateral spur charge of $600.00 for the connection of all uses to a lateral spur, where such lateral spur has been installed by the County at the expense of Fairfax County.

(d) *Service charges:* There are hereby established and imposed the following sanitary sewer service charges:

	Sewer Service Charges — Fiscal Year (July 1 - June 30)					
	FY 2026~~2025~~	FY 2027~~2026~~	FY 2028~~2027~~	FY 2029~~2028~~	FY 2030~~2029~~	FY 2031~~2030~~
Sewer Service Charge, $/1,000 gallons	$9.33 ~~$8.81~~	$9.88 ~~$9.33~~	$10.78~~$9.88~~	$11.75~~$10.46~~	$12.81~~$11.08~~	$13.69~~$11.74~~

(e) *Base charges:* There are hereby established and imposed the following quarterly base charges in addition to the sewer service charge:

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BASE CHARGE Cost ($) per Quarterly Bill							
		FY 2026 ~~FY 2025~~	FY 2027 ~~FY 2026~~	FY 2028 ~~FY 2027~~	FY 2029 ~~FY 2028~~	FY 2030~~FY 2029~~	FY 2031~~FY 2030~~
Residential Base Charge		$52.62 ~~$49.73~~	$55.78 ~~$52.62~~	$60.79~~$55.78~~	$66.26~~$59.08~~	$72.22~~$62.57~~	$77.20~~$66.27~~
Commercial: (meter size)							
¾" and smaller, or no meter		$52.62 ~~$49.73~~	$55.78 ~~$52.62~~	$60.79~~$55.78~~	$66.26~~$59.08~~	$72.22~~$62.57~~	$77.20~~$66.27~~
1"		$131.55 ~~$124.33~~	$139.45 ~~$131.55~~	$151.98~~$139.45~~	$165.65~~$147.70~~	$180.55~~$156.43~~	$193.00~~$165.68~~
1½"		$263.10 ~~$248.65~~	$278.90 ~~$263.10~~	$303.95~~$278.90~~	$331.30~~$295.40~~	$361.10~~$312.85~~	$386.00~~$331.35~~
2"		$420.96 ~~$397.84~~	$446.24 ~~$420.96~~	$486.32~~$446.24~~	$530.08~~$472.64~~	$577.76~~$500.56~~	$617.60~~$530.16~~
3"		$789.30 ~~$745.95~~	$836.70 ~~$789.30~~	$911.85~~$836.70~~	$993.90~~$886.20~~	$1,083.30~~$938.55~~	$1,158.00~~$994.05~~
4"		$1,315.50 ~~$1,243.25~~	$1,394.50 ~~$1,315.50~~	$1,519.75 ~~$1,394.50~~	$1,656.50~~$1,477.00~~	$1,805.50~~$1,564.25~~	$1,930.00~~$1,656.75~~
6"		$2,631.00 ~~$2,486.50~~	$2,789.00 ~~$2,631.00~~	$3,039.50 ~~$2,789.00~~	$3,313.00~~$2,954.00~~	$3,611.00~~$3,128.50~~	$3,860.00~~$3,313.50~~

8"		$4,209.60 ~~$3,978.40~~	$4,462.40 ~~$4,209.60~~	$4,863.20 ~~$4,462.40~~	$5,300.80~~$4,726.40~~	$5,777.60~~$5,005.60~~	$6,176.00~~$5,301.60~~
10" and larger		$6,051.30 ~~$5,718.95~~	$6,414.70 ~~$6,051.30~~	$6,990.85 ~~$6,414.70~~	$7,619.90~~$6,794.20~~	$8,305.30~~$7,195.55~~	$8,878.00~~$7,621.05~~

If requested, the Base Charge for nonresidential customers, who have irrigation systems and other water uses that do not enter the sewer system, will be adjusted. Calculations prepared by a Virginia licensed professional engineer must be provided to demonstrate what size of main water meter would be necessary for the building to accommodate only the water that enters the sewer system. The Base Charge will be adjusted based on the calculated meter size. In no case the Base Charge will be smaller than that for ¾" meter.

(1) *Effective date:* The Service charges and Base charges will change on July 1st of each new fiscal year. For metered accounts, the change is effective with meter readings beginning October 1st of each year. For unmetered accounts, the change is effective with billings beginning October 1st of each year.

(2) *Premises having a metered water supply:*

Category of Use	Service Charges
(A) Single-family detached and single-family attached dwellings such as townhouses, duplexes, multiplexes, semi-detached, rowhouses, garden court and patio houses with a separate water service line meter.	For each 1,000 gallons of water, based on winter-quarter consumption or current quarterly consumption, as measured by the service line meter, whichever is lower, a charge equal to the effective unit cost rate ($/1,000 gallons).
(B) All other uses.	For each 1,000 gallons of water as measured by the water service line, a charge equal to the effective unit cost rate ($/1,000 gallons).
(C) All users.	Base charge per billing as established in Section 67.1-10-2(e).

(D) The winter-quarter-maximum consumption is determined as follows:

(i) The quarterly-daily-average consumption of water is the consumption, measured by the water service line meter for the period between meter readings divided by the number of days elapsed between meter readings.

(ii) The quarterly consumption is 91.5 times the quarterly-daily-average consumption of water in leap years or 91.25 times the quarterly-daily-average consumption in non-leap years.

(iii) The winter-quarter-consumption is the quarterly consumption determined at the water service line meter reading scheduled between February 1 and April 30. The winter-quarter-consumption of each respective year shall be applicable to the four quarterly sewer billings rendered in conjunction with the regular meter reading scheduled after the next May.

(iv) All water delivered to the premises, as measured by the winter-quarter-consumption for single-family dwellings and townhouses or the meter of all other Users, shall be deemed to have been discharged to the Facilities of the County. However, any person may procure the installation of a second water service line meter. Such person may notify the Director of such installation, in which event the Director shall make such inspection or inspections as may be necessary to ascertain that no water delivered to the premises or only the water delivered through any such additional meter may enter the Facilities of the County. If the Director determines that water delivered through an additional meter may not enter the Facilities of the County, no charge hereunder shall be based upon such volume of water delivery. If the Director determines that only the water delivered through an additional meter may enter the Facilities of the County, only the water recorded on the additional meter shall be charged. In the alternative, any person may procure the installation of a sewage meter which shall be of a type and installed in a manner approved by the Director, who shall make periodic inspection to ensure accurate operation of said meter; in such event, the charge imposed hereunder shall be based upon the volume measured by such meter. The cost of all inspections required by the foregoing provisions for elective metering, as determined by normal cost accounting methods, shall be an additional charge for sanitary sewer service to the premises on which such meter or meters are installed.

(E) For single-family premises as in (e)(2)(A) not able to register valid meter readings for the measurement of winter-quarter-consumption the following billing method shall apply:

(i) Premises not existing, unoccupied or occupied by a different household during the applicable winter quarter, or which due to unfavorable weather, meter failure or for any other reason of meter inaccuracy cannot register valid meter readings, shall not be considered to have a valid meter reading for the purpose of winter-quarter-consumption measurement.

(ii) Such premises may be billed on the basis of the average winter-quarter-consumption for similar dwelling units or the current quarterly consumption, as registered by water service line meter, or based on historical water usage.

Accounts for single-family premises established by a builder for sewerage service during construction shall be considered a nonresidential use.

(3) Premises not having metered water supply or having both well water and public metered water supply:

(A) Single-family dwellings, as in (e)(2)(A). An amount equal to the average winter-quarter-consumption, during the applicable winter quarter, of similar dwelling units, times the effective unit cost rate ($/1,000 gallons). In the alternative, any such single-family residential customer may apply to the County, via the water supplier providing water service to the area in which the residential customer is located, for special billing rates, based on average per capita consumption of water in similar type units.

(B) All other uses: The charge shall be based upon the number of fixture units and load factor in accordance with the VUSBC, Table I and Table II Fixture Units and Load Factors for All Other Premises. There shall be an additional charge equal to the effective unit cost ($/1,000 gallons) for the volume discharged by fixtures discharging continuously or semi-continuously. Volume of continuous or semi-continuous discharge shall be deemed to be that used in determining availability charge.

(f) Hauled Wastewater Charges*:* There are hereby established and imposed the following Hauled Wastewater Charges:

(1) High-Strength Waste - $27 per 1,000 gallons of the hauler's truck capacity for septic tank and restaurant grease wastes.

(2) Low-Strength Waste – $7.72 per 1,000 gallons of the hauler's truck capacity for portable toilet, landfill leachate, or any such low- strength wastewater.

TABLE I. Table of Fixture Units

Type of Fixture or Group of Fixtures	Drainage Fixture Unit Value (DFU)
Commercial automatic clothes washer (2" standpipe)	3
Bathroom group consisting of water closet, lavatory and bathtub or shower stall (Residential):	
Tank type closet	6

Bathtub (with or without overhead shower)	2
Combination sink-and-tray with food disposal unit	2
Combination sink-and-tray with 1½" trap	2
Dental unit or cuspidor	1
Dental lavatory	1
Drinking fountain	½
Dishwasher, domestic	2
Floor drains with 2" waste	2
Kitchen sink, domestic, with one 1½" waste	2
Kitchen sink, domestic, with food waste grinder and/or dishwasher	2
Lavatory with 1¼" waste	1
Laundry tray (1 or 2 compartments)	2
Shower stall	2
Sinks:	
Surgeon's	3
Flushing rim (with valve)	6
Service (trap standard)	3
Service (P trap)	2
Pot, scullery, etc.	4
Urinal, pedestal, syphon jet blowout	6

Urinal, wall lip	4
Urinal stall, washout	4
Urinal trough (each 6-ft. section)	2
Wash sink (circular or multiple) each set of faucets	2
Water closet, tank-operated	4
Water closet, valve-operated	6
Fixture drain or trap size:	
1¼ inches and smaller	1
1½ inches	2
2 inches	3
2½ inches	4
3 inches	5
4 inches	6

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158 *TABLE II.*
159 *Fixture Units and Load Factors for All Other Premises*
160 *Quarterly Service Charges*
161 Fiscal Year (July 1 - June 30)

Fixture Units	Load Factor	FY ~~2025~~ 2026	FY ~~2026~~ 2027	FY ~~2027~~ 2028	FY ~~2028~~ 2029	FY ~~2029~~ 2030	FY ~~2030~~2031
20 or less	1.00	149.28 ~~140.96~~	158.08 ~~149.28~~	172.48 ~~158.08~~	188.00 ~~167.36~~	204.96 ~~177.28~~	219.04 ~~187.84~~

21 to 30	1.25	186.60 ~~176.20~~	197.60 ~~186.60~~	215.60 ~~197.60~~	235.00 ~~209.20~~	256.20 ~~221.60~~	273.80 ~~234.80~~
31 to 40	1.45	216.46 ~~204.39~~	229.22 ~~216.46~~	250.10 ~~229.22~~	272.60 ~~242.67~~	297.19 ~~257.06~~	317.61 ~~272.37~~
41 to 50	1.60	238.85 ~~225.54~~	252.93 ~~238.85~~	275.97 ~~252.93~~	300.80 ~~267.78~~	327.94 ~~283.65~~	350.46 ~~300.54~~
51 to 60	1.75	261.24 ~~246.68~~	276.64 ~~261.24~~	301.84 ~~276.64~~	329.00 ~~292.88~~	358.68 ~~310.24~~	383.32 ~~328.72~~
61 to 70	1.90	283.63 ~~267.82~~	300.35 ~~283.63~~	327.71 ~~300.35~~	357.20 ~~317.98~~	389.42 ~~336.83~~	416.18 ~~356.90~~
71 to 80	2.05	306.02 ~~288.97~~	324.06 ~~306.02~~	353.58 ~~324.06~~	385.40 ~~343.09~~	420.17 ~~363.42~~	449.03 ~~385.07~~
81 to 90	2.20	328.42~~310.11~~	347.78~~328.42~~	379.46 ~~347.78~~	413.60 ~~368.19~~	450.91 ~~390.02~~	481.89 ~~413.25~~
91 to 100	2.30	343.34 ~~324.21~~	363.58 ~~343.34~~	396.70 ~~363.58~~	432.40 ~~384.93~~	471.41 ~~407.74~~	503.79 ~~432.03~~
101 to 110	2.40	358.27 ~~338.30~~	379.39 ~~358.27~~	413.95 ~~379.39~~	451.20 ~~401.66~~	491.90 ~~425.47~~	525.70 ~~450.82~~
111 to 120	2.55	380.66 ~~359.45~~	403.10 ~~380.66~~	439.82 ~~403.10~~	479.40 ~~426.77~~	522.65 ~~452.06~~	558.55 ~~478.99~~
121 to 130	2.65	395.59~~373.54~~	418.91~~395.59~~	457.07 ~~418.91~~	498.20 ~~443.50~~	543.14 ~~469.79~~	580.46 ~~497.78~~
131 to 140	2.75	410.52 ~~387.64~~	434.72 ~~410.52~~	474.32 ~~434.72~~	517.00 ~~460.24~~	563.64 ~~487.52~~	602.36 ~~516.56~~
141 to 150	2.85	425.45~~401.74~~	450.53~~425.45~~	491.57 ~~450.53~~	535.80 ~~476.98~~	584.14 ~~505.25~~	624.26 ~~535.34~~

151 to 160	2.95	440.38~~41 5.83~~	466.34~~440. 38~~	508.82 ~~466.34~~	554.60 ~~493.71~~	604.63 ~~522.98~~	646.17 ~~554.13~~
161 to 170	3.05	455.30~~42 9.93~~	482.14~~455. 30~~	526.06 ~~482.14~~	573.40 ~~510.45~~	625.13 ~~540.70~~	668.07 ~~572.91~~
171 to 180	3.15	470.23~~44 4.02~~	497.95~~470. 23~~	543.31 ~~497.95~~	592.20 ~~527.18~~	645.62 ~~558.43~~	689.98 ~~591.70~~
181 to 190	3.25	485.16~~45 8.12~~	513.76~~485. 16~~	560.56 ~~513.76~~	611.00 ~~543.92~~	666.12 ~~576.16~~	711.88 ~~610.48~~
191 to 200	3.35	500.09~~47 2.22~~	529.57~~500. 09~~	577.81 ~~529.57~~	629.80 ~~560.66~~	686.62 ~~593.89~~	733.78 ~~629.26~~
201 to 210	3.45	515.02~~48 6.31~~	545.38~~515. 02~~	595.06 ~~545.38~~	648.60 ~~577.39~~	707.11 ~~611.62~~	755.69 ~~648.05~~
211 to 220	3.55	529.94~~50 0.41~~	561.18~~529. 94~~	612.30 ~~561.18~~	667.40 ~~594.13~~	727.61 ~~629.34~~	777.59 ~~666.83~~
221 to 230	3.65	544.87~~51 4.50~~	576.99~~544. 87~~	629.55 ~~576.99~~	686.20 ~~610.86~~	748.10 ~~647.07~~	799.50 ~~685.62~~
231 to 240	3.75	559.80~~52 8.60~~	592.80~~559. 80~~	646.80 ~~592.80~~	705.00 ~~627.60~~	768.60 ~~664.80~~	821.40 ~~704.40~~
241 to 250	3.85	574.73~~54 2.70~~	608.61~~574. 73~~	664.05 ~~608.61~~	723.80 ~~644.34~~	789.10 ~~682.53~~	843.30 ~~723.18~~
251 to 260	3.90	582.19~~54 9.74~~	616.51~~582. 19~~	672.67 ~~616.51~~	733.20 ~~652.70~~	799.34 ~~691.39~~	854.26 ~~732.58~~
261 to 270	4.00	597.12~~56 3.84~~	632.32~~597. 12~~	689.92 ~~632.32~~	752.00 ~~669.44~~	819.84 ~~709.12~~	876.16 ~~751.36~~
271 to 280	4.05	604.58~~57 0.89~~	640.22~~604. 58~~	698.54 ~~640.22~~	761.40 ~~677.81~~	830.09 ~~717.98~~	887.11 ~~760.75~~

281 to 290	4.10	612.05~~57 7.94~~	648.13~~612. 05~~	707.17 ~~648.13~~	770.80 ~~686.18~~	840.34 ~~726.85~~	898.06 ~~770.14~~
291 to 300	4.15	619.51~~58 4.98~~	656.03~~619. 51~~	715.79 ~~656.03~~	780.20 ~~694.54~~	850.58 ~~735.71~~	909.02 ~~779.54~~
301 to 310	4.20	626.98~~59 2.03~~	663.94~~626. 98~~	724.42 ~~663.94~~	789.60 ~~702.91~~	860.83 ~~744.58~~	919.97 ~~788.93~~
311 to 320	4.30	641.90~~60 6.13~~	679.74~~641. 90~~	741.66 ~~679.74~~	808.40 ~~719.65~~	881.33 ~~762.30~~	941.87 ~~807.71~~
321 to 330	4.40	656.83~~62 0.22~~	695.55~~656. 83~~	758.91 ~~695.55~~	827.20 ~~736.38~~	901.82 ~~780.03~~	963.78 ~~826.50~~
331 to 340	4.50	671.76~~63 4.32~~	711.36~~671. 76~~	776.16 ~~711.36~~	846.00 ~~753.12~~	922.32 ~~797.76~~	985.68 ~~845.28~~
341 to 350	4.60	686.69~~64 8.42~~	727.17~~686. 69~~	793.41 ~~727.17~~	864.80 ~~769.86~~	942.82 ~~815.49~~	1,007.58 ~~864.06~~
351 to 360	4.70	701.62~~66 2.51~~	742.98~~701. 62~~	810.66 ~~742.98~~	883.60 ~~786.59~~	963.31 ~~833.22~~	1,029.49 ~~882.85~~
361 to 370	4.80	716.54~~67 6.61~~	758.78~~716. 54~~	827.90 ~~758.78~~	902.40 ~~803.33~~	983.81 ~~850.94~~	1,051.39 ~~901.63~~
371 to 380	4.90	731.47~~69 0.70~~	774.59~~731. 47~~	845.15 ~~774.59~~	921.20 ~~820.06~~	1,004.30 ~~868.67~~	1,073.30 ~~920.42~~
381 to 390	5.00	746.40~~70 4.80~~	790.40~~746. 40~~	862.40 ~~790.40~~	940.00 ~~836.80~~	1,024.80 ~~886.40~~	1,095.20 ~~939.20~~
391 to 400	5.10	761.33~~71 8.90~~	806.21~~761. 33~~	879.65 ~~806.21~~	958.80 ~~853.54~~	1,045.30 ~~904.13~~	1,117.10 ~~957.98~~
401 to 410	5.20	776.26~~73 2.99~~	822.02~~776. 26~~	896.90 ~~822.02~~	977.60 ~~870.27~~	1,065.79 ~~921.86~~	1,139.01 ~~976.77~~

411 to 420	5.30	791.18~~74 7.09~~	837.82~~791. 18~~	914.14 ~~837.82~~	996.40 ~~887.01~~	1,086.29 ~~939.58~~	1,160.91 ~~995.55~~
421 to 430	5.40	806.11~~76 1.18~~	853.63~~806. 11~~	931.39 ~~853.63~~	1,015.20 ~~903.74~~	1,106.78 ~~957.31~~	1,182.82 ~~1,014.34~~
431 to 440	5.50	821.04~~77 5.28~~	869.44~~821. 04~~	948.64 ~~869.44~~	1,034.00 ~~920.48~~	1,127.28 ~~975.04~~	1,204.72 ~~1,033.12~~
441 to 450	5.60	835.97~~78 9.38~~	885.25~~835. 97~~	965.89 ~~885.25~~	1,052.80 ~~937.22~~	1,147.78 ~~992.77~~	1,226.62 ~~1,051.90~~
451 to 460	5.70	850.90~~80 3.47~~	901.06~~850. 90~~	983.14 ~~901.06~~	1,071.60 ~~953.95~~	1,168.27 ~~1,010.50~~	1,248.53 ~~1,070.69~~
461 to 470	5.80	865.82~~81 7.57~~	916.86~~865. 82~~	1,000.38 ~~916.86~~	1,090.40 ~~970.69~~	1,188.77 ~~1,028.22~~	1,270.43 ~~1,089.47~~
471 to 480	5.90	880.75~~83 1.66~~	932.67~~880. 75~~	1,017.63 ~~932.67~~	1,109.20 ~~987.42~~	1,209.26 ~~1,045.95~~	1,292.34 ~~1,108.26~~
481 to 490	6.00	895.68~~84 5.76~~	948.48~~895. 68~~	1,034.88 ~~948.48~~	1,128.00 ~~1,004.16~~	1,229.76 ~~1,063.68~~	1,314.24 ~~1,127.04~~
491 to 500	6.10	910.61~~85 9.86~~	964.29~~910. 61~~	1,052.13 ~~964.29~~	1,146.80 ~~1,020.90~~	1,250.26 ~~1,081.41~~	1,336.14 ~~1,145.82~~
501 to 525	6.25	933.00~~88 1.00~~	988.00~~933. 00~~	1,078.00 ~~988.00~~	1,175.00 ~~1,046.00~~	1,281.00 ~~1,108.00~~	1,369.00 ~~1,174.00~~
526 to 550	6.50	970.32~~91 6.24~~	1,027.52~~97 0.32~~	1,121.12 ~~1,027.52~~	1,222.00 ~~1,087.84~~	1,332.24 ~~1,152.32~~	1,423.76 ~~1,220.96~~
551 to 575	6.75	1,007.64 ~~951.48~~	1,067.04~~1,0 07.64~~	1,164.24 ~~1,067.04~~	1,269.00 ~~1,129.68~~	1,383.48 ~~1,196.64~~	1,478.52 ~~1,267.92~~
576 to 600	7.00	1,044.96 ~~986.72~~	1,106.56~~1,0 44.96~~	1,207.36 ~~1,106.56~~	1,316.00 ~~1,171.52~~	1,434.72 ~~1,240.96~~	1,533.28 ~~1,314.88~~

601 to 625	7.25	1,082.28 ~~1,021.96~~	1,146.08~~1,082.28~~	1,250.48 ~~1,146.08~~	1,363.00 ~~1,213.36~~	1,485.96 ~~1,285.28~~	1,588.04 ~~1,361.84~~
626 to 650	7.50	1,119.60 ~~1,057.20~~	1,185.60~~1,119.60~~	1,293.60 ~~1,185.60~~	1,410.00 ~~1,255.20~~	1,537.20 ~~1,329.60~~	1,642.80 ~~1,408.80~~
651 to 675	7.75	1,156.92 ~~1,092.44~~	1,225.12~~1,156.92~~	1,336.72 ~~1,225.12~~	1,457.00 ~~1,297.04~~	1,588.44 ~~1,373.92~~	1,697.56 ~~1,455.76~~
676 to 700	8.00	1,194.24 ~~1,127.68~~	1,264.64~~1,194.24~~	1,379.84 ~~1,264.64~~	1,504.00 ~~1,338.88~~	1,639.68 ~~1,418.24~~	1,752.32 ~~1,502.72~~
701 to 725	8.20	1,224.10 ~~1,155.87~~	1,296.26~~1,224.10~~	1,414.34 ~~1,296.26~~	1,541.60 ~~1,372.35~~	1,680.67 ~~1,453.70~~	1,796.13 ~~1,540.29~~
726 to 750	8.40	1,253.95 ~~1,184.06~~	1,327.87~~1,253.95~~	1,448.83 ~~1,327.87~~	1,579.20 ~~1,405.82~~	1,721.66 ~~1,489.15~~	1,839.94 ~~1,577.86~~
751 to 775	8.60	1,283.81 ~~1,212.26~~	1,359.49~~1,283.81~~	1,483.33 ~~1,359.49~~	1,616.80 ~~1,439.30~~	1,762.66 ~~1,524.61~~	1,883.74 ~~1,615.42~~
776 to 800	8.80	1,313.66 ~~1,240.45~~	1,391.10~~1,313.66~~	1,517.82 ~~1,391.10~~	1,654.40 ~~1,472.77~~	1,803.65 ~~1,560.06~~	1,927.55 ~~1,652.99~~
801 to 825	9.00	1,343.52 ~~1,268.64~~	1,422.72~~1,343.52~~	1,552.32 ~~1,422.72~~	1,692.00 ~~1,506.24~~	1,844.64 ~~1,595.52~~	1,971.36 ~~1,690.56~~
826 to 850	9.20	1,373.38~~1,296.83~~	1,454.34~~1,373.38~~	1,586.82 ~~1,454.34~~	1,729.60 ~~1,539.71~~	1,885.63 ~~1,630.98~~	2,015.17 ~~1,728.13~~
851 to 875	9.35	1,395.77~~1,317.98~~	1,478.05~~1,395.77~~	1,612.69 ~~1,478.05~~	1,757.80 ~~1,564.82~~	1,916.38 ~~1,657.57~~	2,048.02 ~~1,756.30~~
876 to 900	9.50	1,418.16~~1,339.12~~	1,501.76~~1,418.16~~	1,638.56 ~~1,501.76~~	1,786.00 ~~1,589.92~~	1,947.12 ~~1,684.16~~	2,080.88 ~~1,784.48~~
901 to 925	9.65	1,440.55~~1,360.26~~	1,525.47~~1,440.55~~	1,664.43 ~~1,525.47~~	1,814.20 ~~1,615.02~~	1,977.86 ~~1,710.75~~	2,113.74 ~~1,812.66~~

926 to 950	9.80	1,462.94~~1,381.41~~	1,549.18~~1,462.94~~	1,690.30~~1,549.18~~	1,842.40~~1,640.13~~	2,008.61~~1,737.34~~	2,146.59~~1,840.83~~
951 to 975	9.95	1,485.34~~1,402.55~~	1,572.90~~1,485.34~~	1,716.18~~1,572.90~~	1,870.60~~1,665.23~~	2,039.35~~1,763.94~~	2,179.45~~1,869.01~~
976 to 1,000	10.15	1,515.19~~1,430.74~~	1,604.51~~1,515.19~~	1,750.67~~1,604.51~~	1,908.20~~1,698.70~~	2,080.34~~1,799.39~~	2,223.26~~1,906.58~~
1,001 to 1,050	10.55	1,574.90~~1,487.13~~	1,667.74~~1,574.90~~	1,819.66~~1,667.74~~	1,983.40~~1,765.65~~	2,162.33~~1,870.30~~	2,310.87~~1,981.71~~
1,051 to 1,100	10.90	1,627.15~~1,536.46~~	1,723.07~~1,627.15~~	1,880.03~~1,723.07~~	2,049.20~~1,824.22~~	2,234.06~~1,932.35~~	2,387.54~~2,047.46~~
1,101 to 1,150	11.30	1,686.86~~1,592.85~~	1,786.30~~1,686.86~~	1,949.02~~1,786.30~~	2,124.40~~1,891.17~~	2,316.05~~2,003.26~~	2,475.15~~2,122.59~~
1,151 to 1,200	11.70	1,746.58~~1,649.23~~	1,849.54~~1,746.58~~	2,018.02~~1,849.54~~	2,199.60~~1,958.11~~	2,398.03~~2,074.18~~	2,562.77~~2,197.73~~
1,201 to 1,250	12.00	1,791.36~~1,691.52~~	1,896.96~~1,791.36~~	2,069.76~~1,896.96~~	2,256.00~~2,008.32~~	2,459.52~~2,127.36~~	2,628.48~~2,254.08~~
1,251 to 1,300	12.35	1,843.61~~1,740.86~~	1,952.29~~1,843.61~~	2,130.13~~1,952.29~~	2,321.80~~2,066.90~~	2,531.26~~2,189.41~~	2,705.14~~2,319.82~~
1,301 to 1,350	12.70	1,895.86~~1,790.19~~	2,007.62~~1,895.86~~	2,190.50~~2,007.62~~	2,387.60~~2,125.47~~	2,602.99~~2,251.46~~	2,781.81~~2,385.57~~
1,351 to 1,400	13.00	1,940.64~~1,832.48~~	2,055.04~~1,940.64~~	2,242.24~~2,055.04~~	2,444.00~~2,175.68~~	2,664.48~~2,304.64~~	2,847.52~~2,441.92~~
1,401 to 1,450	13.25	1,977.96~~1,867.72~~	2,094.56~~1,977.96~~	2,285.36~~2,094.56~~	2,491.00~~2,217.52~~	2,715.72~~2,348.96~~	2,902.28~~2,488.88~~
1,451 to 1,500	13.50	2,015.28~~1,902.96~~	2,134.08~~2,015.28~~	2,328.48~~2,134.08~~	2,538.00~~2,259.36~~	2,766.96~~2,393.28~~	2,957.04~~2,535.84~~

1,501 to 1,600	14.05	2,097.381 ~~,980.49~~	2,221.022,0 ~~97.38~~	2,423.34 ~~2,221.02~~	2,641.40 ~~2,351.41~~	2,879.69 ~~2,490.78~~	3,077.51 ~~2,639.15~~
1,601 to 1,700	14.60	2,179.492 ~~,058.02~~	2,307.972,1 ~~79.49~~	2,518.21 ~~2,307.97~~	2,744.80 ~~2,443.46~~	2,992.42 ~~2,588.29~~	3,197.98 ~~2,742.46~~
1,701 to 1,800	15.15	2,261.592 ~~,135.54~~	2,394.912,2 ~~61.59~~	2,613.07 ~~2,394.91~~	2,848.20 ~~2,535.50~~	3,105.14 ~~2,685.79~~	3,318.46 ~~2,845.78~~
1,801 to 1,900	15.70	2,343.702 ~~,213.07~~	2,481.862,3 ~~43.70~~	2,707.94 ~~2,481.86~~	2,951.60 ~~2,627.55~~	3,217.87 ~~2,783.30~~	3,438.93 ~~2,949.09~~
1,901 to 2,000	16.25	2,425.802 ~~,290.60~~	2,568.802,4 ~~25.80~~	2,802.80 ~~2,568.80~~	3,055.00 ~~2,719.60~~	3,330.60 ~~2,880.80~~	3,559.40 ~~3,052.40~~
2,001 to 2,100	16.80	2,507.902 ~~,368.13~~	2,655.742,5 ~~07.90~~	2,897.66 ~~2,655.74~~	3,158.40 ~~2,811.65~~	3,443.33 ~~2,978.30~~	3,679.87 ~~3,155.71~~
2,101 to 2,200	17.35	2,590.012 ~~,445.66~~	2,742.692,5 ~~90.01~~	2,992.53 ~~2,742.69~~	3,261.80 ~~2,903.70~~	3,556.06 ~~3,075.81~~	3,800.34 ~~3,259.02~~
2,201 to 2,300	17.90	2,672.112 ~~,523.18~~	2,829.632,6 ~~72.11~~	3,087.39 ~~2,829.63~~	3,365.20 ~~2,995.74~~	3,668.78 ~~3,173.31~~	3,920.82 ~~3,362.34~~
2,301 to 2,400	18.45	2,754.222 ~~,600.71~~	2,916.582,7 ~~54.22~~	3,182.26 ~~2,916.58~~	3,468.60 ~~3,087.79~~	3,781.51 ~~3,270.82~~	4,041.29 ~~3,465.65~~
2,401 to 2,500	19.00	2,836.322 ~~,678.24~~	3,003.522,8 ~~36.32~~	3,277.12 ~~3,003.52~~	3,572.00 ~~3,179.84~~	3,894.24 ~~3,368.32~~	4,161.76 ~~3,568.96~~
2,501 to 2,600	19.55	2,918.422 ~~,755.77~~	3,090.462,9 ~~18.42~~	3,371.98 ~~3,090.46~~	3,675.40 ~~3,271.89~~	4,006.97 ~~3,465.82~~	4,282.23 ~~3,672.27~~
2,601 to 2,700	20.10	3,000.532 ~~,833.30~~	3,177.413,0 ~~00.53~~	3,466.85 ~~3,177.41~~	3,778.80 ~~3,363.94~~	4,119.70 ~~3,563.33~~	4,402.70 ~~3,775.58~~
2,701 to 2,800	20.65	3,082.632 ~~,910.82~~	3,264.353,0 ~~82.63~~	3,561.71 ~~3,264.35~~	3,882.20 ~~3,455.98~~	4,232.42 ~~3,660.83~~	4,523.18 ~~3,878.90~~

2,801 to 2,900	21.20	3,164.742,988.35	3,351.303,164.74	3,656.58 3,351.30	3,985.60 3,548.03	4,345.15 3,758.34	4,643.65 3,982.21
2,901 to 3,000	21.75	3,246.843,065.88	3,438.243,246.84	3,751.44 3,438.24	4,089.00 3,640.08	4,457.88 3,855.84	4,764.12 4,085.52
3,001 to 4,000	26.00	3,881.283,664.96	4,110.083,881.28	4,484.48 4,110.08	4,888.00 4,351.36	5,328.96 4,609.28	5,695.04 4,883.84
4,001 to 5,000	29.50	4,403.764,158.323,993.12	4,663.364,403.76	5,088.16 4,663.36	5,546.00 4,937.12	6,046.32 5,229.76	6,461.68 5,541.28
5,001 to 6,000	33.00	4,926.244,651.68	5,216.644,926.24	5,691.84 5,216.64	6,204.00 5,522.88	6,763.68 5,850.24	7,228.32 6,198.72
6,001 to 7,000	36.40	5,433.795,130.94	5,754.115,433.79	6,278.27 5,754.11	6,843.20 6,091.90	7,460.54 6,452.99	7,973.06 6,837.38
7,001 to 8,000	39.60	5,911.495,582.02	6,259.975,911.49	6,830.21 6,259.97	7,444.80 6,627.46	8,116.42 7,020.29	8,673.98 7,438.46
8,001 to 9,000	42.75	6,381.726,026.04	6,757.926,381.72	7,373.52 6,757.92	8,037.00 7,154.64	8,762.04 7,578.72	9,363.96 8,030.16
9,001 to 10,000	46.00	6,866.886,484.16	7,271.686,866.88	7,934.08 7,271.68	8,648.00 7,698.56	9,428.16 8,154.88	10,075.84 8,640.64
10,001 to 11,000	48.85	7,292.336,885.90	7,722.217,292.33	8,425.65 7,722.21	9,183.80 8,175.54	10,012.30 8,660.13	10,700.10 9,175.98
11,001 to 12,000	51.60	7,702.857,273.54	8,156.937,702.85	8,899.97 8,156.93	9,700.80 8,635.78	10,575.94 9,147.65	11,302.46 9,692.54
12,001 to 13,000	54.60	8,150.697,696.42	8,631.178,150.69	9,417.41 8,631.17	10,264.80 9,137.86	11,190.82 9,679.49	11,959.58 10,256.06
13,001 to 14,000	57.40	8,568.678,091.10	9,073.798,568.67	9,900.35 9,073.79	10,791.20 9,606.46	11,764.70 10,175.87	12,572.90 10,782.02

14,001 to 15,000	60.00	8,956.808~~,457.60~~	9,484.808~~,956.80~~	10,348.80~~9,484.80~~	11,280.00~~10,041.60~~	12,297.60~~10,636.80~~	13,142.40~~11,270.40~~

NOTES:

(1) Base charge is not included in rates above.

GIVEN under my hand this _____ day of _____, ~~2025~~2026

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Attachment 2a

FAIRFAX COUNTY NOTICE OF PROPOSED
SEWER SERVICE CHARGE & BASE CHARGE - RATE REVISIONS

NOTICE is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035** on:

Tuesday
April 14, 2026
commencing at 3:00 p.m.

on the matter of an amendment to Chapter 67.1 of the Fairfax County Code (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Public hearing before the Board of Supervisors of Fairfax County, Virginia.

Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2-2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend and readopt Section 67.1-10-2 of the Fairfax County Code by, among other things, changing all references to the unit cost of sewer service and the base charge as follows:

SEWER SERVICE CHARGE SCHEDULE
Per 1,000 gallons of water consumption

	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Sewer Service Charge	$9.33	$9.88	$10.78	$11.75	$12.81	$13.69

BASE CHARGE SCHEDULE
Cost ($) per Quarterly Bill

Type of Connection						
	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Residential (3/4" meter)	$52.62	$55.78	$60.79	$66.26	$72.22	$77.20
All customers based on meter size						
3/4" and smaller, or no meter	$52.62	$55.78	$60.79	$66.26	$72.22	$77.20
1"	$131.55	$139.45	$151.98	$165.65	$180.55	$193.00
1 1/2"	$263.10	$278.90	$303.95	$331.30	$361.10	$386.00
2"	$420.96	$446.24	$486.32	$530.08	$577.76	$617.60
3"	$789.30	$836.70	$911.85	$993.90	$1,083.30	$1,158.00
4"	$1,315.50	$1,394.50	$1,519.75	$1,656.50	$1,805.50	$1,930.00
6"	$2,631.00	$2,789.00	$3,039.50	$3,313.00	$3,611.00	$3,860.00
8"	$4,209.60	$4,462.40	$4,863.20	$5,300.80	$5,777.60	$6,176.00
10" and larger	$6,051.30	$6,414.70	$6,990.85	$7,619.90	$8,305.30	$8,878.00

The public hearings are available to view live on Channel 16 and stream live online at https://www.fairfaxcounty.gov/cableconsumer/channel-16/stream. Live audio of the meeting may be accessed at 703-324-7700. Those wishing to testify may do so in person, unless the meeting is held electronically, or via phone or pre-recorded YouTube video. Speakers wishing to testify via video must register by signing up online below or by calling the Department of Clerk Services at 703-324-3151, TTY 711, and must submit their video no later than 9 a.m. on the day prior to the hearing. Speakers wishing to testify via phone must sign up to testify no later than 12:00 p.m. the day of the hearing to be placed on the Speakers List. Speakers not on the Speakers List may be heard after the registered speakers have testified. In addition, written testimony and other submissions will be received by mail at 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035 or by email at ClerktotheBOS@fairfaxcounty.gov. More information on the ways to testify can be found at https://www.fairfaxcounty.gov/clerkservices/ways-provide-public-hearing-testimony.

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GIVEN under my hand this 3rd day of March 2026.

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Ad Run Dates: March 24 and March 31, 2026

Attachment 2b

FAIRFAX COUNTY NOTICE OF PROPOSED
SEWER AVAILABILITY CHARGES (including the FIXTURE UNIT RATE) AND HAULED WASTEWATER CHARGES - RATE REVISIONS

NOTICE is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035** on:

Tuesday
April 14, 2026
commencing at 3:00 p.m.

on the matter of an amendment to Chapter 67.1 of the Fairfax County Code (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Public hearing before the Board of Supervisors of Fairfax County, Virginia.

Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2-2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend Section 67.1-10-2 of the Fairfax County Code by, among other things, updating the availability charge schedule for residential, commercial, and all other users desiring to connect to the County sanitary sewer facilities, the fixture unit rate, and proposed hauled wastewater charge as follows:

AVAILABILITY CHARGE SCHEDULE						
Type of Connection						
	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Single-Family	$9,218	$9,398	$9,757	$10,124	$10,500	$10,884
Lodging House, Hotel, Inn or Tourist Cabin	$9,218	$9,398	$9,757	$10,124	$10,500	$10,884
Townhouse	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
Apartment	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
Mobile Home	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
Any other residential dwelling unit	$7,374	$7,518	$7,806	$8,100	$8,400	$8,708
Hotels, Motels, or Dormitory rental unit	$2,304	$2,349	$2,439	$2,531	$2,625	$2,721

The availability charge for all nonresidential uses will be computed as the number of fixture units in accordance with the current Virginia Uniform Statewide Building Code times the fixture unit rate with a minimum charge equivalent to one (1) single-family detached dwelling per premises. The revised, five-year rate schedule for the fixture unit charge for nonresidential uses is as follows:

AVAILABILITY CHARGE SCHEDULE Cost ($) per Quarterly Bill						
	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Nonresidential per fixture unit	$461	$470	$488	$506	$525	$544

HAULED WASTEWATER CHARGE

The hauled wastewater charge will be calculated based on the size of the wastewater hauler's truck volume capacity as follows:

1. High-strength Waste - $27 per 1,000 gallons for septic tank and restaurant grease waste
2. Low-strength Waste – $7.72 per 1,000 gallons of the hauler's truck capacity for portable toilet, landfill leachate, or any such low-strength wastewater.

The public hearings are available to view live on Channel 16 and stream live online at https://www.fairfaxcounty.gov/cableconsumer/channel-16/stream. Live audio of the meeting may be accessed at 703-324-7700. Those wishing to testify may do so in person, unless the meeting is held electronically, or via phone or pre-recorded YouTube video. Speakers wishing to testify via video must register by signing up online below or by calling the Department of Clerk Services at 703-324-3151, TTY 711, and must submit their video no later than 9 a.m. on the day prior to the hearing. Speakers wishing to testify via phone must sign up to testify no later than 12:00 p.m. the day of the hearing to be placed on the Speakers List. Speakers not on the Speakers List may be heard after the registered speakers have testified. In addition, written testimony and other submissions will be received by mail at 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035 or by email at ClerktotheBOS@fairfaxcounty.gov. More information on the ways to testify can be found at https://www.fairfaxcounty.gov/clerkservices/ways-provide-public-hearing-testimony.

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GIVEN under my hand this 3rd day of March, 2026.

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Ad Run Dates: March 24 and March 31, 2026

Attachment 2a

FAIRFAX COUNTY NOTICE OF PROPOSED
SEWER SERVICE CHARGE & BASE CHARGE - RATE REVISIONS

NOTICE is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING** at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035 on:

Tuesday
April 2214, 20252026
commencing at 3:00 p.m.

on the matter of an amendment to Chapter 67.1 of the Fairfax County Code (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Public hearing before the Board of Supervisors of Fairfax County, Virginia.

Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2-2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend and readopt Section 67.1-10-2 of the Fairfax County Code by, among other things, changing all references to the unit cost of sewer service and the base charge as follows:

SEWER SERVICE CHARGE SCHEDULE Per 1,000 gallons of water consumption						
	FY 20252026	FY 20262027	FY 20272028	FY 20282029	FY 20292030	FY 20302031
Sewer Service Charge	$9.33$8.81	$9.88$9.33	$10.78$9.88	$11.75$10.46	$12.81$11.08	$13.69$11.74

BASE CHARGE SCHEDULE Cost ($) per Quarterly Bill						
Type of Connection						
	FY 2026FY 2025	FY 2027FY 2026	FY 2028FY 2027	FY 2029FY 2028	FY 2030FY 2029	FY 2031FY 2030
Residential (3/4" meter)	$52.62$49.73	$55.78$52.62	$60.79$55.78	$66.26$59.08	$72.22$62.57	$77.20$66.27
All customers based on meter size						
3/4" and smaller, or no meter	$52.62$49.73	$55.78$52.62	$60.79$55.78	$66.26$59.08	$72.22$62.57	$77.20$66.27
1"	$131.55$124.33	$139.45$131.55	$151.98$139.45	$165.65$147.70	$180.55$156.43	$193.00$165.68
1 1/2"	$263.10$248.65	$278.90$263.10	$303.95$278.90	$331.30$295.40	$361.10$312.85	$386.00$331.35
2"	$420.96$397.84	$446.24$420.96	$486.32$446.24	$530.08$472.64	$577.76$500.56	$617.60$530.16
3"	$789.30$745.95	$836.70$789.30	$911.85$836.70	$993.90$886.20	$1,083.30$938.55	$1,158.00$994.05
4"	$1,315.50$1,243.25	$1,394.50$1,315.50	$1,519.75$1,394.50	$1,656.50$1,477.00	$1,805.50$1,564.25	$1,930.00$1,656.75
6"	$2,631.00$2,486.50	$2,789.00$2,631.00	$3,039.50$2,789.00	$3,313.00$2,954.00	$3,611.00$3,128.50	$3,860.00$3,313.50
8"	$4,209.60$3,978.40	$4,462.40$4,209.60	$4,863.20$4,462.40	$5,300.80$4,726.40	$5,777.60$5,005.60	$6,176.00$5,301.60
10" and larger	$6,051.30$5,718.95	$6,414.70$6,051.30	$6,990.85$6,414.70	$7,619.90$6,794.20	$8,305.30$7,195.55	$8,878.00$7,621.05

Public hearing before the Board of Supervisors of Fairfax County, Virginia, to be held at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. If, however, a physical meeting is unsafe due to the COVID-19 pandemic, the Board of Supervisors may meet electronically. If the meeting is held electronically, instructions regarding how to access the meeting will be provided at 2025 Board of Supervisors Meetings and Committee Meetings | Board Of Supervisors and will be posted in advance of the meeting in the lobby of 12000 Government Center Parkway, Fairfax, Virginia and in the Office of the Clerk to the Board of Supervisors, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia.

The public hearings are available to view live on Channel 16 and stream live online at https://www.fairfaxcounty.gov/cableconsumer/channel-16/stream. Live audio of the meeting may be accessed at 703-324-7700. Those wishing to testify may do so in person, unless the meeting is held electronically, or via phone or pre-recorded YouTube video. Speakers wishing to testify via video must register by signing up online below or by calling the Department of Clerk Services at 703-324-3151, TTY 711, and must submit their video no later than 9 a.m. on the day prior to the hearing. Speakers wishing to testify via phone must sign up to testify no later than 12:00 p.m. the day of the hearing to be placed on the Speakers List. Speakers not on the Speakers List may be heard after the registered speakers have testified. In addition, written testimony and other submissions will be received by mail at 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035 or by email at ClerktotheBOS@fairfaxcounty.gov. More information on the ways to testify can be found at https://www.fairfaxcounty.gov/clerkservices/ways-provide-public-hearing-testimony.

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GIVEN under my hand this ~~4th~~ 3rd day of March ~~2025~~2026.

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Ad Run Dates: ~~April 8~~March 24 and ~~April 15~~ March 31, ~~2025~~2026

Attachment 2b

FAIRFAX COUNTY NOTICE OF PROPOSED
SEWER AVAILABILITY CHARGES (including the FIXTURE UNIT RATE) AND HAULED WASTEWATER CHARGES - RATE REVISIONS

NOTICE is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING** at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035 on:

Tuesday
April 2214, 20252026
commencing at 3:00 p.m.

on the matter of an amendment to Chapter 67.1 of the Fairfax County Code (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Public hearing before the Board of Supervisors of Fairfax County, Virginia.

Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2-2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend Section 67.1-10-2 of the Fairfax County Code by, among other things, updating the availability charge schedule for residential, commercial, and all other users desiring to connect to the County sanitary sewer facilities, the fixture unit rate, and proposed hauled wastewater charge as follows:

AVAILABILITY CHARGE SCHEDULE						
Type of Connection						
	FY 2026FY 2025	FY 2027FY 2026	FY 2028FY 2027	FY 2029FY 2028	FY 2030FY 2029	FY 2031FY 2030
Single-Family	$9,218$9,038	$9,398$9,218	$9,757$9,398	$10,124$9,578	$10,500$9,759	$10,884$9,941
Lodging House, Hotel, Inn or Tourist Cabin	$9,218$9,038	$9,398$9,218	$9,757$9,398	$10,124$9,578	$10,500$9,759	$10,884$9,941
Townhouse	$7,374$7,231	$7,518$7,374	$7,806$7,518	$8,100$7,662	$8,400$7,807	$8,708$7,953
Apartment	$7,374$7,231	$7,518$7,374	$7,806$7,518	$8,100$7,662	$8,400$7,807	$8,708$7,953
Mobile Home	$7,374$7,231	$7,518$7,374	$7,806$7,518	$8,100$7,662	$8,400$7,807	$8,708$7,953
Any other residential dwelling unit	$7,374$7,231	$7,518$7,374	$7,806$7,518	$8,100$7,662	$8,400$7,807	$8,708$7,953
Hotels, Motels, or Dormitory rental unit	$2,304$2,260	$2,349$2,304	$2,439$2,349	$2,531$2,394	$2,625$2,440	$2,721$2,485

The availability charge for all nonresidential uses will be computed as the number of fixture units in accordance with the current Virginia Uniform Statewide Building Code times the fixture unit rate with a minimum charge equivalent to one (1) single-family detached dwelling per premises. The revised, five-year rate schedule for the fixture unit charge for nonresidential uses is as follows:

AVAILABILITY CHARGE SCHEDULE Cost ($) per Quarterly Bill						
	FY 2026FY 2025	FY 2027FY 2026	FY 2028FY 2027	FY 2029FY 2028	FY 2030FY 2029	FY 2031FY 2030
Nonresidential per fixture unit	$461$452	$470$461	$488$470	$479$506	$488$525	$497$544

HAULED WASTEWATER CHARGE

The hauled wastewater charge will be calculated based on the size of the wastewater hauler's truck volume capacity as follows:

1. High-strength Waste - $27 per 1,000 gallons for septic tank and restaurant grease waste
2. Low-strength Waste – $7.72 per 1,000 gallons of the hauler's truck capacity for portable toilet, landfill leachate, or any such low-strength wastewater.

~~Public hearing before the Board of Supervisors of Fairfax County, Virginia, to be held at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. If, however, a physical meeting is unsafe due to the COVID-19 pandemic, the Board of Supervisors may meet electronically. If the meeting is held electronically, instructions regarding how to access the meeting will be provided at 2025 Board of Supervisors Meetings and Committee Meetings | Board Of Supervisors and will be posted in advance of the meeting in the lobby of 12000 Government Center Parkway, Fairfax, Virginia and in the Office of the Clerk to the Board of Supervisors, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia.~~

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GIVEN under my hand this ~~4th~~ 3rd day of March, 202~~5~~6.

_____
Jill G. Cooper
Clerk for the Board of Supervisors

Ad Run Dates: ~~April 8~~March 24 and ~~April 15~~ March 31, ~~2025~~ 2026

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 6

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Minor and Editorial Revisions and Changes to Reflect Virginia Code Updates

ISSUE:
The proposed amendment includes minor and editorial revisions, including updates in accordance with 2025 amendments to the Virginia Code, as outlined in Topic #10 of the Zoning Ordinance Work Program. The proposed changes are necessary to correct typographical or editorial errors, resolve inconsistencies, and provide for clarification of certain provisions. The proposed amendment includes, among other changes:
(1) revising the applicability of highway and railroad setback requirements by exempting lots recorded before August 14, 1978; (2) allowing setback reductions previously approved by variance prior to July 10, 2006, to be amended through a special permit approval when the request meets current special permit standards for reductions in setbacks; (3) stating that earthborn vibration standards do not apply to temporary construction activities of short duration; (4) removing additional sign permission for single-family dwellings under construction or renovation; (5) revising notice requirements to allow written notice of certain land use action to be provided by first class mail as authorized by HB 2330 (now 15.2-2204 (2025 General Assembly); (6) adding violations of storage or disposal of nonagricultural excavation material, waste, or debris to the ten-day appeal period under SB 1422 (15.2-2286 (2025 General Assembly); and (7)adding language establishing enhanced civil penalties for zoning violations on multifamily properties based on SB 1267 (15.2-2209 (2025 General Assembly).

RECOMMENDATION:
The County Executive recommends the authorization of the proposed Zoning Ordinance amendment by adopting the Resolution set forth in Attachment 1.

TIMING:
Board action is requested on March 3, 2026, to provide sufficient time to advertise the proposed Planning Commission public hearing on April 22, 2026, at 7:30 p.m.; and the proposed Board public hearing on May 5, 2026, at 4:00 p.m.

BACKGROUND:
The proposed amendment includes minor and editorial revisions including updates in accordance with amendments to the Virginia Code, as outlined in Topic #2 of the

current Zoning Ordinance Work Program. This is an annual Work Program item that is intended to keep the Zoning Ordinance up to date by identifying revisions necessary to correct errors, resolving inconsistencies, providing clarifications and improving readability, as well as proposing other changes that are limited in scope, including revisions due to changes in the Virginia Code.

In addition to the items detailed above and editorial revisions to correct references and grammatical errors, the amendment also includes, but is not limited to, the following proposed changes:

- Revises the use-specific standards applicable to all massage therapy establishments based on adopted changes to the County Code for massage therapy establishments.
- Adds language that indicates an R District does not include a property developed with an international airport and related uses for data center setbacks, consistent with the recently adopted Substations Zoning Ordinance amendment.
- Clarifies that transitional screening, barrier, and parking lot landscaping requirements may be modified or waived by the Board where deemed appropriate or for interim uses.
- Eliminates administrative approval of permitted modifications to Correlated Color Temperature standards for outdoor lighting.
- Adds rezoning submission requirement that information related to phased developments be provided at the time of application submission (currently required in the PTC District).
- Revises the definition of “front yard” to clarify that the front yard is established parallel to the front lot line and revises the applicable graphic.
- Revises definition name from “kennel” to new name “Animal Boarding, Breeding, or Recreation Establishment” to more clearly describe the use and all associated activities that are currently listed in the definition and to clarify that “breeding” includes the sale of offspring.
- Revises the definition of “residence for manager or employee” to remove requirements regarding location and accessory status. This change allows a detached dwelling, particularly an existing structure, to be associated with an on-site occupation in another building without having to meet detached accessory structure standards.

Staff will continue to review the Zoning Ordinance for future updates and the Work Program contains a standing item for Virginia Code Updates and Minor and Editorial revisions.

A more detailed discussion of these and other proposed changes is contained in the Staff Report (Attachment 2).

Board Agenda Item
March 3, 2026

EQUITY IMPACT:
No impact. Minor and editorial revisions generally correct errors, resolve inconsistencies and promote clarity, or make changes required by the Virginia Code. These changes provide for better readability, understanding, and consistent application of regulations that apply countywide.

REGULATORY IMPACT:
The proposed amendment enhances existing regulations by correcting errors, resolving inconsistencies, improving enforcement, and clarifying and updating certain Zoning Ordinance provisions and harmonizing the Zoning Ordinance with recent changes to the State Code.

FISCAL IMPACT:
None. There is no fiscal impact as a result of this amendment.

ENCLOSED DOCUMENTS:
Attachment 1 – Resolution
Attachment 2 – Staff Report

STAFF:
Jennifer Miller, Deputy County Executive
Tracy Strunk, Director, Department of Planning and Development (DPD)
Leslie B. Johnson, Zoning Administrator, DPD
William Mayland, Assistant Zoning Administrator, DPD
Casey Judge, Deputy Zoning Administrator, DPD
Pamela Pineros, Planner, DPD

ASSIGNED COUNSEL:
Sara S. Silverman, Assistant County Attorney
Cherie H. Mack, Assistant County Attorney

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, on March 3, 2026, at which meeting a quorum was present, the following resolution was adopted:

WHEREAS, certain revisions are needed to correct typographical and editorial errors or inadvertent omissions and make other minor revisions; and

WHEREAS, it is desirable to clarify the intent of certain Zoning Ordinance provisions; and

WHEREAS, revising the highway and railroad setback requirements to automatically exempt lots recorded prior to August 14, 1978, provides clarity and consistency in the administration of the Zoning Ordinance; and

WHEREAS, allowing setback reductions previously approved by variance prior to July 10, 2006, to be amended through special permit approval when the request meets the current special permit standards in subsection 5100.2.D(11)(e) allows all such reductions to be evaluated under the same criteria; and

WHEREAS, clarifying that the earthborn vibration standards do not apply to vibration generated by temporary construction activities of short duration such as demolition, maintenance or other construction type activity codifies prior zoning interpretations, aligns the Ordinance with its original intent, and provides regulatory clarity; and

WHEREAS, simplifying minor sign regulations by removing separate permissions and sign area that apply to single-family dwellings under construction or renovation improves enforceability, and maintains existing limits on total sign area while allowing reasonable opportunities for signage during residential construction activity; and

WHEREAS, revising notice requirements to allow written notices for certain land use actions to be provided by first class mail is consistent with the authority granted under HB 2330 (2025) and to also make other editorial changes to the notice requirements for land use actions is necessary for clarity and readability; and

WHEREAS, allowing enhanced civil penalties for certain zoning violations occurring on properties developed with multifamily dwellings is consistent with authority granted under SB 1267 (2025); and

WHEREAS, applying a ten-day appeal period to violations related to the storage or disposal of nonagricultural excavation material, waste, or debris, is consistent with authority granted under SB 1422 (2025); and

WHEREAS, the amendment would make other revisions as detailed in the staff report dated March 3, 2026; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to the Zoning Ordinance.

NOW THEREFORE BE IT RESOLVED, for the foregoing reasons and as articulated in the Minor and Editorial Revisions and Changes to Reflect Virginia Code Updates Board Item and the staff report, the Board of Supervisors hereby authorizes the advertisement of public hearings

during which the Planning Commission and the Board will consider the proposed Zoning Ordinance amendment.

A Copy Teste:

_____
Jill G. Cooper
Clerk for the Board of Supervisors

FAIRFAX COUNTY

PROPOSED ZONING ORDINANCE AMENDMENT

STAFF REPORT

Minor and Editorial Revisions and Changes to Reflect Virginia Code Updates

March 3, 2025

Hearing Dates
Planning Commission: April 22, 2026, at 7:30 p.m.
Board of Supervisors: May 5, 2026, at 4:00 p.m.

Staff Contact
Pamela Pineros, Planner II

Americans with Disabilities Act (ADA): Reasonable Accommodation is available upon 48 hours advance notice. For additional Information on ADA call 703-324-1334 or 711 (Virginia Relay Center).

PLANNING & DEVELOPMENT

Zoning Administration Division
Government Center Parkway, Suite 807
Fairfax, Virginia 22035-5507
Phone 703-324-1314
www.fairfaxcounty.gov/planning-development

Table of Contents

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Background

The proposed amendment includes minor and editorial revisions including updates in accordance with 2025 changes to the Virginia Code, as outlined in Topic #2 of the current Zoning Ordinance Work Program. This is an annual Work Program item that is intended to keep the Zoning Ordinance up to date by identifying revisions necessary to correct errors, resolving inconsistencies, providing clarifications and improving readability, as well as proposing other changes that are limited in scope, including revisions due to changes in the Virginia Code.

Proposed Changes

The proposed changes are described in the table below. Where necessary, additional information on certain items has been provided following the table, as noted. The table is generally organized in numerical order based on the section of the Zoning Ordinance, except where certain like items are grouped together. The proposed text (beginning on page 10) is provided in the same order as this table.

#	Section/Subsection	Description of Change
1	1104.3 – Ordinance Structure	Remove romanette (i, ii, iii…) numbering from subsection organization, as romanettes are only used in the Ordinance within subsections and not as their own separate subsection.
2	Zoning District – Reference to Other Standards Tables: Subsection 2102.1.D, 2102.2.C, 2102.3.C, 2102.4.C, 2102.5.D, 2102.6.D, 2102.7.D, 2102.8.D, 2102.9.D, 2102.10.D, 2102.11.D, 2102.12.D, 2102.13.D, 2102.14.D, 2103.1.C, 2103.2.C, 2103.3.C, 2103.4.C, 2103.5.C, 2103.6.C, 2103.7.C, 2103.8.C, 2104.1.C, 2104.2.C, 2104.3.C, 2104.4.C, 2104.5.C, 2104.6.C, 2105.7.D.	Correct the cross-reference for private street requirements from Article 6, Parking and Loading to Article 5, Section 5107.
3	3101.3.D – Historic Overlay Districts (HOD) – Establishment of Districts	Adds “historic” to the criteria for establishing an HOD, consistent with other subsections.

#	Section/Subsection	Description of Change
4	4102.5.O – Massage Therapy Establishment	Revise standards for all massage therapy establishments based on adopted changes to new County Code 28.2. Chapter 28.2-1-4 of the County Code identifies certain uses that are excluded from massage establishment licensing requirements, such as when massage therapy is provided in barbershops, beauty salons, and nursing homes; because these uses are considered principal uses in which massage is provided as an accessory activity, rather than as a principal massage therapy establishment, they do not need to be specifically excluded in the Zoning Ordinance.
5	4102.5.BB – Use Standards – Commercial Uses – Zoo or Aquarium	Replaces the reference to Animal Services Division of Police Department with Fairfax County Animal Services.
6	4102.6.A(4) – Data Center	Adds language under the standard for a minimum distance between data center buildings and equipment and residential to clarify that an R District does not include property developed with an international airport and related uses. This change is consistent with the provision adopted in the recent Zoning Ordinance amendment for electrical substations.
7	4102.7.F(11)(d) – Family Healthcare Structure 5109.4.A(6) – Outdoor Lighting 8100.7.F(7)(a) – Site Plans and Minor Site Plans 8101.1.B – General Requirements for All Applications 8101.5.A(2) – Building Permits 8102.1 – Fee Schedule	Remove references to the required submission of copies of a plan or plat, as paper copies are no longer needed or used due to online submission of documents through PLUS. Remove issuance of paper receipts, as fees are now paid and documented online through PLUS.
8	5100.2.D(8) – Setback Regulations	Eliminates the requirement for the Zoning Administrator to determine whether development is prevented by the application of required setbacks for certain uses from specific highways and railroad tracks on lots created before August 14, 1978. Instead, any lot recorded before that date is automatically exempt from the additional setback. **See additional discussion below.**

#	Section/Subsection	Description of Change
9	5100.2.D(11)(e)1.a – Setback Regulations	Allows a special permit (SP) to amend setbacks previously shown on any variance approved before July 10, 2006, if the request would otherwise meet the current SP standards for a reduction of setbacks. This change permits all setback reductions to be reviewed by the same currently applicable criteria regardless of previous approvals. **See additional discussion below.**
10	5101.4.B(5)(c) – Affordable Dwelling Unit Calculations	Corrects subsection cross-references.
11	5102 – Earthborn Vibration Standards	Adds language stating that vibration standards do not apply to temporary activities of short duration, as previously determined by the Zoning Administrator. **See additional discussion below.**
12	5108.6.A(2) – Landscaping and Screening—Waivers and Modifications	Adds language clarifying that transitional screening, barrier, and parking lot landscaping requirements may be modified or waived by the Board of Supervisors when deemed appropriate OR for interim uses of a specified duration. With the reorganization of this Section during the Landscaping and Screening Zoning Ordinance Amendment (112.2-2024-4), the modification for "when deemed appropriate" was grouped with the modification for interim uses, and this has created confusion. The reorganization was not intended to remove the Board's ability to modify landscaping when it deemed it appropriate.
13	5109.3.A(2) – Outdoor Lighting	Deletes the provision for administrative modification of the color temperature standard. Given the newness of that standard, the administrative modification provision was intended to address potential unique site and use-specific conditions. Since the color temperature standard was adopted on February 11, 2020, however, only one request for a modification has been submitted, and it was not based on unique site conditions. Given five-plus years of experience in applying the standard, staff considers the modification provision to be unnecessary.
14	6100 – Off-Street Parking subsections 6100.1.A(2), 6100.1.B(1)(c), 6100.1.D(1), 6100.2.C(2)(b), 6100.2.C(3), 6100.2.D(1)(f), 6100.2.D(2), 6100.2.D(4), 6100.5.E(1)(b), 6100.5.E(3), 6100.5.E(5)(c)1, 6100.5.F(1), 6100.6.A(1), 6100.6.B(3), 6100.6.D	Minor edits for clarity, cross-reference updates, and grammar related to parking.

#	Section/Subsection	Description of Change
15	7100.4 – Minor Signs	Removes the allowance of an additional yard sign for a single-family dwelling undergoing active construction or renovation. **See additional discussion below.**
16	7101.3.A(1)(c)5 – Signs in Commercial and Industrial Districts	Adds language clarifying that internal building connections must be fully enclosed for multiple buildings to be considered a single building for purposes of building frontage and sign area calculations. Staff frequently receives questions from applicants regarding whether building connections may be counted toward building frontage when calculating permitted sign area. This change provides clear guidance by specifying that only connections that are temperature-controlled, and fully enclosed qualify as internal connections. The proposed change does not reduce or limit allowable sign area; rather, it clarifies how sign area may be distributed depending on whether structures are treated as two separate buildings or as a single building if connected by an enclosed internal connection.
17	8100 – Review Procedures, 8100.10(A)(4) – Appeal Processing, 9100 – Interpretations	Per HB 2330, effective July 1, 2025, additional authority was granted to localities to permit notice of certain land use actions by first-class mail instead of certified mail, as well as to align with current practices and Virginia Code requirements. Other minor edits for clarity are also made throughout. **See additional discussion below.**
18	8100.7.D(17)(a) – Site Plans and Minor Site Plans 8101.4.B(29) – Site Plans 5104.1.C(1) – General Limitations on the Removal and Addition of Soil 5105.3.A(1) – Floodplain Regulations 9102– General Terms	Minor edits for clarity and to correct cross-references and references to correct County Code chapters. Change to 5105.3.A(1) fixes an unintended error created during the reorganization of this subsection under zMOD.
19	8100.10.A.(2)(b) – Appeals	Per SB 1422, effective July 1, 2025, additional authority was granted to localities to allow violations involving the storage or disposal of nonagricultural excavation material, waste, or debris to fall under a ten day appeal period rather than the standard 30-day appeal period. **See additional discussion below.**

#	Section/Subsection	Description of Change
20	8101.2.E – Zoning Map Amendments (Rezonings)	Adds a rezoning submission requirement that information related to phased developments be provided at the time of application submission. This is currently required in the PTC District, and phased developments are becoming more frequent in other zoning districts.
21	8101.3.D (12) – Special Exceptions, Special Permits, and Variances	Requires a note stating the required number of ADUs be provided on special exception Plats for independent living facilities.
22	8106.3 – Penalties	Adds language establishing enhanced civil penalties for zoning violations on multifamily properties based on SB 1267. **See additional discussion below.**
23	9102 – General Terms	Removes definition for net floor area, as that term is no longer used in the Zoning Ordinance.
24	9102 – General Terms	Revises the definition of Yard, Front to clarify that the front yard is determined by a line drawn parallel to the front street line and revise the corresponding graphic depicting yards.
25	9103 – Uses – Kennel Subsection 3101.8.B(1); Table 3103.1: Noise Compatibility Table; Table 4101.1: Use Table for Residential, Commercial, and Industrial Uses; Table 4101.2: Use Table for Planned Development Districts; subsection 4102.4.P(4)(b); subsection 4102.5.A; subsection 4102.5.C; subsection 4102.7.J; Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces; and Section 9103 – definitions of animal shelter and zoo or aquarium.	Revises definition name from "Kennel" to new name "Animal Boarding, Breeding, or Recreation Establishment" to more clearly describe the use and all associated activities that are currently listed in the definition. Clarify longstanding interpretation that breeding also includes selling the offspring (not just the act of breeding itself). Adds "reptiles and amphibians" to list of animals based on recent requests received. Removes the word "domestic," as this term has gotten confused with the term "domesticated" and is not needed. Replaces "kennel" with "animal boarding, breeding, or recreation establishment" throughout.
26	9103 – Uses – Residence for Manager or Employee	Revises definition to remove mention of where a residence for a manager/employee must be located. This would allow a detached dwelling (especially if existing) to be allowed in association with the person's on-site occupation in another building without the requirement that it meet the detached accessory structure standards. This is already allowed for religious assembly uses and is often seen with other institutional and commercial uses, such as private schools and funeral homes.

Revisions to Highway and Railroad Setback Applicability (5100.2.D(8)–Setback Regulations):

Currently, all principal buildings must be set back 200 feet (for residential buildings) and 75 feet (for commercial and industrial buildings) from the rights-of-way of interstate highways, the Dulles International Airport Access Highway, and the combined Dulles International Airport Access Highway and Dulles Toll Road. However, the Zoning Administrator may approve a modification of this setback to not less than the minimum required by the Zoning District for lots recorded prior to August 14, 1978, if it is determined that the setbacks would "prevent development of the lot in accordance with the provisions of this Ordinance." This provision was originally included with the adoption of the 1978 Zoning Ordinance to allow modifications for what was then a new provision of the Zoning Ordinance. It has been difficult to administer, however, because it does not specify standards or criteria that must be met. Essentially, any lot where proposed construction of a structure is impacted by this setback can effectively argue that the setback "prevents development" in some capacity. Therefore, the proposed change automatically exempts lots recorded before that date from the additional setback requirements and no longer requires a determination based on whether the setback would prevent development on the lot. The change does not increase permitted development intensity and ensures that older, legally created lots are not unduly penalized by requiring additional setbacks when located adjacent to a railroad or interstate highways.

Special Permit for Reduction of Setbacks Shown on a Variance Plat (5100.2.D(11)(e)1.a–Setback Regulations):

Prior to 2006, setback reductions generally required approval of a variance. On July 10, 2006, a Zoning Ordinance amendment took effect that allowed the Board of Zoning Appeals to approve special permit applications to reduce setbacks by up to 50 percent. However, the current Ordinance requires setback modifications that were previously approved by variance, where the setbacks were shown on a variance plat, to obtain approval of a variance amendment rather than allowing the applicant to take advantage of the special permit application. The proposed change allows any setback request subject to a variance approval that predates the 2006 Zoning Ordinance amendment to be reviewed under the special permit criteria rather than the more restrictive variance standards. This promotes consistency and allows similarly situated properties to be evaluated using the same review framework. It does not expand the scope of relief available beyond what is already permitted under the special permit process.

Earthborn Vibration Standards (5102–Earthborn Vibration Standards):

The vibration standards were adopted in 1978 to regulate ongoing operational vibrations generated by permanent land uses and were not intended to address vibrations from short-term construction activities related to site development. Since adoption, questions have arisen during the review of site plans involving temporary construction activities where vibration levels may exceed the ordinance standards despite posing no risk of structural damage and being consistent with accepted engineering practices. The proposed change adds a new subsection clarifying that the earthborn vibration standards in the ordinance do not apply to vibration generated by temporary activities of short duration, such as construction, demolition, or maintenance work. This proposed edit codifies prior zoning interpretations, aligns the ordinance with its original intent, and provides regulatory clarity for applicants, staff, and the public while preserving the County's ability to address construction-related impacts through

geotechnical review, proffered conditions, and oversight by the Department of Land Development Services.

Minor Signs (7100.4–Minor Signs):

Minor sign provisions were last comprehensively revised in 2019, as part of amendment, ZO-19-479, at which time properties containing individual single-family dwelling units undergoing construction or renovation were allowed additional temporary signage. Specifically, one additional yard sign not exceeding four square feet in area or a height of four feet is allowed during the construction or renovation. The sign may not be displayed before commencement of the improvement or renovation work, and it must be removed within seven days after the work is completed, or within six months from the start of the display (whichever is less). This four-square-foot sign is in addition to the 12 square feet of yard signs allowed on any lot developed with a residential use, effectively allowing 16 square feet of signage during the construction or renovation period. Since this provision was adopted, enforcement of these provisions has proven difficult because no sign permit is required to establish the time period for the start of display, and the date a sign is installed cannot be readily verified without investigation.

This proposed change would remove the additional signage that can be displayed during construction, but it continues to allow residential properties or properties under construction with a residential use to have up to 12 square feet of yard signs, with no one sign exceeding four square feet in area or four feet in height. This change simplifies the ordinance, improves enforceability, and maintains existing limits on total sign area while allowing reasonable opportunities for signage during residential construction activity. Staff has also provided the Board with the option to increase the total maximum amount of yard sign area to 16 square feet, which would allow an additional four square feet of signage on an individual property at any time (including when construction or renovation is occurring on the property).

HB 2330–Virginia Code Update – Notice Requirements (8100–Review Procedures, 8100.10(A)(4)):

The proposed change revises notice provisions throughout subsection 8100 – Review Procedures to incorporate additional authority created by HB 2330, allowing certain land use action notices to be sent by first-class mail rather than certified mail. The change also clarifies that when a public hearing has been opened, public testimony has been received, and the hearing is continued for cause, written notice to adjacent property owners must be re-mailed to ensure adequate public notice of the continued hearing. Staff believes these changes are appropriate as they align the ordinance with current practices and Virginia Code requirements, reduce administrative burden and cost, and improve notice to affected parties. Additional edits for clarity are also included. Adoption of this provision is optional and is presented for the Board's consideration should it choose to exercise this authority.

SB 1422–Virginia Code Update - Appeal Period for Nonagricultural Excavation Violations (8100.10.A.(2)(b)–Appeals):

Under the existing ordinance, certain zoning violations are subject to a shortened 10-day appeal period rather than the 30-day appeal period applicable to most violations; however, under SB 1422, effective July 1, 2025, localities have additional authority to apply a ten-day appeal period to violations related to the storage or disposal of nonagricultural excavation material, waste, or debris to support timely

enforcement and remediation of nonagricultural material storage. The Department of Code Compliance (DCC) seldom receives complaints or issues notices of violation on this topic. Adoption of this provision is optional and is presented for the Board's consideration should it choose to exercise this authority.

SB 1267–Virginia Code Update - Penalties on properties developed with Multifamily Dwellings (8106.3–Penalties):

Under SB 1267, effective July 1, 2025, localities are granted additional authority to update the penalty provisions of the Zoning Ordinance to establish enhanced civil penalties for certain zoning violations occurring on properties developed with multifamily dwellings. Under this provision, a civil penalty of $1,000 may be assessed for a second offense and $1,500 for a third or subsequent offense, and the maximum aggregate civil penalty for violations arising from the same set of operative facts may increase from $5,000 to $6,000 for multifamily properties.

Staff has added language that would apply the enhanced penalty only when the violation is occurring outside of an individual unit (for example, the multifamily dwelling development owner or management company may incur the increased fine for a violation related to parking lot lighting, but an individual tenant receiving a violation related to the number of dogs within their unit would not be subject to a higher fine than any other single-family property owner or tenant). In consultation with DCC staff, there may be limited value in applying this authority—in researching hundreds of violations issued over the past year, DCC found only one violation pertaining to a multifamily dwelling development and that was resolved without needing to pursue civil penalties in General District Court; three other cases were related to violations occurring within specific units in a multifamily dwelling development. Adoption of this provision is optional and is presented for the Board's consideration should it choose to exercise this authority.

Summary

Overall, the proposed amendment corrects several typographical and editorial errors, resolves inconsistencies, and further clarifies use standards, definitions, codifies current practices, and provides updates as permitted by amendments to the Virginia Code. Staff recommends that this amendment take effect at 12:01 a.m. on the day following adoption.

Proposed Text

In the revisions shown below, text to be deleted is identified with ~~strike-through~~ and text to be added is underlined. Options for consideration are provided (in parentheses, italics, and bold). When an option is presented as a range, the Board may approve any number within the advertised range. The proposed changes are based on provisions of the adopted Zoning Ordinance in effect as of December 10, 2025.

INSTRUCTION #1: Revise subsection 1104.3 to remove romanette (i, ii, iii…) subsections from the ordinance structure.

1104. Ordinance Structure

…

3. For purposes of further organization, each section may be subdivided into subsections ~~which are~~ represented by such numbers as 1, 2, 3; which may be further subdivided as A, B, C...(1), (2), (3)...and (a), (b), (c)~~...and (i), (ii), (iii), etc.~~

INSTRUCTION #2: Revise cross reference in the Reference to Other Standards tables in subsection 2102.1.D, 2102.2.C, 2102.3.C, 2102.4.C, 2102.5.D, 2102.6.D, 2102.7.D, 2102.8.D, 2102.9.D, 2102.10.D, 2102.11.D, 2102.12.D, 2102.13.D, 2102.14.D, 2103.1.C, 2103.2.C, 2103.3.C, 2103.4.C, 2103.5.C, 2103.6.C, 2103.7.C, 2103.8.C, 2104.1.C, 2104.2.C, 2104.3.C, 2104.4.C, 2104.5.C, 2104.6.C, and 2105.7.D. to list private street requirements as a separate standard and change the reference from Article 6 to Article 5, Section 5107.

D. Reference to Other Standards

General regulations that may supplement the regulations above:

Use regulations	Article 4
Lot, bulk, and open space regulations	Article 5, Section 5100
Private street requirements	Article 5, Section 5107
Off-street parking~~,~~ and loading ~~and private street requirements~~	Article 6
Signs	Article 7
Site plan provisions	Article 8, subsection 8100.7

INSTRUCTION #3: Revise subsection 3101.3.D to add the word "historic" to the list of attributes the Board must identify with regard to each property in a new HOD.

3. Establishment of Districts

…

D. As part of establishing an HOD, the Board must include a declaration that the buildings, structures, or sites to be preserved are of historical, architectural, archaeological, or cultural significance worthy of protection against destruction and encroachment, and must identify, where applicable, whether each property included in the district is historic, contributing or non-contributing. The Board's action will amend the Zoning Map and include regulations and development policies that the Board deems necessary.

INSTRUCTION #4: Revise subsection 4102.5.O to align massage therapy establishment standards with adopted changes to County Code.

4102. Use Standards

…

Personal and Business Services

O. Massage Therapy Establishment

Standards for all massage therapy establishments:

A massage therapy establishment is permitted in accordance with Chapter 28.~~1~~2 of the County Code, which requires massages to be performed by a licensed massage therapist operating from a licensed massage establishment; however, a massage therapy establishment may also ~~provide the following massages~~ include locations where massages are administered only to the upper body while the client is fully clothed and seated in a chair, which is excluded ~~in~~ from the licensing requirements of Chapter 28.~~1~~2-1-4~~:~~.

~~**(1)** Massage administered to the scalp, face, neck, shoulders, arms, hands or feet;~~

~~**(2)** Massage administered to the upper body while the client is fully clothed and seated in a chair;~~

~~**(3)** Massage administered in a medical care facility, hospital, medical clinic, nursing facility or similar facility, or in the office of a physician, chiropractor, osteopath, physical therapist, or nurse, licensed by the State; and~~

~~**(4)** Massage at a massage therapy program that has been approved by the Virginia Board of Education or the Virginia State Council of Higher Education, only if the individual administering the massage is a student enrolled at the school and receives no compensation for the massage.~~

INSTRUCTION #5: Revise subsection 4102.5.BB to replace the reference to Animal Services Division of Police Department with Fairfax County Animal Services.

4102. Use Standards

…

BB. Zoo or Aquarium

Standards applicable to all zoos and aquariums:

(1) ~~The Animal Services Division of the Police Department~~ Fairfax County Animal Services must be granted access to the premises and any necessary records to review the operation of the zoo or aquarium on a quarterly basis and is authorized to conduct unannounced inspections of facilities during daylight hours.

(2) The keeping of animals, including wild or exotic animals as defined in Chapter 41.1 of the County Code, is allowed only if ~~the Animal Services Division of the Police Department~~ Fairfax County Animal Services determines that the animal does not pose a risk to public health, safety, and welfare and that there will be adequate feed, water, shelter, veterinary care, and space in the primary enclosure for the particular type of animal depending upon its age, size, and weight.

INSTRUCTION #6: Revise subsection 4102.6.A(4) to add language that indicates an R district does not include a property developed with an international airport and related uses for data center setbacks.

A. Data Center

…

(4) Minimum Distance from Residential

…

(d) For the purpose of this provision, an R district does not include an area within a public street right-of-way or a property that is developed with an international airport and its related uses.

INSTRUCTION #7: Revise subsections 4102.7.F(11)(d), 5109.4.A(6), 8100.7.F(7)(a), 8101.1.B, and 8101.5.A(2) to remove the reference to submitting copies; revise subsection 8102.1 to remove issuance of paper receipts.

Subsection 4102.7.F(11)(d):

F. Family Health Care Structure

Standards when permitted by administrative permit:

…

(11) The following materials must be submitted with an application to the Zoning Administrator:

…

(d) ~~Three copies of a~~A plat drawn to a designated scale of not less than 1" = 50', which may be prepared by the applicant, that contains the following information:

1. The dimensions of the lot, the boundary lines of the lot, and the land area;

2. The dimensions, height, and distance to all lot lines of any existing structure on the lot and of the proposed temporary family health care structure; and

3. The signature and certification number, if applicable, of the person preparing the plat.

Subsection 5109.4.A(6):

4. Lighting Standards for Certain Uses

A. Vehicle Fueling Stations and Vehicle Sales, Rental, and Service

…

(6) If a site plan approval is not required, ~~and~~ the photometric plan ~~is submitted as a separate submission, five copies of a photometric plan~~ must be submitted separately to the Director for review and approval and is subject to a fee as provided for in subsection 8100.7.

Subsection 8100.7.F(7)(a):

F. Staff Review and Action

…

(7) As-Built Site Plans

(a) Upon satisfactory completion, an as-built site plan and the corresponding filing fee must be submitted to the Director for review and approval for conformance with the approved site

plan. ~~The Director will determine the number of copies that must be submitted. The Director may require the submission of the plan electronically in lieu of prints.~~ The plan must be prepared in accordance with the Public Facilities Manual.

Subsection 8101.1.B:

8101. Submission Requirements

1. General Requirements for All Applications

…

~~**B.** Staff may request one or more paper copies of any of the materials at any point in the process.~~

Subsection 8101.5.A(2):

5. Building Permits

A. Plan Requirements

…

(2) When the building or structure does not require site plan approval but will require approval of a site-related plan (e.g., grading plan or conservation plan) in accordance with subsections 5104.1.A and 5104.1.B, a plan, certified by a land surveyor, engineer, landscape architect, or architect authorized by the State to practice as such, must be submitted that includes siltation and erosion control measures in conformance with Chapter 124.1 of the Code, and contains the information listed in subsection (3) below~~. The required number of copies of the form and plan will be determined by the Director~~; or

Subsection 8102.1

8102. Fee Schedule

1. Fee Schedule

All applications and appeals provided for in this Ordinance and requests for zoning compliance letters must be accompanied by the filing fee set forth in the following table unless otherwise waived by the Board for good cause shown; except that no fee is required where the applicant is the County of Fairfax or any agency, authority, commission or other body specifically created by the County, State or Federal Government. All fees must be made payable to the County of Fairfax. ~~Receipts for fees paid will be issued in duplicate, and one of the duplicates will be maintained on file with the Department of Planning and Development.~~

INSTRUCTION #8: Revise subsection 5100.2.D(8) to remove the requirement for the Zoning Administrator to modify the 200-foot residential building setback and 75-foot commercial and industrial building setback from specific highways and railroads tracks for lots created before August 14, 1978.

D. Setback Regulations

…

(8) Setbacks from Specific Highways and Railroad Tracks

The following minimum distances must be maintained between all principal buildings and rights-of-way:

(a) All principal buildings must be setback from the rights-of-way of interstate highways, the Dulles International Airport Access Highway, and the combined Dulles International Airport Access Highway and Dulles Toll Road, as follows:

1. Principal residential buildings - 200 feet

2. Commercial and industrial buildings - 75 feet

(b) Principal residential buildings must be setback a minimum of 200 feet from all railroad tracks, except for those tracks associated with regional rail transit facilities.

(c) The setbacks required in this subsection do not apply to a minor adjustment of lot lines in accordance with subsection 5100.2.J(1)(b).

(d) The Board may approve deviations from the provisions of subsections (a) and (b) above in conjunction with the approval of a rezoning or the BZA may approve a variance if it finds that the deviations will further the intent of this Ordinance, the Comprehensive Plan, and other adopted County policies.

(e) The setbacks required in this subsection ~~may be modified by the Zoning Administrator to not less than those required by the zoning district for:~~ do not apply to lots that were recorded before August 14, 1978.

~~***1.*** A lot that has been recorded before August 14, 1978; and~~

~~***2.*** Where the setbacks required in this subsection would prevent development of the lot in accordance with the provisions of this Ordinance.~~

INSTRUCTION #9: Revise subsection 5100.2.D(11)(e), add a new subsection 1.b, and re-letter as appropriate to allow a special permit to amend setback reductions for variances approved before July 10, 2006, if the request would otherwise meet the current provisions for a setback reduction permitted by a special permit.

(e) Special Permit Approval for Reduction of Setback Requirements

The BZA may approve a special permit to allow a reduction of setback requirements subject to the following:

1. Only the following setback requirements are subject to special permit approval:

a. Minimum required setbacks ~~in the residential, commercial, industrial, and planned development districts~~ set forth in Article 2 if (i) no proffered conditions or development conditions related to setbacks apply; and (ii) no setbacks are depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, or special permit plat~~, or variance plat~~.

b. Minimum required setbacks set forth in Article 2 shown on any variance plat approved before July 10, 2006.

~~***b.***~~ ***c.*** Setback regulations for pipestem lots and lots contiguous to pipestem driveways set forth in subsection 5100.2.L(2).

~~***c.***~~ ***d.*** Accessory structure location requirements set forth in subsection 4102.7.A(6).

~~***d.***~~ ***e.*** Regulations on permitted extensions into a minimum setback as set forth in subsection 5100.2.D(5).

INSTRUCTION 10: Revise subsection 5101.4.B(5)(c) to correct the cross-reference from "a" to "b."

5101. Affordable Dwelling Unit Program

…

4. Affordable Dwelling Unit Calculations

…

(5) Required affordable dwelling units must comply with the following:

…

(c) The requirement for affordable dwelling units may not exceed either 6.25 percent in accordance with subsection (~~a~~b)1 above or 5.0 percent in accordance with subsection (~~a~~b)2 above, as applicable, for those developments in which a 17 percent increase in density has been applied to the density range specified in the Comprehensive Plan.

INSTRUCTION #11: Revise Section 5102.2.C to add a new paragraph (4) that adds language stating that vibration standards do not apply to temporary activities.

5102. Earthborn Vibration Standards

…

C. Vibration Standards

…

(4) Exceptions for Temporary Activities

The vibration standards set forth in this Section do not apply to earthborn vibration resulting from temporary activities of short duration, including but not limited to construction, demolition, or maintenance work.

INSTRUCTION #12: Revise subsection 5108.6.A(2) to add language clarifying that transitional screening, barrier, and parking lot landscaping requirements may also be modified or waived where deemed appropriate or for interim uses of a specified duration.

6. Waivers and Modifications

A. The Board, in conjunction with the approval of proffered conditions, a PRC plan, a special exception, or through a General Waiver associated with a site plan, or the BZA in conjunction with the approval of a special permit, may modify or waive the requirements of this Section as follows:

(1) The transitional screening, ~~and~~ barrier, and parking lot landscaping requirements may be waived or modified (a) if the topography of the lot providing the ~~transitional screening~~ landscaping and the adjacent lot being protected is such that ~~transitional screening~~ landscaping or a barrier would not be effective.~~;~~ (b) for interim uses of a specified duration; or (c) where deemed appropriate when the modification or waiver does not create a harmful effect on the existing or planned development of adjacent properties.

~~(2) Parking lot landscaping planting requirements for interim uses of a specified duration, or where deemed appropriate, may be modified when the modification or waiver does not create a harmful effect on the existing and planned development of adjacent properties.~~

~~(3)~~(2) Parking lot landscaping may be modified to allow the planting of less than one planting area for every ten contiguous parking spaces when the resulting configuration results in the appropriate amount of shade for vehicles parked in the parking lot.

~~(4)~~(3) When there is a conflict between the required landscaping of subsection 5108.3, subsection 5108.4, and subsection 5108.5 and the location of a new utility easement, the required landscaping may be modified if the required landscaping cannot be accommodated on the remaining available site area as a result of the building placement and lot configuration.

INSTRUCTION #13: Revise Subsection 5109.3.A(2) to remove "unless otherwise approved by the Director."

3. General Provisions

Except as provided in 5109.4.B below, or exempted in 5109.2 above, all outdoor lighting fixtures must comply with the following:

A. Lighting Fixtures and Mounting

…

(2) Except for signs, all light sources may not exceed a maximum Correlated Color Temperature (CCT) of 3,000K ~~unless otherwise approved by the Director~~. However, sports fields or courts that are subject to a sports illumination plan may have a maximum CCT of up to 5,700K.

…

INSTRUCTION #14: Revise subsections 6100.1.A(2), 6100.1.B(1)(c), 6100.1.D(1), 6100.2.C(2)(b), 6100.2.C(3), 6100.2.D(1)(f), 6100.2.D(2), 6100.2.D(4), 6100.5.E(1)(b), 6100.5.E(3), 6100.5.E(5)(c)1, 6100.5.F(1), 6100.6.A(1), 6100.6.B(3), and 6100.6.D for clarity, cross-reference updates, and readability.

ARTICLE 6 - PARKING AND LOADING

Subsection 6100.1.A(2):

A. Generally

…

(2) For redevelopment that retains some use or structure and eliminates some on-site parking during the redevelopment process, a temporary adjustment or relocation of the minimum required off-street parking spaces may be approved either by the Board, in conjunction with a rezoning or special exception, or by the Director, in conjunction with a site plan. As conditions to ~~any~~ such an approval, the applicant must demonstrate that adequate measures will be taken to ensure the continuation of safe and adequate parking on the property~~,~~. ~~and~~ T~~t~~he Board or the Director ~~will~~ may impose time limitations.

Subsection 6100.1.B(1)(c):

B. Change in Use or Expansion of an Existing Structure or Use

…

(c) When a site contains two or more uses, the increase referenced in subsection 6100.1(B)(1)(b) ~~are~~ is measured cumulatively for all uses on the site, not each individual use.

Subsection 6100.1.D(1):

D. Parking Tabulation

(1) A vehicle and bicycle parking tabulation ~~and a bicycle parking tabulation in conformance with Section 6102 approved by the Director and~~ demonstrating compliance with the minimum required off-street vehicle and bicycle parking for all uses on a lot is required in any of the following situations:

(a) A site plan or minor site plan is submitted in accordance with subsection 8101.4.

(b) A change in use resulting in an increased parking requirement, in accordance with subsection 6100.1.B, from that shown on the approved site plan or minor site plan.

Subsection 6100.2.C(2)(b):

C. Off-Street Parking Design and Layout

…

(2) Accessible Parking

(a) All accessible off-street parking spaces and related access aisles and accessible routes must comply with the USBC and the Public Facilities Manual.

(b) Each accessible off-street parking space must be designated as reserved for persons with disabilities by an above grade sign in conformance with the design and content specifications of the USBC and the Public Facilities Manual.

Subsection 6100.2.C(3):

C. Off-Street Parking Design and Layout

…

(3) Pedestrian Routes

To encourage parking lot design that enhances pedestrian safety and access, pedestrian routes must be provided in accordance with this subsection. Such routes allow a person to use a direct pedestrian pathway instead of a vehicle travel aisle to reach the principal building. This requirement does not apply to parking lots with 50 or fewer spaces or to parking structures. These requirements do not supersede the USBC requirements for site and building accessibility. The pedestrian route:

Subsections 6100.2.D(1)(f), 6100.2.D(2), and 6100.2.D(4):

D. Tandem Parking

(1) Tandem parking is allowed for the following:

…

(f) Valet parking, except that if located off-site, ~~it must be subject to~~ an agreement with the off-site property owner is required, subject to the Director's approval~~,~~. The agreement must

address the ~~regarding~~ administration and termination of the valet parking by the operator or user.

(2) Except for the uses and activities in subsection 6100.2.D.(1)(a), (b), ~~and~~ (c), and (f), the development plan or site plan must depict the number and location of tandem spaces.

…

(4) The Director may approve tandem parking that does not conform~~ing~~ with the above requirements if the spaces are determined to be sufficiently usable and accessible.

Subsections 6100.5.E(1)(b), 6100.5.E(3), and 6100.5.E(5)(c)1:

E. PTC District – Off-Street Parking

(1) The number of off-street parking spaces provided for a development in the PTC District must be established with a parking plan that is accompanied by an application for rezoning to the PTC District.

…

(b) Where parking is to be provided in phases in accordance with a phased development proposal, the parking plan must provide the information set forth above in subsection 6100.5.E(1)(a) for each proposed phase. If the total development parking will be constructed in early phases of the project, shared parking spaces for the remaining phases must be identified when it is demonstrated that such additional parking in the early phase(s) is necessary due to construction requirements or in furtherance of the objectives of the Comprehensive Plan. When parking is provided in this manner, the development must provide shared parking for the later phases of the project to the satisfaction of the Board. Additionally, when an existing use is proposed to be retained as an interim use, the parking accessory to any such interim uses must conform to the rates ~~set forth above~~ in Table 6100.10. In all cases, parking at the build out phase of the development must conform to the total number of spaces approved for the entire development.

…

(3) After the parking plan is approved, no additional parking is required for a change in use~~,~~ if the mix of uses is in substantial conformance with the approved final development plan.

…

(5) A property not zoned to the PTC District may opt in to ~~into~~ the PTC District parking requirements in 6100.5.E. under the following criteria:

(a) The property is located in an area identified in the Comprehensive Plan as the Tysons Urban Center.

(b) The property is located in an area identified in the Comprehensive Plan as a Transit Oriented District or a Transit Development District wherein the TOD District rates in Table 6100.10 will apply.

(c) A parking plan must be submitted meeting the requirements of subsection 6100.5.E(1)(a)~~, and~~;. The request requires approval by the Director if part of a site plan or parking redesignation plan; however, if a proffer or development condition specifies the number of spaces to be provided on a site, Board approval is required.

~~***1.*** If part of a rezoning, development plan, PRC plan or special exception plat, or proffer or condition amendment if this specifies the number of spaces to be provided on a site, then the request requires Board approval.~~

~~**2.** If part of site plan or parking redesignation plan, then the request requires approval by the Director.~~

Subsection 6100.5.F(1):

F. PTC District Special Exception for Increase in Parking

(1) The Board may approve a special exception to allow an increase in parking in the PTC District above the parking maximums in Table 6100.10 when the applicant ~~has demonstrated~~ demonstrates to the Board's satisfaction that:

…

Subsection 6100.6.A(1):

6. Adjustments to Minimum Required Off-Street Parking

A. Generally

(1) Adjustments to the minimum parking requirements may be approved by the Board, including those not approved by the Director in subsection 6100.6.A(2). The Board may approve an adjustment in conjunction with the approval of a rezoning or special exception in accordance with subsections 6100.6.B through G. Adjustments as used in this subsection indicate a reduced parking requirement. The applicant must demonstrate to the Board's satisfaction that:

…

Subsections 6100.6.D:

6. Adjustments to Minimum Required Off-Street Parking

…

D. Affordable Housing

A parking adjustment may be approved upon demonstration ~~by an applicant~~ that all dwelling units within a building will serve individuals with incomes at or below 70 percent of the Area Median Income for the Washington Metropolitan Statistical Area, based on income averaging.

INSTRUCTION #15: Revise subsection 7100.4 to remove separate permissions and sign area for single family dwellings under renovation and giving the Board a range of 12-16 square feet of signage total.

4. Minor Signs

…

~~**D.** For an individual single-family dwelling unit undergoing construction, improvement, or renovation, one sign, not to exceed four square feet in area or a height of four feet is allowed. No sign can be displayed before commencement of the improvement or renovation work, and the sign must be removed within seven days after the improvement or renovation is completed, or within six months from the start of display, whichever is less.~~

~~**(1)** For the purpose of this subsection, commencement of the improvement or renovation work includes the following:~~

~~**(a)** Clearing, grading, or excavation work to prepare the site for construction;~~

~~(b) Active demolition of structures or features internal to the dwelling as part of a renovation project;~~

~~(c) Delivery and staging of materials or equipment on-site, including both interior and exterior staging; or~~

~~(d) Any other similar activity involving active engagement in improvements on the property.~~

~~E.~~D. Yard signs on any lot that is developed with a residential use or under active construction for a residential use cannot exceed 12 square feet in total area ***(advertised range: 12 – 16 square feet)***, with no single sign exceeding four square feet in area or a height of four feet.

INSTRUCTION #16: Revise subsection 7101.3.A(1)(c)5 to add language that describes any internal connection.

3. Signs in Commercial and Industrial Districts

…

(c) Building Frontage

…

5. For the purpose of these provisions, buildings that are located on the same property are considered separate buildings if they have separate posted addresses and do not include any internal connections that are temperature controlled and fully enclosed. Each building is allotted its own sign area based on the linear feet of building frontage associated with its main public entrance.

INSTRUCTION #17: Revise subsection 8100.1 to incorporate the additional permissions allowed by HB 2330, adopted July 2025 as well as to align with current practices and State Code requirements. Other minor edits for clarity are also made throughout. Subsequent revisions to subsections 8100.10 and 9100 are also made based on these changes.

8100. Review Procedures

1. General Requirements for All Applications and Appeals to the BZA

This ~~s~~Section describes the standard procedures and rules that apply to applications and to appeals to the BZA, unless otherwise stated in the Ordinance.

A. Application Processing

(1) Filing of Applications and Appeals

(a) Applications and appeals to the BZA ~~required under this Ordinance~~ must be filed with the Zoning Administrator or the Zoning Administrator's designated agent.

(b) The ~~County~~ Zoning Administrator will not accept an application or appeal unless it complies with this Ordinance. An application or appeal will be officially on file with the County only after it and all required accompanying submissions are submitted to and accepted by the Zoning Administrator or the Zoning Administrator's designated agent. Section 8101 specifies the application and appeal submission requirements. All applications and appeals provided for in this Ordinance must be submitted on forms prescribed by the responsible official, body, or committee.

(c) Any ~~A~~applications~~,~~ or appeals~~, and requests for zoning compliance letters~~ must be accompanied by the applicable filing fee specified in Section 8102 unless otherwise waived

by the Board for good cause shown. No fee is required where the applicant or appellant is the County of Fairfax or any agency, authority, commission, or other body specifically created by the County, State, or Federal Government.

(d) Upon acceptance, the Zoning Administrator will transmit an application or appeal to the officer, body, or agency ~~having~~ with jurisdiction to act on the application.

(2) Scheduling of Applications

Applications and appeals are typically scheduled and considered in the order they are accepted. The clerks of the respective hearing bodies will keep a calendar of cases to be heard.

(3) Amendment of Applications

A request to amend an application must be submitted in writing to the Zoning Administrator. Depending on the nature and extent of the amendment, this request may result in the rescheduling of any required public hearing.

(4) Withdrawing an Unaccepted Application

Withdrawal of an unaccepted application for a rezoning, special exception, special permit, or variance will be in accordance with the following:

(a) An applicant or agent may withdraw an application at any time by giving written notice to the Zoning Administrator. If the application has not been accepted, there will be a full refund of the filing fee paid.

(b) The Zoning Administrator may deem an application administratively withdrawn before acceptance if the applicant refuses or neglects to make a needed correction, addition, or other change after being notified of the need and, after a further 15 days' notice, of the impending administrative withdrawal. This latter notice ~~must be sent by certified mail, return receipt requested,~~ will be mailed to the applicant's last known address. If an unaccepted application is deemed administratively withdrawn, 90 percent of the filing fee paid will be refunded upon request by the applicant.

(5) Withdrawing an Accepted Application

Withdrawal of an accepted application for a rezoning, special exception, special permit, or variance will be in accordance with the following:

(a) The applicant or agent may withdraw an application at any time by giving written notice to the Zoning Administrator. No fee or partial fee will be refunded for an accepted application withdrawn by the applicant.

(b) If it is determined that the application was accepted in error, the Zoning Administrator may deem it administratively withdrawn, give notice mailed to the applicant's last known address, and fully refund the filing fee paid.

(c) If an applicant refuses or neglects to pursue an accepted application, the Zoning Administrator may declare the application administratively withdrawn, but only after giving at least 15 days' notice of intention to do so. This notice ~~must be sent by certified mail, return receipt requested,~~ will be mailed to the applicant's last known address. If an accepted application is administratively withdrawn under this provision, there will be no refund of the filing fee.

~~**(d)** If an application for a rezoning is withdrawn, by request or administratively, after the Board or Planning Commission has begun a public hearing, there may be a limitation on rehearing under subsection 8100.1.D.~~

B. Scheduling and Notice of Public Hearings

(1) Required Notice for Public Hearings

(a) Public hearings required by this Ordinance will be held only when ~~evidence establishes that~~ the notice requirements in this subsection and those required by Virginia law have been satisfied. ~~All required notices must meet the standards specified by state law.~~

(b) The subject of the public hearing is not required to be advertised in full but may be advertised by reference. Every advertisement must identify the proposed action and must identify the place(s) within the County where copies of the subject of the public hearing may be examined.

Published Notice

(c) ~~Public~~ Published notice is the hearing body's responsibility. Published ~~N~~notice of any hearing must ~~be published at least in accordance~~ comply with the standards specified in Va. Code Sect. 15.2-2204 and ~~such~~ any other applicable state law provisions ~~that may apply~~.

Written Notice to Applicant or Appellant

(d) The clerk to the hearing body or the clerk's designated agent must send written notice of the public hearing to the applicant or appellant when the hearing involves an appeal or an application for a PRC plan, final development plan, special exception, special permit, variance, ~~appeal,~~ or ~~an~~ amendment to the Zoning Map~~. That written notice must be sent by first class or certified mail postmarked~~ at least 20 days before the hearing.

Posted Notice

(e) At least 15 days before the date of the first hearing, the Zoning Administrator ~~must~~ will post notice of the application or appeal hearing on the property. This notice ~~must~~ will be removed within seven days after the last hearing and within seven weeks ~~from~~ after the original posting date.

(f) Notice ~~must~~ will be posted at reasonable intervals as follows:

1. Along every street abutting the property; or,

2. If there is no abutting street, then along the exterior boundary lines of the property and within 300 feet along every street providing access to the property.

(g) The notice ~~must~~ will contain the ~~date,~~ location, date, and time of the public hearing, the nature of the application, the property affected, other information necessary to identify and describe the application, and where further information may be obtained.

(h) ~~Posted notice is not required~~ Notice will not be posted when:

1. The hearing involves an application for more than 25 parcels of land for the following:

a. Amendment to the Zoning Map initiated by ~~resolution of~~ the Planning Commission or Board

b. Special exception

c. Special permit

d. Variance

e. Appeal

2. The hearing involves an appeal concerning no specific property; or

3. The hearing body specifically waives or modifies the requirement.

Written Notice to Property Owners, Adjacent Jurisdictions, Military Installations, and Airports

(i) An appeal or an application for a rezoning, a PRC plan, final development plan, special exception, special permit, or variance~~, or appeal~~ requires the following written notice. The clerk to the hearing body or the clerk's designated agent may send any written notice described below, in lieu of the applicant or appellant:

1. The applicant or appellant must send written notice to the property owner(s) of each parcel involved in the application; and

2. The applicant or appellant must send written notice to all owners of property abutting and immediately across the street from the property, including property that lies in an adjoining city or county.

3. For special permits, variances, and appeals, if written notice as required by paragraph 2 above is not sent to ten different property owners, the applicant or appellant must send additional notices so that at least ten different property ~~the~~ owners ~~of at least ten properties~~ in the immediate vicinity are notified.

4. For all other applications, if written notice as required by paragraph 2 above is not sent to 25 different property owners, then the applicant must send additional notices so that at least 25 different property ~~the~~ owners ~~of at least 25 properties~~ in the immediate vicinity are notified.

5. For the purpose of calculating the number of property owners to be notified according to paragraphs 3 and 4 above, when a property is owned by more than one owner, the co-owners are counted as a single property owner.

~~***5.***~~***6.*** If the application property or property subject to an appeal is an individual manufactured home within a manufactured home park, written notice must be sent ~~the applicant must send written notice~~ to the manufactured home occupants immediately surrounding the application property.

~~***6.***~~***7.*** If the application property or property subject to an appeal is an individual condominium or cooperative unit within a condominium or cooperative building, ~~the applicant must send~~ written notice must be sent to:

a. The condominium unit owners' association or proprietary lessees' association; and

b. Unit owners immediately abutting the application property or on the same floor of the building as the application unit and those unit owners immediately above and below the application unit.

~~***7.***~~***8.*** When the application property or property subject to an appeal abuts or is immediately across the street from a condominium or cooperative property, ~~the applicant must send~~ written notice must be sent as follows:

a. When the application property or property subject to an appeal abuts or is immediately across the street from open space or common ground of a condominium or cooperative~~, the applicant must send~~ written notice must be sent to the condominium unit owners' association or proprietary lessees' association; and

b. Where individual condominium or cooperative units or lots abut or are immediately across the street from the application property or property subject to an appeal, ~~the applicant must send~~ written notice must be sent to the owner of each unit.

~~8.~~9. The hearing body or its representative must also send written notice at least ~~15~~ ten days before the hearing to the chief administrative officer or designee of an adjoining county or municipality if:

a. The application involves a Zoning Map amendment, PRC plan, final development plan, or a special exception or special permit application that proposes a change in use or an increase greater than 50 percent of the bulk or height of an existing or proposed building;

b. The application does not seek to renew a previously approved special exception or special permit; and

c. The application property or a portion of it is located within one-half mile of a boundary of an adjoining county or municipality of the State.

~~***9.*** If the application seeks to amend a previously approved rezoning, PRC plan, final development plan, special exception, or special permit affecting a portion of a property, the hearing body or its representative must also send written notice at least 15 days before a hearing to all owners of property subject to the original application. However, this notice is not required if the Zoning Administrator determines the proposed change is to a component or lot that does not affect the rest of the development.~~

10. The hearing body or its representative must also send written notice at least 30 days before a hearing to the commander of a military installation, military airport, or owner of a public use airport. The notice must advise of the opportunity to submit comments or recommendations. For the purposes of this provision, military installations include~~,~~ but are not limited to military camps, forts, or bases. Public use airports include those licensed airports contained on the list of public use airports that is maintained by the Virginia Department of Aviation. This notice is required if:

a. The application involves a rezoning, a development plan, PRC plan, or a special exception~~,~~ or special permit for a change in use; and

b. The application property or a portion of it is located within 3,000 feet of a boundary of a military installation, military airport (excluding armories operated by the Virginia National Guard), or licensed public use airport.

11. Content and Mailing of Written Notice

a. Every required written notice must state the date, time, place, and subject matter of the hearing~~, and the name of the applicant~~.

b. The notice must be sent to the last known address of the owner(s) as shown in the County's current real estate assessment records and~~, except as specified above or qualified below, must be sent by certified mail, return receipt requested, and~~ postmarked at least 15 days before the hearing, except where a different timeframe is specified above in subsection 8100.1.B(1).

c. ~~The hearing body's representative may send notices by~~ Except as specified above in subsection 8100.1.B(1), notices must be sent by first class mail ~~if that representative affirms by~~ and an affidavit affirming that the mailing has been made must be filed with the hearing body.

d. When notice is sent by the applicant, the affidavit must be filed at least five days prior to the first hearing in the case and must list the persons to whom the notice was sent.

12. Waiver of Challenge to Validity of Proceedings

A party's actual notice of, or active participation in, the proceedings waives that party's right to challenge the validity of the proceedings due to the failure to receive the required written notice. In addition, any person may waive his or her right to the notice in writing to the Zoning Administrator.

C. Conduct of Public Hearings

All public hearings required by this Ordinance must be conducted in accordance with the following:

(1) No public hearing may be held unless the required notice has been provided in accordance with subsection 8100.1.B(1).

(2) All hearings are open to the public. Any person may appear and testify, either in person or by an authorized agent or attorney.

(3) The hearing body by general rule prescribes procedures for the conduct of hearings.

(4) Upon a vote of the majority of members present, the hearing may be continued or deferred as follows:

~~**(a)** If a hearing has been opened, public testimony has been received, and there is cause for continuation of the hearing, no formal notice is required if the hearing is continued to a date certain.~~

~~**(b)**~~**(a)** If a hearing is concluded, but action is deferred until a future date, no formal notice is required before action is taken.

~~**(c)**~~**(b)** If a hearing was deferred before it was opened or if a hearing has been opened, public testimony has been received, and there is cause for continuation, written notice to adjacent property owners required by subsection 8100.1.B(1) must be re-mailed. The notice must be mailed at least five days before the public hearing. ~~If the notice is sent by the hearing body's representative, he or she may send written notice by first class mail if that representative affirms by affidavit that the mailing has been made.~~

(5) ~~Where deemed necessary,~~ ~~J~~joint public hearings may be conducted after ~~giving~~ public notice has been given as required by subsection 8100.1.B and by the Va. Code. If a joint hearing is held, public notice ~~must~~ may be given by only the clerk or clerk's designee of one hearing body. ~~The Board must give public notice when it is one of the hearing bodies.~~

(6) An action may be reconsidered only upon motion of a member voting with the prevailing side on the original vote. A motion to reconsider must be made at the same or immediately subsequent regular meeting~~,~~ and may be seconded by any member. The BZA may not entertain a motion for reconsideration.

D. Limitation on Rehearing

Denied or Withdrawn Applications

If an application for rezoning or proffered condition amendment is denied or withdrawn after the Board has begun a public hearing on it, the Board ~~will~~ may not hear a substantially similar application concerning any of the same property within 12 months of the denial or withdrawal, unless this restriction is waived by the Board.

Subsection 8100.10(A)(4):

10. Appeals

A. Appeal Processing

…

(4) Withdrawal of Application for Appeal

An application for appeal may be withdrawn at any time by the appellant or the appellant's agent by giving written notice to the Zoning Administrator. No fee or partial fee will be refunded for a withdrawn application. If the application has not been accepted, there will be a full refund of the filing fee paid.

Section 9100:

9100. Interpretations

Words and terms used in this Ordinance are to be interpreted as follows:

14. The words "written," "submitted," or "filed" include online submissions.

INSTRUCTION #18: Revise subsections 8100.7.D(17)(a), 8101.4.B(29), 5104.1.C(1), 5105.3.A(1), and Section 9102 for clarity and to correct cross-references and references to correct County Code chapters.

Subsection 8100.7.D(17)(a):

7. Site Plans and Minor Site Plans

…

(17) Antennas and satellite earth stations; accessory outdoor storage and display; and additions and alterations to existing uses and site modifications which may include, but are not limited to, changes or additions to decks, patios, concrete slabs, vestibules, loading docks, mechanical equipment, storage structures, generators, walkways, landscaping, paving, electric vehicle charging stations, and light poles or lighting fixtures. All such uses or activities must not:

(a) Exceed (i) 500 square feet of gross floor area, ~~or~~ (ii) 750 square feet of gross floor area if the addition or alteration is to provide an accessibility improvement or other reasonable accommodation, or ~~exceed~~ (iii) 2,500 square feet or more of disturbed land area as defined in Chapter 124.1 of the County Code;

Subsection 8101.4.B(29):

4. Site Plans and Minor Site Plans

…

(29) A tree conservation plan that addresses the tree conservation and vegetation preservation requirements of Chapters 122 and ~~Chapter~~ 124.1 of the County Code and the policies and requirements of the Public Facilities Manual;

Subsection 5104.1.C(1):

5104. Grading, Erosion, Sediment Control, and Drainage

1. General Limitations on the Removal and Addition of Soil

…

C. Areas Requiring an Approved Plan

For disturbed areas of greater than 2,500 square feet, that do not qualify under B above, sod and soil may be removed or added and grading of land may be permitted by the Director in accordance with the following:

(1) Removal, dumping, filling, or excavation necessary for construction is permitted in accordance with an approved site plan or approved plans and profiles for a subdivision. Grading of land is permitted in accordance with a grading plan approved by the Director. The Director must determine that the amount of soil removal or fill and proposed grading is necessary to establish a use permitted in the zoning district in which the use is located, and that the grading plan provides for even finished grades that meet adjacent property grades and do not substantially alter natural drainage. Such plans must include siltation and erosion control measures in conformance with Chapter ~~104~~ 124.1 of the County Code.

Subsection 5105.3.A(1):

3. Permitted Uses

A. Except as provided in subsection (10) below for cluster subdivisions, the uses and changes to topography identified below may be permitted in a floodplain upon a determination by the Director that the use is permitted in the zoning district in which it is located, and the use or change to topography is in accordance with these floodplain regulations and the Public Facilities Manual. Any use or change to topography not meeting the qualifications below may be permitted by the Board with the approval of a special exception.

(1) Changes to topography that do not require major fill. For the purpose of this subsection, major fill includes any fill, regardless of amount, in an area greater than 5,000 square feet, or any fill in excess of 278 cubic yards below the existing 100-year flood elevation in an area of 5,000 square feet or less. The cumulative area of any fill and pavement permitted under (1) and (3) through (6) may not exceed an area of 5,000 square feet for all uses on a lot.

Section 9102:

Land Disturbance Permit

A permit that allows land disturbing activity in accordance with Chapter ~~104~~ 124.1 of the Code.

INSTRUCTION #19: Revise subsection 8100.10.A(2)(b) to add a violation related to storage or disposal of nonagricultural excavation material to the ten-day appeal period.

10. Appeals

…

(2) Time Limit on Filing

(a) Except as set forth below, all appeals must be filed within 30 days from the date of the decision appealed by filing an appeal application with the Zoning Administrator and the BZA.

(b) Appeals from notices of violation involving the following violations must be filed within ten days from the date of the notice by filing an appeal application with the Zoning Administrator and the BZA:

…

10. Storage or disposal of nonagricultural excavation material, waste, or debris.

INSTRUCTION #20: Revise subsection 8101.2.E to add a new paragraph expanding a rezoning submission requirement that applied only to PTC districts so it applies to all districts regarding information related to phased developments and re-numbering.

2. Zoning Map Amendments (Rezonings)

…

E. Supporting Reports and Studies

The following additional information must be submitted:

…

(5) If a phased development is proposed, a phasing plan that identifies each phase must be included in the development plan. Each phase should include the following as applicable: (i) the uses and their location, including interim uses; (ii) the streetscape, sidewalks, landscaping, and park/open space; (iii) the location and quantity of all parking, stacking, and loading spaces; (iv) the anticipated sequence for construction; and (v) the on- and off-site infrastructure improvements, including, but not limited to access points, street grid, and public utilities and facilities necessary to achieve the proposed development.

…

~~**(10)**~~**(11)** Rezonings to the PTC District require the following additional information:

(a) A statement as to whether any of the development is located within the TOD and/or Non-TOD Districts, and if within the TOD Districts, the delineation of the one-eighth (1/8), one-quarter (1/4), one-third (1/3), and one-half (1/2) mile distance from the Metro Station entrance, as applicable, as set forth in the Comprehensive Plan.

~~**(b)** The phasing plan, if applicable, that identifies each phase. Such plan must at a minimum specify for each phase of the development: (i) the location and the mix of uses, including interim uses; (ii) the streetscape and landscape treatments to be provided; (iii) the amount and location of all parking, stacking and loading spaces; (iv) the anticipated phasing for construction; and (v) a statement as to how each phase of development will provide the necessary infrastructure and on and off-site public improvements, including, but not limited to parking, grid of streets and public facilities necessary to achieve the redevelopment option set forth in the Comprehensive Plan.~~

…

INSTRUCTION #21: Revise 8101.3.D (12) to add language that requires the number of ADUs be provided on SE plats for independent living facilities.

3. Special Exceptions, Special Permits, and Variances

…

(12) Independent Living Facility

In addition to the plat requirements required by subsection 8101.3.C(2), the plat must include the total gross floor area (including the dwelling unit area and all non-dwelling unit areas), the floor area ratio, and the number of dwelling units and required number of affordable dwelling units.

INSTRUCTION #22: Revise subsection 8106.3 to add language establishing penalties for zoning violations on multifamily properties.

3. Penalties

A. Infractions and Civil Penalties

(1) A violation of this Ordinance, except for the posting of signs on public property or public rights-of-way, is deemed an infraction and is punishable by a civil penalty of $200 for the first violation. Subsequent violations arising from the same set of operative facts are punishable by a civil penalty of $500 for each separate offense.

(2) Any repeat violation on a property developed with multifamily dwellings may be punishable by a civil penalty of $1,000 for a second violation and $1,500 for a third or subsequent violation. For the purposes of subsection 8106.3, the penalties for multifamily dwellings are applied only where the violation is not occurring within an individual unit.

~~**(2)**~~**(3)** Each day during which any violation of the provisions in (1) above is found to have existed constitutes a separate offense. However, in no event will any such violation arising from the same set of operative facts be charged more frequently than once in any ten-day period, nor will a series of such violations arising from the same set of operative facts result in civil penalties that exceed a total of $5,000 or $6,000 for a property developed with multifamily dwellings.

~~**(3)**~~**(4)** The designation of a violation of this Ordinance as an infraction in accordance with (1) above is in lieu of criminal sanctions, and such designation precludes the prosecution of a violation as a criminal misdemeanor unless such violation results in injury to any person or persons or the civil penalties under (1) above total $5,000 or more for such violation. If the civil penalties for a violation under (1) above total $5,000 or more, the violation may be prosecuted as a criminal misdemeanor.

…

INSTRUCTION #23: Remove the definition for net floor area in Section 9102.

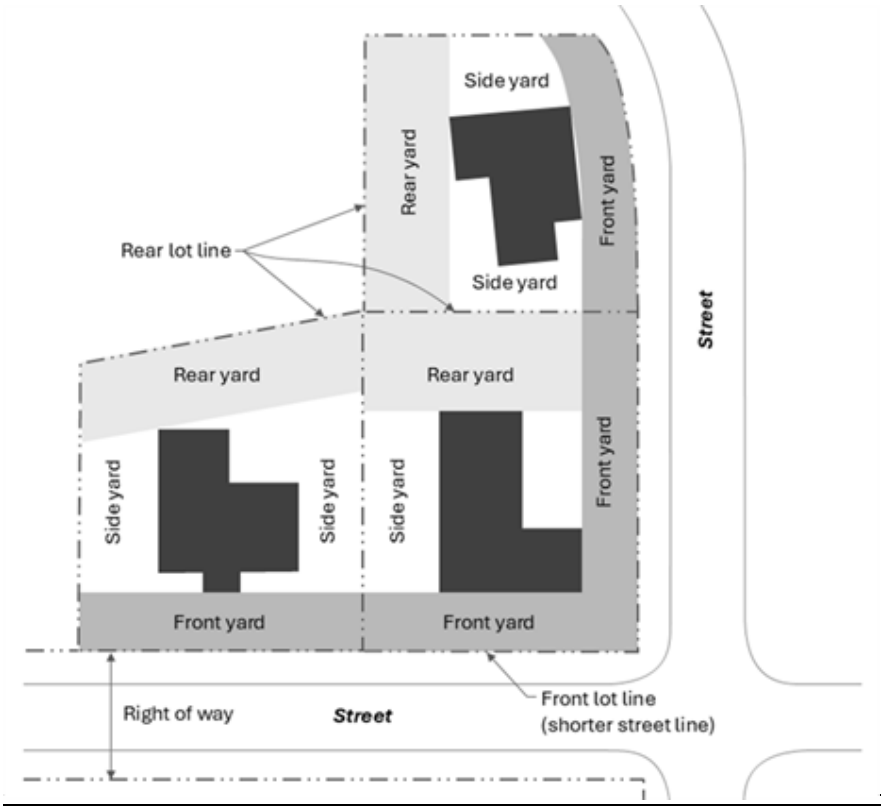
~~**Floor Area, Net**~~

~~The sum of the total horizontal areas of each floor of all buildings on a lot, measured from the interior faces of exterior walls and from the center line of walls separating two or more buildings. The term 'net floor area' will include outdoor display areas for the sale, rental and display of recreational vehicles, boats and boating equipment, trailers, horticultural items, farm or garden equipment and other similar products. Net floor area does not include areas designed for permanent uses such as toilets, utility closets, malls (whether or not they are enclosed), truck tunnels, enclosed parking areas, meters, rooftop mechanical structures, mechanical and equipment rooms, public and fire corridors, stairwells, elevators, escalators, and areas under a sloping ceiling where the headroom in 50 percent of that area is less than six feet, six inches. For purposes of determining off-street parking requirements, the term 'net floor area' includes cellars used exclusively for storage.~~

INSTRUCTION #24: Clarify the definition for Front Yard to add that a front yard is parallel to the front lot line in Section 9102. New image for Figure 9102.3: Lot Lines and Yards.

Yard, Front

A yard extending across the full width of a lot and lying between the front lot line and the principal building. The front yard is determined by a line drawn parallel to the front street line. (See Figure 9102.3)



INSTRUCTION #25: In Section 9103, replace "Kennel" with new name "Animal Boarding, Breeding, or Recreation Establishment," clarify that breeding includes selling the animals, add "reptiles and amphibians" to list of animals, and remove the word "domestic." Replace "kennel" with new name "Animal Boarding, Breeding, or Recreation Establishment" in the following Sections and subsections: subsection 3101.8.B(1); Table 3103.1: Noise Compatibility Table; Table 4101.1: Use Table for Residential, Commercial, and Industrial Uses; Table 4101.2: Use Table for Planned Development Districts; subsection 4102.4.P(4)(b); subsection 4102.5.A; subsection 4102.5.C; subsection 4102.7.J; Table 6100.2: Minimum Required Off-Street Vehicle Parking Spaces; and Section 9103 – definitions of animal shelter and zoo or aquarium.

~~Kennel~~ Animal Boarding, Breeding, or Recreation Establishment

An establishment primarily engaged in boarding, keeping, training, breeding and selling, or handling dogs, cats, birds, reptiles, amphibians, or other small ~~domestic~~ animals for a fee. A kennel also includes recreation and exercise areas for dogs and other small domestic animals operated for a fee.

INSTRUCTION #26: Revise definition of Residence for Manager or Employee in Section 9103.

Residence for Manager or Employee

A residence for a manager or employee and their family located ~~in the same building or in an accessory structure~~ on the same lot as their place of occupation.

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 7

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Zoning Application Fees and Planned District Recreation Minimum Expenditure

ISSUE:
The proposed Zoning Ordinance amendment would increase most zoning application fees by five percent (and rounded to the nearest $5) with some exceptions as noted below. Additionally, the amendment proposes a five percent increase in the minimum required expenditure for recreational facilities in a Planned District from $2,400 per unit to $2,520 per unit

RECOMMENDATION:
The County Executive recommends authorization of the proposed Zoning Ordinance amendment by adopting the Resolution set forth in Attachment 1.

TIMING:
Board action is requested on March 3, 2026, to provide sufficient time to advertise the proposed Planning Commission public hearing on April 8, 2026, at 7:30 p.m., and the proposed Board of Supervisors public hearing on April 14, 2026, at 3:00 p.m.

BACKGROUND:
A review of zoning application fees and the Planned District recreation minimum expenditure were identified on the FY 2026/2027 Zoning Ordinance Work Program (Work Program) as an ongoing item. Specifically, the Board requested that a review of application fees be conducted every two years to consider adjustments in accordance with the consumer price index, construction cost index, and other factors.

Zoning Application Fees
Zoning application fees were last increased comprehensively in 2024 with Zoning Ordinance amendment ZO 112.2-2024-7. This amendment included a 35 percent increase to most zoning application fees (based on Consumer Price Index and personnel cost increases from July 2011 through the end of 2023). The increase was phased in over two years, with a 17.5 percent increase effective July 1, 2024, and an additional 17.5 percent increase effective July 1, 2025. The amendment also included a 26 percent increase to the Planned District recreational facilities minimum expenditure

(previously increased July 2017) phased in over two years, with a 13 percent increase effective July 1, 2024, and an additional 13 percent increase effective July 1, 2025. Since the comprehensive amendment for zoning application fees in 2024, the standard Consumer Price Index (CPI-U) has increased five percent. In addition, the County funded average employee pay increases of 3.83% in FY 2025 and 4.19% in FY 2026 for General County merit employees. Further, from July 1, 2024, through June 30, 2025, cost recovery based on expenditures and revenues was approximately 16 percent.

Staff has identified certain application types where the recommendation is to not increase the current fee, to reduce the fee, or to increase the fee beyond five percent to align with other applications with similar permit review timelines. These fees are further discussed in the staff report (Attachment 2).

Staff is proposing two options for Board consideration of new fees for developments providing a significant portion of ADUs or equivalent units, beyond what is required by the Ordinance. The proposed options are based on a tiered system detailed in the tables below:

Percent of ADUs Provided	Proposed Fee
Tier One: 30% - 49%	75% of application fee
Tier Two: 50% - 74%	50% of application fee
Tier Three: 75% - 99%	25% of application fee
Tier Four: 100%	$0 application fee

Table 1: Option 1 - Proposed Fees for Developments Providing ADUs

Percent of ADUs Provided	Proposed Fee
Tier One: 30% - 74%	50% of application fee
Tier Two: 75% - 100%	$0 application fee

Table 2: Option 2 - Proposed Fees for Developments Providing ADUs

ADUs would include any committed affordable housing unit that meets the ADU requirements of the Ordinance For units not meeting the ADU requirements, an equivalency determination would be made by the Zoning Administrator at the time of acceptance of the application in accordance with subsection 5101.2.D. For example, units provided under the Low-Income Housing Tax Credit (LIHTC) program would be considered equivalent. The fee for a rezoning application is proposed at $36,830 plus the acreage fee, and this fee adjustment attempts to encourage the development of affordable communities.

Lastly, to align with recent changes made for homeowners' associations, staff has also proposed a new application fee for nonprofits submitting a request for a minor modification or variation to an approved zoning application, at ½ the application fee.

The proposed 5% increase is to address inflation as directed by the Board and noted above, and to ensure that service levels do not decrease as costs increase. DPD continues, however, to implement enhancements to the development process, which directly benefit applicants including:

- Implementing a staff focus on execution and delivery of zoning application comments to promote clarity and prioritization;
- Initiating work to develop metrics and dashboards that will be published and publicly available to enhance accountability, predictability, and transparency; and
- Participating in whiteboarding sessions to receive feedback from the development community, and following up with action plans and working to implement those suggestions, relating to the pre-application process, the interpretation process, and the processing of applications that require both a Comprehensive Plan amendment and a zoning action.

Planned District Recreation Minimum Expenditure
Zoning Ordinance subsections 2105.2.B(4)(b), 2105.4.B(4)(b), 2105.5.B(4)(b), and 2105.6.B(3)(b) require the provision of recreation facilities as part of developments in all PDH, PDC, PRM, and PTC Districts with a residential component; this expenditure is not required in the PRC and PCC Districts. Such recreation facilities must be provided on site by the developer, unless the Board approves the provision of the facilities on land outside of the proposed development. A per-unit recreation expenditure of $500 was first added to the Zoning Ordinance in 1975 and was last amended in 2024 with Zoning Ordinance amendment ZO 112.2-2024-7; the current minimum recreational facility expenditure is $2,400 per dwelling unit, which took effect on July 1, 2025.

Based on the increase in CPI-U, staff recommends increasing the current $2,400 per-dwelling-unit recreation facilities expenditure by approximately five percent to $2,520. While facilities such as pools, play equipment, sports courts, and other similar recreational facilities that are provided by the developer typically exceed the per unit cost required, this increase ensures that recreational facilities commensurate with the expectations of the Planned Districts will continue to be provided for those who live in these residential developments.

A copy of the staff report and proposed draft text is included as Attachment 2.

REGULATORY IMPACT:
The proposed amendment would increase the application fees for most zoning applications and increase the required recreational facility expenditure for those developing residential developments in the PDH, PDC, PRM, and PTC Districts.

EQUITY IMPACT:
Zoning application fees are uniformly applied countywide and contribute directly to a portion of the cost of staff review time. Staff does not track application data by population, and there is a lack of sufficient information to determine an overall equity impact. Zoning application fees are generally a small percentage of overall project cost and are not considered a barrier to access. If a concern does occur, the Board has the ability to waive fees for good cause shown. There are features of the fee increase that would support the county's equity goals, specifically One Fairfax Areas of Focus 11 and 13. The new fee reduction opportunity for developments providing a significant portion of Affordable Dwelling Units may help incentivize the creation of additional affordable housing developments. The inclusion of affordable housing offers the ability for lower-income residents to enter the rental housing market with an alleviated housing cost burden within Fairfax County. In addition, the new fee for nonprofits seeking a minor modification or variation to an approved zoning application will allow for uses that are more cost-burdened, such as schools and religious assembly uses, to request modifications to their approvals.

The proposed increase in Planned District recreational facility minimum expenditures from $2,400 per unit to $2,520 per unit has the potential to advance equity through providing an appropriate expectation for high-quality on-site recreation amenities to residents.

FISCAL IMPACT:
Zoning fee revenue was approximately $2.6 million in FY 2025, and the FY 2026 budget estimate is $3.3 million. If adopted by the Board, the recommended fee adjustments are anticipated to generate increased revenue of approximately $166,000 in FY 2027 over the projected FY 2026 revenue level. The additional revenue is reflected in the County Executive's FY 2027 Advertised Budget Plan. Regarding the Planned District Minimum Expenditure, given increases in CPI-U, the increase from $2,400 to $2,520 would allow for the recreation facilities expenditure to better align with market conditions.

ENCLOSED DOCUMENTS:
Attachment 1 – Resolution
Attachment 2 – Staff Report

Board Agenda Item
March 3, 2026

STAFF:
Jennifer Miller, Deputy County Executive
Tracy Strunk, Director, Department of Planning and Development (DPD)
Jai Cole, Executive Director, Park Authority
Leslie B. Johnson, Zoning Administrator, DPD
William Mayland, Assistant Zoning Administrator, DPD
Casey Judge, Deputy Zoning Administrator, DPD
Adam Nowaczyk, Planner, DPD

ASSIGNED COUNSEL:
Peter Basanti, Assistant County Attorney

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, on March 3, 2026, at which meeting a quorum was present, the following resolution was adopted:

WHEREAS, § 15.2-2286(A)(6) of the Code of Virginia provides for the collection of fees to cover the cost of making inspections, issuing permits, advertising notices and other expenses incidental to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto; and

WHEREAS, the current application fees set forth in the Zoning Ordinance were last updated by the Board with the adoption of Zoning Ordinance amendment ZO 112.2-2024-7, on April 16, 2024, with the fee increase spread over a two-year time period; and

WHEREAS, the Board directed staff to review zoning application fees every two years to consider adjustments based on the cost of living increase in accordance with the Consumer Price Index (CPI), construction cost index, and other factors; and

WHEREAS, the standard Consumer Price Index (CPI-U) has increased five percent and staff salaries have increased since the last fee update, and an increase of five percent for most zoning application fees is reasonable and necessary to account for increases in the CPI-U and personnel costs; and

WHEREAS, certain exceptions to the five percent increase have been identified to align applications with similar staff review times; and

WHEREAS, a new fee for developments providing a significant amount of Affordable Dwelling Units may incentivize the development of affordable housing; and

WHEREAS, adding nonprofit organizations to the fee established for homeowners' association seeking interpretations of approved zoning applications or minor variation to proffered conditions which is one-half the prevailing fee will alleviate cost burdens for nonprofit organizations; and

WHEREAS, a five percent increase for the minimum expenditure for recreational facilities in the PDH, PDC, PRM, and PTC Districts is reasonable and necessary to align with market conditions given increases in the CPI-U since the last update; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to the Zoning Ordinance.

NOW THEREFORE BE IT RESOLVED, for the foregoing reasons, the Board of Supervisors authorizes the advertisement of the proposed Zoning Ordinance amendment as recommended by staff.

A Copy Teste:

_____
Jill G. Cooper
Clerk for the Board of Supervisors

FAIRFAX COUNTY

PROPOSED ZONING ORDINANCE AMENDMENT

STAFF REPORT

Zoning Application Fees and Planned District Recreational Facilities Minimum Expenditure

March 3, 2026

Hearing Dates
Planning Commission: April 8, 2026, at 7:30 p.m.
Board of Supervisors: April 14, 2026, at 3:00 p.m.

Staff Contact
Adam Nowaczyk, Planner

Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

PLANNING & DEVELOPMENT

Zoning Administration Division
Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5507
Phone 703-324-1314
www.fairfaxcounty.gov/planning-development

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Background

A review of zoning application fees and the Planned District recreational facilities minimum expenditure is included as Topic #1 on the Priority 1 FY 2026/2027 Zoning Ordinance Work Program. Specifically, the Board directed staff to review zoning application fees every two years to consider adjustments based on the cost of living increase in accordance with the Consumer Price Index (CPI), construction cost index, and other factors. Zoning application fees were last increased with Zoning Ordinance amendment ZO 112.2-2024-7. This amendment included a 35 percent increase (based on the CPI and personnel cost increases from the last fee amendment in July 2011 through end of 2023) and phased in over two years, with a 17.5 percent increase effective July 1, 2024, and an additional 17.5 percent increase effective July 1, 2025. The amendment also included a 26 percent increase to the Planned District recreational facilities minimum expenditure (previously increased July 2017) phased in over two years, with a 13 percent increase effective July 1, 2024, and an additional 13 percent increase effective July 1, 2025.

Zoning Application Fees

Research on CPI, Personnel and Overhead Costs, and Neighboring Jurisdictions

As with the 2024 fee amendment, staff continues to recommend using CPI-U to analyze inflation; CPI-U is based on expenditures of all families living in urban areas. From January 2024 to December 2025, CPI-U has increased five percent. In addition, the County funded average employee pay increases of 3.83 percent in FY 2025 and 4.19 percent in FY 2026 for General County merit employees.

Staff also reviewed the zoning application fees of surrounding jurisdictions, including Loudoun County, Arlington County, Prince William County, Montgomery County, and Prince George's County for similar application types. Table 1 below provides an overview of neighboring jurisdictions' fees relative to Fairfax County's current and proposed fees. It should be noted that this comparison reviews the most similar zoning application type, but there may be additional fees associated with the process that are not captured in this chart. Other additional fees may also apply, such as technology fees and additional resubmission fees. During research of surrounding jurisdictions' fees, Prince William County, Montgomery County, and Arlington County have increased fees in the last year, and Prince William County plans to increase fees

again in FY 2027. Prince George's County and Montgomery County adjust fees annually based on an Enterprise Fund Stabilization Factor. Loudoun County has indicated they do not plan on increasing fees this year.

Application Type	Fairfax Co.	Proposed Fairfax Co. (5%)	Loudoun Co.	Arlington Co.	Prince William Co.	Montgomery Co.	Prince George's Co.
Compliance Letter	$430	$450	$485	$773	$110	$492	$44
Appeals	$660	$660	$350	$1,124	$825	$220	$200
Special Permit (Community Pool)	$5,515	$5,790	$260	$7,277	$2,295	$1,640	$875
Special Permit (Home Day Care)	$585	$615	$350	NA	$525	$490	$350
Special Exception (Religious Assembly)	$1,485	$1,560	$5,955	NA	$10,325	NA	NA
Special Exception (Vehicle Fueling Station)	$22,105	$23,210	$10,805	$14,069	$17,210	$16,390	$700
Signs (Permits)	$130	$140	$235	$302	$135	$325	$265
Rezoning (R-District) + per acre	$36,830 $770	$38,670 $810	$35,605 $180	$4,931 NA	$14,055 $405	$7,800 $700	$1,050 $88
Rezoning (C-District) + per acre	$36,830 $1,230	$38,670 $1,290	$27,720 $140	$16,791 NA	$11,240 $355	$7,800 $700	$1,050 $140
Rezoning (Planned District) + per acre	$36,830 $1,230	$38,670 $1,290	NA	$16,791 NA	$18,755 $475	$7,800 $700	$1,050 $140

Note 1: No proposed increase for appeal applications
Note 2: An "NA" in the table indicates that there is no similar application type for the use in that jurisdiction

Table 1: Zoning Application Fees by Jurisdiction

Staff Recommendation for Zoning Application Fees

Given rising personnel costs and inflation demonstrated by the increase in CPI-U since 2024, staff recommends an increase of five percent for most zoning application fees. A thorough analysis of application fees was conducted as part of the 2024 amendment and is discussed in the linked staff report. Since that time, as previously mentioned, inflation and personnel costs have continued to increase, supporting the proposed five percent adjustment. Based on the Department of Planning and Development's expenditures and revenue, cost recovery for FY 2025 was 16 percent.

The following fees would be exceptions to the five percent increase:

- **Alignment of Certain Administrative Permit, Special Permit, and Special Exception Fees** – the general fee for an administrative permit is $275, while the current fees for administrative permits for accessory living units and short-term lodging are $270. Since these applications all have a similar review time, staff proposes to align the fee for most administrative permits at $285 (a 3.6 percent increase from $275 and a five percent increase from $270). Similarly, the special permit or special exception fee for a community swim club, marina, and community center is $5,515, while the special permit fee for a special event that exceeds the 60-day time limit, and the special exception fee for a special event, agritourism, and farm winery, limited brewery, or limited distillery is $5,520. Staff propose to align these fees at $5,790 (a five percent increase from $5,790 and 4.9 percent increase from $5,795).

- **Sign Permits** – staff recommends increasing the sign permit fee from $130 to $140 to align with other administrative permit applications with similar review times, such as home-based business and food truck permits. This would be an approximately eight percent increase from the current fee.
- **Limited riding and boarding stable** – staff recommends increasing the fee from $70 to $140 to align with the home-based business permit fee, which is a type of home-based business and involves a similar staff review time.
- **Accessory Living Unit Renewal –** staff is proposing a reduction of both the administrative permit and special permit renewal fee from $95 to $75 to align with other similar permit renewals, such as short-term lodging, community gardens, agritourism, and farmer's markets.
- **Appeals** - staff recommends no increase to the $660 fee for filing an appeal to the Board of Zoning Appeals or Board of Supervisors to challenge a decision of the Zoning Administrator or other administrative authority or the issuance of a Notice of Violation. This ensures the fee is not overly burdensome and does not limit the ability of an aggrieved person to appeal zoning decisions.
- **Temporary family health care structures** and **wireless facility reviews** that fall under Sect. 6409 of the Spectrum Act cannot be increased because they are set by Virginia Code, and staff proposes to maintain the $100 fee for family health care structures and the $500 fee for wireless reviews that fall under Sect. 6409 of the Spectrum Act.
- **Manufactured Homes** - staff proposes to include an option for the Board to consider a reduction in the special permit fee for reduction in minimum distance requirements for manufactured homes based on comments received during the Boards Land Use Policy Committee meeting. The option allows the Board to consider a fee of $615 instead of the currently prosed fee of $1,270.
- **Affordable Dwelling Unit Developments (ADUs) -** staff is proposing two options for consideration of new fees for developments providing a significant portion of ADUs or equivalent units, beyond what is required by the Ordinance. The proposed options are based on a tiered system detailed in the tables below:

Percent of ADUs Provided	Proposed Fee
Tier One: 30% - 49%	75% of application fee
Tier Two: 50% - 74%	50% of application fee
Tier Three: 75% - 99%	25% of application fee
Tier Four: 100%	$0 application fee

Table 2: Option 1 - Proposed Fees for Developments Providing ADUs

Percent of ADUs Provided	Proposed Fee
Tier One: 30% - 74%	50% of application fee
Tier Two: 75% - 100%	$0 application fee

Table 3: Option 2 - Proposed Fees for Developments Providing ADUs

ADUs would include any committed affordable housing unit that meets the ADU requirements of the Ordinance. For units not meeting the ADU requirements, an

equivalency determination would be made by the Zoning Administrator at the time of acceptance of the application in accordance with subsection 5101.2.D. For example, units provided under the Low-Income Housing Tax Credit (LIHTC) program would be considered equivalent. The fee for a rezoning application is proposed at $36,830 plus the acreage fee, and this fee adjustment attempts to encourage the development of affordable communities. Staff also proposes to add a new Note 6 to the fee table to state that when the proposed development includes a mix of uses, the ADU percentage is calculated based on the floor area ratio (FAR) of the development.

- **Minor Modifications and Variations** - As part of the recent Zoning Ordinance Amendment related to PRC Plan Exceptions and Minor Modifications, the Board adopted a new application fee for homeowners' associations requesting a minor modification or variation to an approved zoning application. Staff proposes to apply this fee to all nonprofits. The new fee for a minor modification or variation is proposed to be increased to $735, thus allowing a nonprofit to pay $367.50. In 2025, there were 38 minor modification applications submitted, but only eight were submitted by a nonprofit or homeowners association, with fee receipts totaling $4,970. If nonprofits are included in the adjusted fee along with homeowner associations, it would result in a minor reduction of revenue.

It should be noted that as part of the adoption of the 2024 fee amendment, the Board also adopted a follow-on motion directing staff to review alternative approaches to the rezoning per-acre fee. Staff is continuing research on this topic, and any proposed changes to the rezoning fee structure will be brought forward to the Board for consideration as part of a future amendment. Overall, staff believes the proposed fee increases are a necessary, fair, and reasonable approach to offsetting the cost of zoning application review. The proposed fee increases are in conformance with §15.2-2286(A)(6) of the Virginia Code, which allows for the collection of fees to cover the costs of making inspections, issuing permits, advertising notices, and other expenses incident to the administration of a zoning ordinance or to the filing or processing of any appeal or amendments thereto.

Planned District Recreational Facilities Minimum Expenditure

Section 2105 of the Fairfax County Zoning Ordinance requires the provision of recreational facilities in all PDH, PDC, PRM, and PTC Districts that include a residential component; this expenditure is not required in the PRC and PCC Districts. The developer must provide on-site recreational facilities, unless the Board approves a modification to allow the provision of the facilities on land outside of the proposed development. The minimum expenditure is intended to set an expectation for, and delivery of, the level of recreational amenities that are necessary to serve the new residents of these more highly designed Planned Districts. A per-unit recreation expenditure of $500 was first added to the Zoning Ordinance in 1975 and was last adjusted in 2024 with Zoning Ordinance amendment ZO 112.2-2024-7; the current minimum recreational facility expenditure is $2,400 per dwelling unit, which took effect on July 1, 2025. The 2017 adjustment was based on increases to The Architects, Contractors, Engineers (ACE) Guide to Construction Costs Construction Cost Index (CCI), 2017 Edition, while the 2024 adjustment used the Engineering News-Record (ENR) (CCI). The Park Authority has requested to

align its increase recommendations based on CPI-U consistent with the zoning application fee framework, and staff therefore recommends a five percent increase in the expenditure to reflect the increase in CPI-U since the last adjustment.

The proposed amendment would increase the per-dwelling unit recreational facilities minimum expenditure requirement to $2,520 (a five percent increase rounded to the nearest $5). While facilities such as pools, play equipment, sports courts, and other similar recreational facilities that are provided by the developer typically exceed the per unit cost required, this increase ensures that recreational facilities are commensurate with the expectations of high-quality design and additional amenities provided beyond those typically included in conventional residential districts. Proposed amendments to Section 8102 (Table 8102.1: Fee Schedule), as well as an increase in the Planned District Recreational Facilities Minimum Expenditure from $2,400 to $2,520, are provided in Attachment 1.

Appendix 1 – Provisions Related to Previous Approvals

While not part of the Zoning Ordinance, staff recommends removing language from Appendix 1 – Provisions Relating to Previous Approvals related to the Planned District recreational facilities minimum expenditure. Currently, language in Appendix 1 allows for an application filed before July 1, 2024, to be subject to the previous $1,900 per dwelling unit minimum expenditure for recreational facilities; any application filed on or after July 1, 2024, but prior to July 1, 2025, is subject to the minimum expenditure of $2,150 per dwelling unit; and any application filed on or after July 1, 2025, is subject to the minimum expenditure of $2,400 per dwelling unit. Based on conversations with Zoning Evaluation Division and Land Development Services staff, during proffer negotiations on entitlement applications, the contribution amount is set based on the Ordinance in effect at the time of zoning application submission per Ordinance requirements, and is then escalated based on the language of the escalation proffer at the time of bond release in accordance with inflation based on CPI-U per § 15.2-2303.3 of the Virginia Code. As such, the current Appendix 1 language and is not necessary to include.

Outreach

Staff presented the proposed amendments to the Board's Land Use Policy Committee on January 27, 2026. In addition, staff met with a land use attorneys' workgroup and NVBIA/NAIOP in January 2026.

Summary

Overall, the proposed increase in zoning application fees of five percent is in alignment with the increase in CPI-U and personnel costs since the last comprehensive fee amendment. Similarly, with regard to the planned district recreational facilities minimum expenditure, the expenditure increase is in alignment with the increase in CPI-U since the expenditure was last increased. It is recommended that the amendment become effective at 12:01 a.m., on July 1, 2026.

Attachment

Attachment 1 – Proposed Text

Proposed Text

In the revisions shown below, text to be deleted is identified with ~~strike-through~~ and text to be added is underlined. Options are included ***(in parentheses, italics, and bold)***. When an option is presented as a range, the Board may approve any number within the range. The proposed changes are based on the provision of the adopted Zoning Ordinance in effect as of December 10, 2025.

#1 INSTRUCTION: Amend subsection 2105.2.B(4)(b) by increasing the minimum recreational facilities expenditure in the PDH District to $2,520.

(b) As part of the open space to be provided in accordance with Table 2105.2 above, recreational facilities are required to be provided in all PDH Districts in conjunction with approval of a final development plan. Such facilities are subject to the provisions of subsection 8100.2.E(4), and those requirements are based on a minimum expenditure of ~~$2,400~~ $2,520 per dwelling unit for the recreational facilities and either:

1. The facilities are provided on-site by the developer in substantial conformance with the approved final development plan; and/or

2. The Board may approve facilities on land that is not part of the subject PDH District.

#2 INSTRUCTION: Amend subsection 2105.4.B(4)(b) by increasing the minimum recreational facilities expenditure in the PDC District to $2,520.

(b) In a PDC District development where dwelling units are proposed, as part of the open space to be provided in accordance with subsection (a) above, recreational facilities for the enjoyment of the residents of the dwelling units must be provided and shown on the final development plan. The required recreational facilities are subject to the provisions of subsection 8100.2.E(4), and must be based on a minimum expenditure of ~~$2,400~~ $2,520 per dwelling unit and either:

1. The facilities are provided on-site by the developer in substantial conformance with the approved final development plan. In the administration of this provision, credit may be considered where there is a plan to provide common recreational facilities for the residents of the dwelling units and the occupants of the principal uses; or

2. The Board may approve the provision of the facilities located on property that is not part of the subject PDC District.

#3 INSTRUCTION: Amend subsection 2105.5.B(4)(b) by increasing the minimum recreational facilities expenditure in the PRM District to $2,520.

(b) Recreational facilities must be provided in conjunction with approval of a final development plan. Provision of recreational facilities is subject to the provisions of subsection 8100.2.E(4); however, recreational facilities located on rooftops, deck areas, or areas within a building, such as swimming pools, exercise rooms, or health clubs, may be used to fulfill this requirement. The requirement for providing recreational facilities is based on a minimum expenditure of ~~$2,400~~ $2,520 per dwelling unit for recreational facilities and either:

1. The facilities will be provided on-site by the developer in substantial conformance with the approved final development plan; or

2. The Board may approve facilities on land that is not part of the subject PRM District.

#4 INSTRUCTION: Amend subsection 2105.6.B(3)(b) by increasing the minimum recreational facilities expenditure in the PTC District to $2,520.

(b) Recreational facilities must be provided in conjunction with approval of a final development plan. These facilities are subject to the provisions of subsection 8100.2.E(4); however, recreational facilities, such as swimming pools, exercise rooms, or health clubs located on rooftops, deck areas, or areas within a building may be used to fulfill this requirement. The requirement for providing recreational facilities will be based on a minimum expenditure of ~~$2,400~~ $2,520 per dwelling unit for recreational facilities and either:

1. The facilities will be provided on-site by the developer in substantial conformance with the approved final development plan; or

2. The Board may approve the provision of the facilities on land that is not part of the subject PTC District.

#5 INSTRUCTION: Amend Table 8102.1 to increase fees by five percent and rounded to the nearest $5 ***(Option: Up to five percent rounded to the nearest $5)***, except for the following:

- Add new fee for interpretations of approved zoning applications or minor variation to proffered conditions submitted by a nonprofit at ½ the application fee ;
- Sign Permits - increase to $140;
- Wireless Reviews to Determine Compliance with Sect. 6409 of the Spectrum Act (fee is set by the Virginia Code) - no change;
- Appeals - no change;
- Administrative Permit fee – increase to $285;
- Accessory Living Unit renewal - reduce to $75;
- Limited Riding or Boarding Stable administrative permits - increase to $140;
- Family Health Care Structures (fee is set by the Virginia Code) - no change;
- Agritourism – Tier 4, Community Garden, Farmer's Market, and Special Event – Tier 2 application fees – revised to fall under General Administrative Permit Fee - increase to $285;
- Special permit and special exception applications for a Special Event; Agritourism; or Farm Winery, Limited Brewery, or Limited Distillery in the R-A, R-C, R-E, and R-1 District modifying number of attendees, frequency, or duration of events or activities - increase to $5,790;
- Add new tiered fee for developments providing Affordable Dwelling Units; and
- Revise Notes at the end of Table 8102.1 to remove Note 5, as it is duplicative of Note 1, and add new Note 5 regarding applicability of ADU fees.

8102. Fee Schedule

TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.		
APPLICATION TYPE		**FEE [1]**
MISCELLANEOUS PERMITS AND APPROVALS		
General		
Interpretation of Approved Zoning Application or Minor Variation to Proffered Conditions		~~$700~~ $735
Interpretation of Approved Zoning Application or Minor Variation to Proffered Conditions Submitted by a Homeowner's Association or Nonprofit Organization		1/2 of Application Fee
Modification to the Affordable Dwelling Unit Program		~~$3,720~~ $3,905
Nonresidential Use Permit (NonRUP)		~~$95~~ $100
Zoning Compliance Letter	Dwelling, Single-Family, Per Lot	~~$155~~ $165
	All Other Uses, Per Lot	~~$430~~ $450
General Public Facilities	2232 Review with Public Hearing	~~$2,025~~ $2,125
	2232 Review without Public Hearing	~~$1,015~~ $1,065
Sign Permits		~~$130~~ $140
Wireless Telecommunications		
Wireless Reviews to Determine Compliance with Sect. 6409 of the Spectrum Act		$500
Wireless Facilities	Standard Process Project	~~$8,370~~ $8,790
Variance [2]		
Increase in Maximum Fence or Wall Height	Residential District	~~$585~~ $615
	Commercial or Industrial District	~~$3,375~~ $3,545
Modification of Residential Setback		~~$1,230~~ $1,290
Modification of Residential Accessory Structure Use or Location Standards per subsection 4102.7		~~$1,230~~ $1,290
Modification of Grade for Single-Family Detached Dwelling		~~$1,230~~ $1,290
Increase in Building Height for a Single-Family Detached Dwelling		~~$1,230~~ $1,290
All Other Variances		~~$11,045~~ $11,595
Appeal		
Appeal to BZA		$660
Appeal to Board		$660
ADMINISTRATIVE PERMITS		
General Fee Unless Otherwise Listed		~~$275~~ $285
Renewal Fee		$75
Accessory Uses		
~~Accessory Living Unit~~	~~Permit~~	~~$270~~
	~~Renewal Fee~~	~~$95~~
~~Agritourism Tier 4~~	~~Permit~~	~~$275~~
	~~Renewal Fee~~	~~$70~~
Family Health Care Structure		$100

TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.		
APPLICATION TYPE		**FEE [1]**
Home-Based Business		~~$135~~ $140
Limited Riding or Boarding Stable		~~$70~~ $140
~~Short-Term Lodging~~	~~Two Year Permit~~	~~$270~~
Temporary Uses		
~~Community Garden~~	~~Permit~~	~~$275~~
	~~Two Year Renewal Fee~~	~~$70~~
~~Farmer's Market~~	~~Permit~~	~~$275~~
	~~Two Year Renewal Fee~~	~~$70~~
Food Truck	One Year Operation Permit	~~$135~~ $140
	Location Permit	~~$135~~ $140
Portable Storage Container		$0
Special Event Tier One	~~Tier One~~	~~$135~~ $140
	~~Tier Two~~	~~$275~~
SPECIAL PERMITS [2]		
Standard fees for special permit approvals are listed below.		
General Fee Unless Otherwise Listed		~~$22,105~~ $23,210
Principal Uses		
Community Swim, Tennis and Recreation Club		~~$5,515~~ $5,790
Group Household or Religious Group Living		~~$1,485~~ $1,560
Marina, Private Noncommercial		~~$5,515~~ $5,790
Religious Assembly		~~$1,485~~ $1,560
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	Private School, Specialized Instruction Center, or Child Care Center with fewer than 100 children	~~$1,485~~ $1,560
	Private School, Specialized Instruction Center, or Child Care Center with 100 children or more	~~$14,885~~ $15,630
Stable, Riding or Boarding		~~$11,045~~ $11,595
Accessory and Temporary Uses		
Accessory Living Unit	Special Permit	~~$585~~ $615
	Renewal Fee	~~$95~~ $75
Community Garden		~~$585~~ $615
Home Day Care Facility		~~$585~~ $615
Home-Based Business		~~$585~~ $615
Special Events		~~$5,520~~ $5,790
Other Special Permits		
Accessory Structures on Through Lots		~~$1,230~~ $1,290
Increase in the Cumulative Square Footage of Freestanding Accessory Structures		~~$1,230~~ $1,290
Increase in Fence or Wall Height	Dwelling, Single-Family	~~$585~~ $615

TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.			
APPLICATION TYPE			**FEE [1]**
	All Other Uses		~~$3,375~~ $3,545
Increase in Flagpole Height			~~$585~~ $615
Increase in the Height of a Freestanding Accessory Structure			~~$1,230~~ $1,290
Increase in Percentage of Rear Setback Coverage			~~$1,230~~ $1,290
Installation or Modification of a Noise Barrier on a Single Residential Lot			~~$1,230~~ $1,290
Modification of Grade for Single-Family Detached Dwelling			~~$1,230~~ $1,290
Modification of Limits to Keeping of Animals			~~$585~~ $615
Modification of Minimum Setback Requirements	Error in Building Location		~~$1,230~~ $1,290
	Certain Existing Structures and Uses		~~$1,230~~ $1,290
	Certain Additions to Existing Single-Family Detached Dwelling		~~$1,230~~ $1,290
	Reduction of Required Setbacks for a Single-Family Lot		~~$1,230~~ $1,290
	All Other Uses		~~$11,045~~ $11,595
Reduction of Minimum Distance Requirements for Manufactured Homes			~~$1,230~~ $1,290 ***OPTION: $615***
SPECIAL EXCEPTIONS [2]			
Standard fees for special exception approvals are listed below.			
General Fee Unless Otherwise Listed			~~$22,105~~ $23,210
Principal Uses			
Adult Day Care Center	Fewer Than 100 Adults		~~$1,485~~ $1,560
	100 or More Adults		~~$14,885~~ $15,630
Adult Day Support Center	Fewer Than 100 Adults		~~$1,485~~ $1,560
	100 or More Adults		~~$14,885~~ $15,630
Agritourism			~~$5,520~~ $5,790
Alternative Use of Historic Building			~~$11,045~~ $11,595
Bed and Breakfast			~~$11,045~~ $11,595
Child Care Center	Fewer Than 100 Children		~~$1,485~~ $1,560
	100 or More Children		~~$14,885~~ $15,630
Club, Service Organization, or Community Center			~~$5,515~~ $5,790
Congregate Living Facility			~~$11,045~~ $11,595
Farm Winery, Limited Brewery, or Limited Distillery	R-C District: Development of a new use or expansion of an existing use for any agricultural building or structure:	That does not permit access by any member of the public, whether a customer, guest, or attendee at a public or private event or activity	~~$1,350~~ $1,420

TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.			
APPLICATION TYPE			**FEE [1]**
		With no construction of buildings or structures over 400 SF in GFA or no land disturbance over 2,500 SF	~~$5,520~~ $5,795
	R-C District: Establishment of a new use or expansion of an existing use with construction of buildings or structures over 400 SF in GFA or land disturbance over 2,500 SF		~~$11,045~~ $11,595
	R-A, R-C, R-E, and R-1 District: Modification of the number of attendees, frequency, or duration of events or activities		~~$5,520~~ $5,790
Group Household or Religious Group Living			~~$1,485~~ $1,560
Independent Living Facilities in accordance with subsection 4102.4.Q(10)(b) or (c) [3]			~~$1,485~~ $1,560
Marina, Private Noncommercial			~~$5,515~~ $5,790
Quasi-Public Park, Playground, or Athletic Field			~~$11,045~~ $11,595
Religious Assembly			~~$1,485~~ $1,560
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	Private School, Specialized Instruction Center, or Child Care Center with fewer than 100 children		~~$1,485~~ $1,560
	Private School, Specialized Instruction Center, or Child Care Center with 100 children or more		~~$14,885~~ $15,630
School, Private	Fewer than 100 students		~~$1,485~~ $1,560
	100 or more students		~~$14,885~~ $15,630
Specialized Instruction Center	Fewer than 100 students		~~$1,485~~ $1,560
	100 or more students		~~$14,885~~ $15,630
Stable, Riding or Boarding			~~$11,045~~ $11,595
~~Accessory Uses and~~ Other Special Exceptions			
Home Day Care Facility			~~$585~~ $615
Modification of Shape Factor			~~$11,045~~ $11,595
Modification of Grade for Single-Family Detached Dwellings			~~$1,230~~ $1,290
Modification of Minimum Setback Requirements	Certain Existing Structures and Uses		~~$1,230~~ $1,290
	Reconstruction of Certain Single-Family Detached Dwellings that are Destroyed by Casualty		$0
Sign Modifications			~~$11,150~~ $11,710
Amendment to Approved Sign Modifications			~~$5,575~~ $5,855
Waiver of Minimum Lot Size Requirements			~~$11,045~~ $11,595

TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.		
APPLICATION TYPE		**FEE [1]**
Addition to or Replacement of a Single-Family Detached Dwelling Existing as of May 10, 2023, in a Floodplain		~~$11,045~~ $11,595
Modification of the Standards for a Nonconforming Manufactured Home Park		~~$11,045~~ $11,595
ZONING MAP AMENDMENTS ~~[5]~~		
District Requested		
Residential District		~~$36,830~~ $38,670 plus ~~$770~~ $810 per acre
Commercial, Industrial, or Overlay District		~~$36,830~~ $38,670 plus ~~$1,230~~ $1,290 per acre
PRC District	Rezoning with Concurrent Development Plan	~~$36,830~~ $38,670 plus ~~$1,230~~ $1,290 per acre
	Rezoning with Concurrent Development Plan and PRC Plan	~~$36,830~~ $38,670 plus ~~$1,815~~ $1,905 per acre
	PRC Plan	~~$18,415~~ $19,335 plus ~~$585~~ $615 per acre
	PRC Plan for Community Recreation in Common Open Space	~~$5,515~~ $5,790
	PRC Plan with Concurrent DPA, PCA, Special Exception, or Special Permit	~~$22,105~~ $23,210 plus ~~$585~~ $615 per acre
PDH, PDC, PRM, PTC, and PCC Districts	Rezoning with Concurrent Conceptual Development Plan	~~$36,830~~ $38,670 plus ~~$1,230~~ $1,290 per acre
	Rezoning with Concurrent Conceptual and Final Development Plans	~~$36,830~~ $38,670 plus ~~$1,815~~ $1,905 per acre
	Final Development Plan after Prior Approval of Rezoning and Conceptual Development Plan	~~$18,415~~ $19,335 plus ~~$585~~ $615 per acre
Development providing Affordable Dwelling Units or Equivalent as determined by the Zoning Administrator [5][6]	Tier One: 30% - 49% ADUs provided	3/4 of Application Fee
	Tier Two: 50% - 74% ADUs provided	1/2 of Application Fee
	Tier Three: 75% - 99% ADUs provided	1/4 of Application Fee
	Tier Four: 100% ADUs provided	$0
OPTION: Development providing Affordable Dwelling Units or Equivalent as determined by the Zoning Administrator [5][6]	***Tier One: 30% - 74% ADUs provided***	***1/2 of Application Fee***
	Tier Two: 75% - 100% ADUs provided	***$0***
AMENDMENTS TO PENDING AND PREVIOUSLY APPROVED APPLICATIONS AND EXTENSIONS OF TIME [4]~~[5]~~		
Applications for Variance, SP, or SE Approvals		
Extension of Time for a Special Permit or Special Exception Per Subsection 8100.3.D(3) or 8100.4.D(3)		1/8 of Application Fee
Amendment to a Pending Application for a Variance, Special Permit, or Special Exception		1/10 of Application Fee
	Change of Permittee Only (SP)	The lesser of ~~$675~~ $710 or 1/2 of Application Fee

TABLE 8102.1: FEE SCHEDULE This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.		
APPLICATION TYPE		**FEE [1]**
Amendment to a Previously Approved and Currently Valid Application	With No New Construction (Variance, SP, or SE)	1/2 of ~~New~~ Application Fee
	With New Construction (Variance, SP, or SE)	~~New~~ Application Fee
Applications for Zoning Map and Related Plan Approvals		
Amendment to a Pending Amendment to Zoning Map in all Districts		~~$6,135~~ $6,440 plus applicable per acre fee for acreage affected by the amendment
Amendment to a Pending Application for a Final Development Plan or Development Plan Amendment or PRC Plan		~~$5,575~~ $5,855
Amendments to a Previously Approved Proffered Condition and/or Development Plan, Final Development Plan, Conceptual Development Plan, PRC Plan or Concurrent Conceptual/Final Development Plan for:	Increase in Fence or Wall Height on a Single-Family Lot	~~$585~~ $615
	Increase in Fence or Wall Height on All Other Uses	~~$3,375~~ $3,545
	Reduction of Certain Setback Requirements on a Single-Family Lot	~~$1,230~~ $1,290
	Reduction of Certain Yard Requirements on All Other Uses	~~$11,045~~ $11,595
	Increase in Coverage Limitation for Minimum Required Rear Setbacks	~~$1,230~~ $1,290
	The Addition of or Modification to an Independent Living Facility for Low Income Tenants	~~$1,485~~ $1,560
	All Other Uses With New Construction	1/2 of ~~prevailing~~ application fee plus applicable per acre fee for acreage affected by the amendment
	All Other Uses Without New Construction	1/2 of ~~prevailing~~ application fee
	Deletion of Land Area Only	1/4 of ~~prevailing~~ application fee
Deferrals of Public Hearings		
Before the Planning Commission or Board of Supervisors	After Public Notice Has Been Given and that are Related Solely to Affidavit Errors	~~$350~~ $370 plus actual costs of advertising, up to a maximum of ~~$1,350~~ $1,420

TABLE 8102.1: FEE SCHEDULE

This table includes standard fees related to approvals under the Zoning Ordinance. Additional fees may apply related to review or approval by other County departments or governmental or quasi-governmental agencies, or in accordance with Appendix Q of the County Code.

APPLICATION TYPE	FEE [1]

Notes:

[1] In calculating fees that are based on acreage, any portion of an acre will count as a full acre.

[2] When one application is filed by one applicant for (1) two or more Variances on the same lot, or (2) two or more Special Permit uses on the same lot, or (3) two or more Special Exception uses on the same lot, or (4) a combination of two or more Variances or Special Permits on the same lot, only one filing fee will be required, and that fee will be the highest of the fees required for the individual uses included in the application.

[3] Applies to a new application or an amendment to a previously approved and currently valid application, with or without new construction.

[4] The fee for an amendment to a pending application is only applicable when the amendment request results in a substantial revision, as determined by the Zoning Administrator.

~~[5] For purposes of computing acreage fees, any portion of an acre is counted as an acre.~~

[5] In addition to rezoning applications, the fees for developments providing ADUs are also applicable to subsequent amendments to those applications (including final development plan amendments and proffered condition amendments).

[6] When the development is 100 residential, the ADU percentage is based on dwelling units. When the development includes a mixed of uses, the ADU percentage is based on floor area ratio (FAR).

#6 INSTRUCTION: Delete 2.B(3) of Appendix 1 and renumber subsequent provisions.

APPENDIX 1 - PROVISIONS RELATING TO PREVIOUS APPROVALS

2. Specific Provisions Regarding Previous Approvals

B. Amendments Adopted After May 10, 2023

~~**(3) Planned District Recreational Minimum Expenditure (ZO 112.2-2024-7)**~~

~~**(a)** Any rezoning application or proffered condition amendment application proposing to add dwelling units in the PDH, PDC, PRM, and PTC zoning districts that is filed before July 1, 2024, is subject to the previous $1,900 per dwelling unit minimum expenditure for recreational facilities.~~

~~**(b)** Any rezoning or proffered condition amendment application proposing to add dwelling units in the PDH, PDC, PRM, and PTC zoning districts that is filed on or after July 1, 2024, but prior to July 1, 2025, is subject to the minimum expenditure for recreational facilities of $2,150 per dwelling unit. Any rezoning or proffered condition amendment application proposing to add dwelling units in the PDH, PDC, PRM, and PTC zoning districts that is filed on or after July 1, 25 2025, is subject to the minimum expenditure for recreational facilities of $2,400 per dwelling unit.~~

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 8

Authorization to Advertise Public Hearings on Proposed Amendments to Appendix Q (Land Development Services Fee Schedule) of The Code of the County of Fairfax, Virginia (County Code) Regarding Adjustment of the Fees Charged by Land Development Services for Plan Review, Permits, and Inspection Services

ISSUE:
Board of Supervisors (Board) authorization to advertise public hearings on a proposed amendment to Appendix Q (Land Development Services Fee Schedule) of the County Code to adjust the fees charged by the county for plan review, permits, and inspection services to meet the Board's direction for approximately 100% cost recovery through plan review, permits and inspection fee revenue. Adjustments to Appendix Q will also cover enhancements for customer service.

RECOMMENDATION:
The County Executive recommends that the Board authorize the advertisement of the proposed amendments as set forth in the Staff Report dated March 3, 2026.

The proposed amendment has been prepared by the Department of Land Development Services in coordination with the Department of Management and Budget and the Office of the County Attorney.

TIMING:
Board action is requested on March 3, 2026, to provide sufficient time to advertise the Planning Commission Public Hearing on April 8, 2026, at 7:30 p.m., and the Board Public Hearing on April 14, 2026, at 3:00 p.m. If adopted by the Board, the amendment will become effective at 12:01 a.m. on July 1, 2026.

BACKGROUND:
The Department of Land Development Services (LDS) proposes to adjust the LDS Fee Schedule for plan review, permits, and inspection services. The last comprehensive increase in LDS fees was approved in 2024 and implemented over the two subsequent fiscal years (FY2025 and FY2026) in two phases. At that time, the Board also approved an increase to the technology surcharge to enhance technology upgrades. LDS's special revenue fund is intended to cover expenditures associated with LDS activities in

a dedicated fund fully paid for by the fees and charges assessed by LDS with a target of a 100% recovery rate.

Since the last fee adjustment, LDS's cost of recovery rate has remained below the target of 100% and ended FY2025 at a 94% recovery rate. Inflation, staff salary increases, and technology costs have continued to exert pressure on the fund. The County funded average employee pay increases of 3.83% in FY 2025 and 4.19% in FY 2026 for General County merit employees. Additionally, Planning and Land Use System (PLUS) licensing costs increased on average approximately 20% over the past two fiscal years.

Proposed Amendments:
The proposed changes include a 5% increase across most of the fee schedule. The proposed 5% increase does not apply to elevator permits and inspections, the technology surcharge percentage, code academy levy percentage or zero fee applications – these will remain unchanged. LDS's applications and services which currently do not require a fee will remain unchanged. The amendment also proposes minor adjustments to the 5% increase for smaller fees where the 5% increase does not round to a penny. The amendment further proposes a fifty percent (50%) increase in fees related to major Water Quality Impact Assessments (WQIA) for bonded and non-bonded lots and exceptions under Article 6 of the Chesapeake Bay Preservation Ordinance (Chapter 118 of County Code) which require a public hearing to reflect the significant staff time associated therewith.

The proposed 5% increase addresses inflation as directed by the Board and noted above and ensures that service levels do not decrease as costs increase. Notwithstanding, LDS continues to implement enhancements to the development process, which directly benefit applicants including:

- Reduce most administrative process times to one business day
- Enhance publicly available processing metrics, including a 12-month approval path for site plans
- Deploy AI in agency's call center to enhance customer service
- Implement regulatory changes to fulfill the Board-adopted Flood Risk Reduction Policy
- Facilitate improvements to improve the bond release process
- Consolidate and simplify regulatory requirements
- Reduce of fast-track residential and commercial review cycles
- Independent review of staff review comments to provide feedback and training to staff resulting in demonstrable improvements in comment clarity and specificity.

REGULATORY IMPACT:
The proposed amendment updates Appendix Q of the Code to ensure compliance with state and local construction-related regulations.

Attachment 1 includes the proposed fee changes to Appendix Q.

EQUITY IMPACT:
Plan review and permit fees are consistently applied to all applications as determined by the scope of work. However, LDS recognizes the diverse needs of its customers and provides various programs and services to cater to those with unique requirements.

To further enhance the customer experience, a new customer service center is under construction on the first floor of the Herrity Building, with an anticipated completion date of mid-2026. The center will co-locate customer service representatives from various agencies. This initiative is designed to offer a more user-friendly environment for customers, allowing them to visit staff in-person and find answers to all their development-related questions in one centralized location.

In alignment with the principle of equity, the proposed fee increases were also applied in a fair and equitable manner, considering the costs associated with delivering services for the respective business areas. LDS staff remains committed to translating forms and videos into a variety of languages, ensuring accessibility for a diverse audience. Additionally, a coordinator dedicated to nonprofits and religious use continues to provide extra support for customers representing non-profit organizations or places of worship. These efforts enhance inclusivity and cater to the unique needs of different community members.

FISCAL IMPACT:
If adopted by the Board, the recommended fee adjustments are anticipated to generate increased revenue of approximately $2.4 million in FY 2027. This estimate is based on actual FY 2025 revenue, FY 2026 year-to-date revenue collection trends and assumes a consistent workload in FY 2027. Any reduction in plan and permit activity could have a negative impact on the projected revenue. LDS will work closely with the Department of Management and Budget to monitor these trends. The additional revenue is reflected in the County Executive's FY 2027 Advertised Budget Plan.

If adopted by the Board, it is anticipated that the proposed fee adjustments will be needed to support the expenditure appropriations for LDS in FY 2027, including additional costs associated with PLUS licenses and PLUS system improvements.

Board Agenda Item
March 3, 2026

ENCLOSED DOCUMENTS:
Attachment 1 – Staff Report dated March 3, 2026, included is Attachment A (Amendment to Appendix Q (Land Development Services Fee Schedule)

STAFF:
Jennifer Miller, Deputy County Executive
William D. Hicks, P.E., Director, Land Development Services (LDS)
Tonya Mills, Manager, Financial Management Branch, LDS

ASSIGNED COUNSEL:
Peter Basanti, Assistant County Attorney

LAND DEVELOPMENT SERVICES

March 3, 2026

STAFF REPORT

PREPARED BY LAND DEVELOPMENT SERVICES

- [√] PROPOSED COUNTY CODE AMENDMENT
- [ ] PROPOSED PFM AMENDMENT
- [ ] PROPOSED ZONING ORDINANCE AMENDMENT
- [ ] APPEAL OF DECISION
- [ ] WAIVER REQUEST

Proposed Amendments to Appendix Q (Land Development Services Fee Schedule) of the Code of the County of Fairfax, Virginia Regarding Adjustment of the Fees Charged by Land Development Services for Plan Review, Permits, and Inspection Services

PUBLIC HEARING DATES

Authorization to Advertise:	March 3, 2026
Planning Commission Hearing:	April 8, 2026
Board of Supervisors Hearing:	April 14, 2026 at 3:00 p.m.
Prepared By:	Tonya Mills, Finance Chief (703) 324-8772

STAFF REPORT

ISSUE

The Department of Land Development Services (LDS) proposes adjusting Appendix Q (Land Development Services Fee Schedule) for plan review, permits, and inspection services to meet the Board's direction for approximately 100% cost recovery through plan review, permits, and inspection fee revenue. Adjustments to Appendix Q will also cover enhancements for customer service. Any proposed fee increases approved by the Board of Supervisors would be effective on July 1, 2026 (FY 2027).

RECOMMENDED ACTION

Staff recommends that the Board of Supervisors (Board) adopt the proposed amendments to Appendix Q of the Code of the County of Fairfax, Virginia (County Code).

COORDINATION

The proposed amendment was prepared by the Department of Land Development Services and coordinated with the Department of Planning and Development, Fire and Rescue Department, Department of Management and Budget, and the Office of the County Attorney.

BACKGROUND

The Department of Land Development Services (LDS) proposes adjusting Appendix Q (Land Development Services Fee Schedule) for plan review, permits, and inspection services. The last comprehensive increase in LDS fees was approved in 2024 and implemented over the two subsequent fiscal years (FY2025 and FY2026) in two phases. At that time, the Board also approved an increase to the technology surcharge to enhance technology upgrades. LDS's special revenue fund is intended to cover expenditures associated with LDS activities in a dedicated fund fully paid for by the fees and charges assessed by LDS with a target of a 100% recovery rate.

Since the last fee adjustment, LDS's cost of recovery rate has remained below the target of 100% and ended FY2025 at a 94% recovery rate. Inflation, staff salary increases, and technology costs have continued to exert pressure on the fund. The County funded average employee pay increases of 3.83% in FY 2025 and 4.19% in FY 2026 for General County merit employees. Meanwhile, Planning and Land Use System

(PLUS) licensing costs increased on average approximately 20% over the past two fiscal years.

PROPOSED AMENDMENTS

The proposed changes include a 5% increase across most of the fee schedule. The proposed 5% increase does not apply to elevator permits and inspections, the technology surcharge percentage, code academy levy percentage or zero fee applications – these will remain unchanged. LDS's applications and services which currently do not require a fee will also remain unchanged. The amendment also proposes minor adjustments to the 5% increase for smaller fees where the 5% increase does not round to a penny. The amendment further proposes a fifty percent (50%) increase in fees related to major Water Quality Impact Assessments (WQIA) for bonded and non-bonded lots and exceptions under Article 6 of the Chesapeake Bay Preservation Ordinance (Chapter 118 of County Code) which require a public hearing to reflect the significant staff time associated therewith.

The proposed 5% increase addresses inflation as directed by the Board and noted above and ensures that service levels do not decrease as costs increase. Notwithstanding, LDS continues to implement enhancements to the development process, which directly benefit applicants including:

- Reduce most administrative process times to one business day
- Enhance publicly available processing metrics, including a 12-month approval path for site plans
- Deploy AI in agency's call center to enhance customer service
- Implement regulatory changes to fulfill the Board-adopted Flood Risk Reduction Policy
- Facilitate improvements to improve the bond release process
- Consolidate and simplify regulatory requirements
- Reduce of fast-track residential and commercial review cycles
- Independent review of staff review comments to provide feedback and training to staff resulting in demonstrable improvements in comment clarity and specificity.

REGULATORY IMPACT

The proposed amendment updates Appendix Q of the Code to ensure compliance with state and local construction-related regulations.

Attachment A includes the proposed fee changes to Appendix Q.

EQUITY IMPACT

Plan review and permit fees are consistently applied to all applications, determined by the scope of work. However, LDS recognizes the diverse needs of its customers and provides various programs and services to cater to those with unique requirements.

To further enhance the customer experience, a new customer service center is under construction on the first floor of the Herrity Building, with an anticipated completion date of mid-2026. The center will co-locate customer service representatives from various agencies. This initiative is designed to offer a more user-friendly environment for customers, allowing them to visit staff in-person and find answers to all their development-related questions in one centralized location.

In alignment with the principle of equity, the proposed fee increases were also applied in a fair and equitable manner, considering the costs associated with delivering services for the respective business areas. LDS staff remain committed to translating forms and videos into a variety of languages to ensure accessibility for a diverse audience. Additionally, a coordinator dedicated to nonprofits and religious use continues to provide extra support for customers representing non-profit organizations or places of worship. These efforts enhance inclusivity and cater to the unique needs of different community members.

FISCAL IMPACT

If adopted by the Board, the recommended fee adjustments are anticipated to generate increased revenue of approximately $2.4 million in FY 2027. This estimate is based on actual FY 2025 revenue, FY 2026 year-to-date revenue collection trends and assumes a consistent workload in FY 2027. Any reduction in plan and permit activity could have a negative impact on the projected revenue. LDS will work closely with the Department of Management and Budget to monitor these trends. The additional revenue is already reflected in the County Executive's FY 2027 Advertised Budget Plan.

If adopted by the Board, it is anticipated that the proposed fee adjustments will be needed to support the expenditure appropriations for LDS in FY 2027, including additional costs associated with PLUS licenses and PLUS system improvements.

ATTACHED DOCUMENTS

Attachment A– Amendment to Appendix Q (Land Development Services Fee Schedule)

Amendment to

Appendix Q (Land Development Services Fee Schedule) of

The Code of the County of Fairfax, Virginia

Amend Appendix Q where insertions are underlined and deletions are stricken, to read as follows. Amend Table of Contents, by adding the page numbers upon adoption.

Appendix Q - Land Development Services Fee Schedule

This fee schedule establishes the fees charged, by Land Development Services and the Fire Marshal, for building and site development activities pursuant to the authority granted by, *inter alia*, §§ 15.2-2241(A)(9), 15.2-2286(A)(6), 62.1-44.15:27(H)(4), 36-98.3, 36-105(D)(1), 62.1-44.15:28(9), 62.1-44.15:29 of the Code of Virginia and Chapters 2 (Property Under County Control), 61 (Building Provisions), 64 (Mechanical Provisions), 65 (Plumbing and Gas Provisions), 66 (Electrical Provisions), 101 (Subdivision Ordinance), ~~104 (Erosion and Sediment Control Ordinance), 112.1~~ 112.2 (Zoning Ordinance), and 124.1 (Erosion and Stormwater Management Ordinance) of the Code of the County of Fairfax, Virginia (the Code).

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I. BUILDING DEVELOPMENT FEES

The following building development fees to cover the cost of reviewing plans, issuing permits, performing inspections, licensing, home improvement contractors and other expenses incidental to the enforcement of the Uniform Statewide Building Code, (USBC) and Chapters 61, 64, 65 and 66 of the Code are hereby adopted:

A: STANDARD FEES

Listed below are standard fees that apply to building, mechanical, electrical, plumbing, fire alarm, fire suppression and fire lane permits. The fees shall apply provided all of the applicable conditions set forth in § 61-1-3 of the Code are met.

1. Base fee: The minimum fee charged for any permit. (Ch. 61-1-3 (d)1) $ ~~135.00~~ 141.75
   A reduced fee will apply as noted below.

2. Reduced fees:
   - Multiple permits, per unit (Ch. 61-1-3(d)2a) $ ~~45.00~~ 47.25
   - Fee for permits requiring no inspections (Ch. 61-1-3(d)2b) $ ~~45.00~~ 47.25
   - Casualty Permits (Ch. 61-1-3(d)2c) $ 0.00

3. After-hours time-specific inspection fee for each 30-minute period or fraction thereof (Ch. 61-1-3(d)4) $ ~~301.00~~ 316.05

4. Amendment of permit (Ch. 61-1-3(d)5)
   The fee shall be the fee for any equipment added or the fee for any additional work involved, whichever fee is greater. In no case shall the fee be less than: $ ~~45.00~~ 47.25

5. Annual permit fee (Ch. 61-1-3(d)7)
   Same as Base Fee $ ~~135.00~~ 141.75

6. Asbestos removal/abatement (Ch. 61-1-3(d)8)
   Same as Base Fee $ ~~135.00~~ 141.75

7. Re-inspection fee (Ch. 61-1-3(d)18)
   Same as Base Fee $ ~~135.00~~ 141.75

8. Modular residential units, including manufactured homes (Ch. 61-1-3(d)14)
   Percentage of the regular permit fee 50.00%

9. Permit extensions: Permit authorizing construction of:
   - Interior alteration to an existing building $ ~~45.00~~ 47.25
   - An addition(s) or exterior alteration(s) to an existing residential structure (R-3, R-4 and R-5 construction) $ ~~45.00~~ 47.25
   - An accessory structure(s) on a residential property (R-3, R-4 and R-5 construction) $ ~~45.00~~ 47.25
   - A new structure (other than noted above) $ ~~301.00~~ 316.05
   - An addition(s) to a non-residential structure $ ~~301.00~~ 316.05

10. Solar Energy (Ch. 61-1-3(d)23) $ 0.00

11. Maximum Occupancy Load Posting $ ~~195.00~~ $204.75

12. Code Academy levy – collected for all building development fees in Section I-A, B, C, D, E, F, G, I, J 2.0%

~~13. Electric Vehicle Charging Equipment $ 0.00~~

~~This provision will expire at 12:01 a.m. on November 1, 2025.~~

B: BUILDING PERMIT AND OTHER FEES

(A) *New Buildings, Additions or Enlargements*: The fee for the construction of a new building, an addition or an enlargement shall be based on the area (as determined by the exterior dimension) of all floors, including basements or cellars and horizontally projected roof areas, for the following types of construction as defined in the USBC in effect, and specified in Table I below.

TABLE 1

Residential Fees

- Type IA, and IB, per square foot $ ~~0.270~~ 0.28
- Type IIA, IIIA and IV, per square foot $ ~~0.211~~ 0.22
- Type IIB, IIIB and VA, VB per square foot $ ~~0.143~~ 0.15

Commercial Fee

- Type IA, and IB, per square foot $ ~~0.270~~ 0.28
- Type IIA, IIB, IIIA, IIIB, IV, VA and VB per square foot $ ~~0.211~~ 0.22

(B) *Plan Resubmissions:* A fee per plan review discipline (i.e., building, electrical, mechanical or plumbing) will be assessed for each resubmission of plans.

- For all new commercial buildings and additions to existing commercial buildings $ ~~255.00~~ 267.75
- For all new residential buildings and additions and alterations to existing residential buildings
  Same as Base Fee $ ~~135.00~~ 141.75
- For each resubmission of plans for alterations to existing commercial buildings
  Same as Base Fee $ ~~135.00~~ 141.75

(C) *Countywide Master File Review*: A fee per plan review discipline (i.e., building, electrical, mechanical or plumbing) will be assessed at the time of the initial permit application. When based on an approved Masterfile, fees shall be based on Table 1. $ ~~270.00~~ 283.5

(D) *New Structure*: The fee for erection or installation of structures other than buildings (e.g., signs and canopies)

- For structures accessory to R-3, R-4 and R-5 construction
  Percentage of the estimated cost of construction 3.00%
  (The permittee must provide verifiable detail of the cost of construction.)
- For other structures
  Percentage of the estimated cost of construction 5.13%
  (The permittee must provide verifiable detail of the cost of construction.)

(E*) Basement Finishing*: (R-3, R-4 and R-5 construction)

- Same as Base Fee $ ~~135.00~~ 141.75

(F) *Demolition*: (Ch. 61-1-3(d)9)

- Entire Structure: The fee for a permit to demolish a structure
  Same as Base Fee $ ~~135.00~~ 141.75

- Partial Demolition for renovation: The fee for a permit to partially demolish a structure in preparation for renovation
  Percentage of estimated cost of demolition 3.00%
  (The permittee must provide verifiable detail of the cost of construction.)

(G) *Filing Fees for Permit Application and Plans Examination* (does not apply to Fire Prevention Division fees for fire alarm, fire suppression and fire lane permits): To allow for permit application processing and plan examination in the event a building permit is not issued, the following fees shall be paid prior to plan review for such a permit.

- For all single-family residential projects(new and repairs/remodels)
  Percentage of the permit fee 50.00%
- For all commercial work, apartment buildings, garden apartments, and high-rise residential buildings
  Percentage of the permit fee 35.00%
- For fast-track residential projects
  Percentage of the permit fee 100.00%

(H) *Modular Furniture*: The fee for the installation of modular furniture per floor or portion thereof when:

- The estimated cost of construction is $10,000 or more $ ~~513.00~~ 538.65
  (The permittee must provide verifiable detail of the cost of construction.)
- The estimated cost of construction is less than $10,000.
  Percentage of the estimated cost of construction 5.13%
  with a minimum fee of $ ~~256.00~~ 268.80
  (The permittee must provide verifiable detail of the cost of construction.)

(I) *Partitions (metal studs only)*: (Ch. 61-1-3(d)16)

- Same as base fee $ ~~135.00~~ 141.75

(J) *Removal and Relocation*: (Ch. 61-1-3(d)20) The fee shall be based on a percentage of the cost of moving, plus a percentage of the cost of all work necessary to place the building or structure in its completed condition in the new location.

- Percentage of the cost of moving plus 3.00%
  Percentage of the cost of construction 3.00%
  (The permittee must provide verifiable detail of the cost of moving and cost of construction.)

(K) *Repairs and Alterations*: The fees for repairs and alterations of any building or structure where there is no addition or enlargement:

- For commercial work, including tenant fit outs
  Percentage of the estimated cost of construction 5.13%
  (The permittee must provide verifiable detail of the cost of construction.)
- For residential work (R-3, R-4 and R-5 construction) roof repairs, new roof structures, re-siding
  Percentage of the estimated cost of construction 3.00%
  (The permittee must provide verifiable detail of the cost of construction.)

(L) *Retaining Walls:* The fee for installation and repair of a retaining wall:

- Retaining walls reviewed/inspected under the International Building Code (generally commercial or multi-family)
  Percentage of the estimated cost of construction 5.13%
- Retaining walls reviewed/inspected under the International Residential Code (generally single-family detached dwellings)
  Percentage of the estimated cost of construction. 3.00%
  (The permittee must provide verifiable detail of the cost of construction.)

(M) *Swimming Pool*: The fee for a building permit to construct a swimming pool. $ ~~270.00~~ 283.50

(N) *Temporary Structures*: (Ch. 61-1-3(d)26)

- Same as Base Fee $ ~~135.00~~ 141.75

(O) *Tenant alterations and Layouts*: (Ch. 61-1-3(d)25)

- Except for those tenant layouts shown on the originally approved plans for a new building, separate building permits shall be required for each tenant layout. The fee shall be based on a percentage of the estimated cost of construction.
  Percentage of the estimated cost of construction 5.13%
- The permittee must provide verifiable detail of the cost of construction.
  In no case, shall the permit fee be less than: $ ~~513.00~~ 538.65
- Fee per plan review discipline for each submission of plans for alterations to existing commercial buildings
  Same as Base Fee $ ~~135.00~~ 141.75

(P) *Home Improvement Contractor License Fees:* (Ch. 61-3)
All contractor application and license fees are charged per individual for a sole proprietorship, per general partner for a partnership, or per corporate officer for a corporation.

- Application processing fee $ ~~129.00~~ 135.45
- Fee of license issuance $ ~~80.00~~ 84.00
- Fee to renew expired license, in addition to license renewal fee* $ ~~76.00~~ 79.80
- Fee to renew license $ ~~106.00~~ 111.30

*The fee to renew expired license. The Building Official or his designee has the authority to waive the penalty fee when the failure to renew a license is due to circumstances beyond the control of the licensee.

(Q) *Pedestrian Bridges*:
Pedestrian bridges constructed outside of VDOT right-of-way, where there is no approved masterfile $~~4,200.00~~ 4,410.00
Permits based on masterfiles shall be subject to Table 1.

C: MECHANICAL PERMIT FEES

(A) *Mechanical Equipment Installation Fees*:

1. The permit fee for installation, repair, or replacement of all mechanical equipment installed in buildings other than buildings in the R-3 or R-5 use groups. This fee is in addition to the fees listed below in this section.

   Percentage of the contract value less the value of listed equipment 1.25%
   (The permittee must provide verifiable detail of the cost of construction and total contract value.)

2. New Residential Mechanical (For New Dwelling Units in R-2, R-3, R-4, and R-5 Use Groups): Fees for the initial installation of equipment listed on the mechanical permit application that includes the HVAC equipment for the dwelling.
   - 1 New Zone Base Fee
   - 2 New Zones $ ~~264.00~~ 277.20
   - 3 New Zones $ ~~396.00~~ 415.80
   - 4 New Zones $ ~~527.00~~ 553.35
   - 5 or more New Zones $ ~~660.00~~ 693.00

3. Mechanical Residential HVAC Equipment Installation Fees (For Gas Fixtures in Addition to New HVAC Equipment):

The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:

• Level One (1-7 Fixtures)	Base Fee
• Level Two (8-12 Fixtures)	$ ~~171.00~~ 179.55
• Level Three (13-17 Fixtures)	$ ~~225.00~~ 236.25
• Level Four (18-22 Fixtures)	$ ~~280.00~~ 294.00
• Level Five (Over 22 Fixtures)	$ ~~334.00~~ 350.70

4. Mechanical Commercial HVAC Equipment Installation Fees:
The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:

• Level One (1-7 Fixtures)	Base Fee
• Level Two (8-12 Fixtures)	$ ~~264.00~~ 277.20
• Level Three (13-17 Fixtures)	$ ~~396.00~~ 415.80
• Level Four (18-22 Fixtures)	$ ~~527.00~~ 553.35
• Level Five (23-27 Fixtures)	$ ~~660.00~~ 693.00
• Level Six (28-32 Fixtures)	$ ~~791.00~~ 830.55
• Level Seven (33-37 Fixtures)	$ ~~923.00~~ 969.15
• Level Eight (38-42 Fixtures)	$ ~~1,055.00~~ 1,107.75
• Level Nine (43-47 Fixtures)	$ ~~1,188.00~~ 1,247.40
• Level Ten (48-52 Fixtures)	$ ~~1,319.00~~ 1,384.95
• Level Eleven (53-57 Fixtures)	$ ~~1,451.00~~ 1,523.55
• Level Twelve (58-62 Fixtures)	$ ~~1,589.00~~ 1,668.45
• Level Thirteen (63-67 Fixtures)	$ ~~1,715.00~~ 1,800.75
• Level Fourteen (68-72 Fixtures)	$ ~~1,848.00~~ 1,940.40
• Level Fifteen (Over 72 Fixtures)	$ ~~1,979.00~~ 2,077.95

5. Mechanical Commercial Miscellaneous Equipment Installation Fees:
The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:

• Level One (1-5 Fixtures)	Base Fee
• Level Two (6-20 Fixtures)	$ ~~238.00~~ 249.90
• Level Three (21-35 Fixtures)	$ ~~452.00~~ 474.60
• Level Four (36-50 Fixtures)	$ ~~613.00~~ 643.65
• Level Five (51-65 Fixtures)	$ ~~800.00~~ 840.00
• Level Six (66-80 Fixtures)	$ ~~989.00~~ 1,038.45
• Level Seven (81-95 Fixtures)	$ ~~1,175.00~~ 1,233.75
• Level Eight (96-110 Fixtures)	$ ~~1,363.00~~ 1,431.15
• Level Nine (111-125 Fixtures)	$ ~~1,550.00~~ 1,627.50
• Level Ten (126-140 Fixtures)	$ ~~1,738.00~~ 1,824.90
• Level Eleven (141-155 Fixtures)	$ ~~1,925.00~~ 2,021.25
• Level Twelve (156-170 Fixtures)	$ ~~2,113.00~~ 2,218.65
• Level Thirteen (171-185 Fixtures)	$ ~~2,300.00~~ 2,415.00
• Level Fourteen (186-200 Fixtures)	$ ~~2,488.00~~ 2,612.40
• Level Fifteen (Over 200 Fixtures)	$ ~~2,675.00~~ 2,808.75

(B) *Piping of Equipment*: Base Fee

(C) *Ductwork*: Base Fee

D: ELECTRICAL PERMIT FEES

(A) *Electrical Equipment Installation Fees*:

1. The permit fee for installation, repair, or replacement of all electrical equipment installed in buildings other than buildings in the R-3 or R-5 use groups. This fee is in addition to the fees listed below in this section.

Percentage of the contract value less the value of listed equipment 1.25%
(The permittee must provide verifiable detail of the cost of construction and total contract value.)

2. New Residential Electrical Installation Fees:
Fees for the initial construction of new dwelling units in R-2, R-3, R-4 and R-5 use groups. The fees include the initial installation of equipment listed on the electrical permit application that includes the main electrical service for the dwelling unit. Any equipment installed pursuant to other electrical permit applications shall be charged in accordance with the fees prescribed in Sections 2, 3, 4, 5, 6 and 7 below.

- 0-149 Amps $ ~~341.00~~ 358.05
- 150-399 Amps $ ~~378.00~~ 396.90
- 400-599 Amps $ ~~429.00~~ 450.45
- 600-799 Amps $ ~~465.00~~ 488.25
- More than 799 Amps $ ~~594.00~~ 623.70

3. Residential Addition/Alteration Electrical Installation Fees:
The total permit fee is based on total number of fixtures, circuits, equipment:
- Level One (1-100 fixtures, circuits, equipment) Base Fee
- Level Two (101-125 fixtures, circuits, equipment) $ ~~146.00~~ 153.30
- Level Three (126-150 fixtures, circuits, equipment) $ ~~181.00~~ 190.05
- Level Four (151-175 fixtures, circuits, equipment) $ ~~216.00~~ 226.80
- Level Five (Over 175 fixtures, circuits, equipment) $ ~~253.00~~ 265.65

4. Commercial Building/Addition/Alteration Electrical Installation Fees:
The total permit fee is based on total number of fixtures, circuits, equipment:
- Level One (1-50 fixtures, circuits, equipment) Base Fee
- Level Two (51-150 fixtures, circuits, equipment) $ ~~375.00~~ 393.75
- Level Three (151-250 fixtures, circuits, equipment) $ ~~625.00~~ 656.25
- Level Four (251-350 fixtures, circuits, equipment) $ ~~875.00~~ 918.75
- Level Five (351-450 fixtures, circuits, equipment) $ ~~1,125.00~~ 1,181.25
- Level Six (451-550 fixtures, circuits, equipment) $ ~~1,375.00~~ 1,443.75
- Level Seven (551-650 fixtures, circuits, equipment) $ ~~1,625.00~~ 1,706.25
- Level Eight (651-750 fixtures, circuits, equipment) $ ~~1,875.00~~ 1,968.75
- Level Nine (751-850 fixtures, circuits, equipment) $ ~~2,125.00~~ 2,231.25
- Level Ten (851-950 fixtures, circuits, equipment) $ ~~2,375.00~~ 2,493.75
- Level Eleven (951-1050 fixtures, circuits, equipment) $ ~~2,625.00~~ 2,756.25
- Level Twelve (1051-1150 fixtures, circuits, equipment) $ ~~2,875.00~~ 3,018.75
- Level Thirteen (1151-1250 fixtures, circuits, equipment) $ ~~3,125.00~~ 3,281.25
- Level Fourteen (1251-1350 fixtures, circuits, equipment) $ ~~3,375.00~~ 3,543.75
- Level Fifteen (Over 1350 fixtures, circuits, equipment) $ ~~3,625.00~~ 3,806.25

5. Service Panels
- Service Panel $ ~~75.00~~ 78.75
- Temporary to Permanent $ ~~75.00~~ 78.75
- Temporary for Construction $ ~~75.00~~ 78.75
- Sub Panel $ ~~75.00~~ 78.75
- Transfer Switch $ ~~75.00~~ 78.75

6. Generator $ ~~75.00~~ 78.75

7. Low Voltage (per system per floor) $ ~~135.00~~ 141.75

E: PLUMBING PERMIT FEES

1. The permit fee for installation, repair, or replacement of all plumbing equipment installed in buildings other than buildings in R-3 or R-5 use groups. This fee is in addition to the fees listed below in this section.

   Percentage of the contract value less the value of listed equipment 1.25%
   (The permittee must provide verifiable detail of the cost of construction and total contract value.)

2. New Residential Townhouse/Condo Plumbing Installation Fees:
   The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:
   - Level One (1-19 Fixtures) $ ~~258.00~~ 270.90
   - Level Two (20-24 Fixtures) $ ~~313.00~~ 328.65
   - Level Three (25-29 Fixtures) $ ~~348.00~~ 365.40
   - Level Four (30-34 Fixtures) $ ~~366.00~~ 384.30
   - Level Five (Over 34 Fixtures) $ ~~403.00~~ 423.15

3. New Residential Single-Family Detached Dwelling Plumbing Installation Fees:
   The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:
   - Level One (1-29 Fixtures) $ ~~340.00~~ 357.00
   - Level Two (30-39 Fixtures) $ ~~449.00~~ 471.45
   - Level Three (40-49 Fixtures) $ ~~558.00~~ 585.90
   - Level Four (50-59 Fixtures) $ ~~665.00~~ 698.25
   - Level Five (Over 59 Fixtures) $ ~~780.00~~ 819.00

4. Residential Addition/Alteration Plumbing Installation Fees:
   The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:
   - Level One (1-7 Fixtures) Base Fee
   - Level Two (8-12 Fixtures) $ ~~171.00~~ 179.55
   - Level Three (13-17 Fixtures) $ ~~225.00~~ 236.25
   - Level Four (18-22 Fixtures) $ ~~280.00~~ 294.00
   - Level Five (Over 22 Fixtures) $ ~~334.00~~ 350.70

5. Commercial Building/Addition/Alteration Plumbing Installation Fees:
   The total permit fee is based on the level in which the permittee's total number of fixtures being installed falls:
   - Level One (1-5 Fixtures) Base Fee
   - Level Two (6-20 Fixtures) $ ~~238.00~~ 249.90
   - Level Three (21-35 Fixtures) $ ~~425.00~~ 446.25
   - Level Four (36-50 Fixtures) $ ~~613.00~~ 643.65
   - Level Five (51-65 Fixtures) $ ~~800.00~~ 840.00
   - Level Six (66-80 Fixtures) $ ~~988.00~~ 1,037.40
   - Level Seven (81-95 Fixtures) $ ~~1,175.00~~ 1,233.75
   - Level Eight (96-110 Fixtures) $ ~~1,363.00~~ 1,431.15
   - Level Nine (111-125 Fixtures) $ ~~1,550.00~~ 1,627.50
   - Level Ten (126-140 Fixtures) $ ~~1,738.00~~ 1,824.90

- Level Eleven (141-155 Fixtures) $ ~~1,925.00~~ 2,021.25
- Level Twelve (156-170 Fixtures) $ ~~2,113.00~~ 2,218.65
- Level Thirteen (171-185 Fixtures) $ ~~2,300.00~~ 2,415.00
- Level Fourteen (186-200 Fixtures) $ ~~2,488.00~~ 2,612.40
- Level Fifteen (Over 200 Fixtures) $ ~~2,675.00~~ 2,808.75

6. Sewer/Water Service
   - Sewer (New, Replacement or Repair) $ ~~74.00~~ 77.70
   - Sewer Tap (Manhole or Line) $ ~~74.00~~ 77.70
   - Water Service (New, Replacement or Repair) $ ~~74.00~~ 77.70

F: HOUSEHOLD APPLIANCE PERMIT FEES

(A) Household Appliance Fees: (61-1-3(d)13)
- One Appliance $ ~~75.00~~ 78.75
- Two Appliances $ ~~92.00~~ 96.60
- Three Appliances $ ~~111.00~~ 116.55
- Four Appliances $ ~~129.00~~ 135.45

G: VERTICAL TRANSPORTATION PERMIT FEES

All vertical transportation equipment operating in Fairfax County must be permitted for installation, modernization, and/or replacement. In order to maintain a valid Certificate of Compliance, all commercial vertical transportation equipment (other than single-family detached dwellings) must also be permitted; tested periodically (six months); annually (one year); and submitted for re-acceptance every five years. Commercial vertical transportation equipment must have a valid Certificate of Compliance to operate.

(A) *Floor Fee*: For all permits; annual certificates of compliance; five-year tests; and all re-inspections, the floor fee will be added to the cost for each individual piece of equipment. For these purposes, this will be defined as the fee charged for each floor in the building where an individual passenger or freight elevator is installed. $ 15.00

(B) *Testing Fees:* Unless otherwise stated in the following sections, fees for individual tests that must be performed on each piece of equipment will be as follows:
- Governor Test $ 296.00
- Load Test $ 445.00
- Speed Test $ 296.00
- Static Pressure Test $ 296.00
- Fire and Smoke Test $ 296.00
- Generator Test $ 296.00

(C) *Commercial Vertical Transportation Equipment Installation Fees:* The permit fee for installation, repair, modernization, or replacement of all vertical transportation equipment installed in buildings other than within single-family detached dwellings. This fee is in addition to the equipment fees listed below in this section.

1. Floor fee plus 2.40% of the vertical transportation installation/repair/modernization, or replacement cost as indicated by the associated contract value less the value of the equipment listed below: 2.00%
   (The permittee must provide verifiable cost detail of construction and total contract value.)
2. Elevator (Electric/Hydraulic) $ 289.00

3. Escalator/Moving Walk $ 487.00
4. Dumbwaiter $ 146.00
5. Lift $ 146.00

(D) *Residential Vertical Transportation Equipment Installation Fees (new, repair, modernization, or replacement)*:

- Private residence elevators, lifts, or dumbwaiters $ 308.00
- Private residence elevator re-inspection fee (if acceptance fails) $ 308.00

(E) *Temporary Construction Use*:

- After required elevator permit (including floor fees) is issued $ 266.00
- Temporary construction use extension $ 115.00

(F) *Annual Certificate of Compliance Inspection Fee:* All vertical transportation equipment, other than those in single-family detached dwellings, and other than conveyors, requires an annual certificate of compliance. The annual certificate of compliance covers the permit renewal, one regular and one periodic inspection during the certificate, payable by the owner of the building to the County of Fairfax before the expiration of the certificate. This will be calculated for each individual piece of equipment, which is designated by a unique equipment ID number, as follows:

- Elevator (Electric/Hydraulic) Floor Fee + $ 289.00
- Escalator/Moving Walk Floor Fee + $ 487.00
- Dumbwaiter Floor Fee + $ 146.00
- Lift Floor Fee + $ 146.00

If the vertical transportation equipment is not inspection ready at the appointed time, or if a potential safety issue is noted during the periodic, or annual inspection, and immediate corrective action is prescribed, then a reinspection fee (and any applicable testing fees referenced in Section B above), will be payable prior to a reinspection being scheduled, and calculated as follows:

- Per inspection visit $ 246.00
  + Floor Fee per equipment ID + applicable testing fee(s) per equipment ID

(G) *Acceptance of Modernization/Repair and/or Five-Year Testing and Inspection Fees*: Once commercial vertical transportation equipment has been permitted for repair/modernization and/or the equipment reaches five years since acceptance testing was performed, the following fee shall be assessed:

- Per equipment ID Floor Fee + $ 1,750.00

If the vertical transportation equipment is not inspection ready at the appointed time, or if a potential safety issue is noted during the modernization/repair acceptance, or five-year testing inspection, and immediate corrective action is prescribed, then a reinspection fee (and any applicable testing fees referenced in Section B above), will be payable prior to a reinspection being scheduled, and calculated as follows:

- Per inspection visit $ 246.00
  + Floor Fee per equipment ID + applicable testing fee(s) per equipment ID

(H) *Removal (Demolition)*: Applies to the complete removal of all associated equipment for a specific equipment ID within a commercial or residential structure:

- Permit Fee $ 108.00
- Inspection Fees
  - Elevator (Electric/Hydraulic) $ 289.00
  - Escalator/Moving Walk $ 487.00
  - Dumbwaiter $ 146.00
  - Lift $ 146.00

H: FIRE PREVENTION DIVISION (OFFICE OF THE FIRE MARSHAL) FEES

(A) Plan Review Fees:
Fees for all plan review are based on an hourly charge calculated on the quarter hour or part thereof, per reviewer. Fees are due upon completion of the plan review process.

- Per Hour $ ~~208.00~~216.00

(B) Acceptance Testing and Inspection Fees:
Fees are based on an hourly charge calculated on the quarter hour or part thereof, per inspector. Fees for fire protection equipment and systems performance tests and inspections, other equipment and systems performance tests and inspections, occupancy or preoccupancy inspections, fire lanes and required reinspections shall be imposed per hour calculated on the quarter hour or part thereof, per required inspector.

- Per Hour $ ~~208.00~~216.00

(C) Reinspection Fees:
Reinspection fees shall be based on the hours reserved to perform the test and will be charged per hour calculated on the quarter hour or part thereof, per required inspector. The following matrix is to serve as a guideline in determining when a reinspection fee is required for acceptance testing. A minimum notice of 24 hours (one full business day) for test cancellation is required. The fee is charged when an inspection is not canceled in time to save an unnecessary trip by inspectors.

- Per Hour $ ~~208.00~~216.00

(D) Plan Review and Inspections Performed Outside of Business Hours:

Plan reviews and inspections may be performed outside of business hours upon request at the sole discretion of the fire official. Fees for these plan reviews and inspections shall be assessed at twice the rate listed in (A), (B) and (C) above. Fees shall be assessed in 30 minute increments.

REINSPECTION FEES			
CIRCUMSTANCE	**CONDITION**	**INSPECTED**	**REINSPECTION FEE**
Cancelled or rescheduled off site more than 24 hours prior to appointment	N/A	No	No
Cancelled or rescheduled off site less than 24 hours prior to appointment	N/A	No	Yes
Contractor shows, others do not, or inspectors arrive, no one on site	Cannot test	No	Yes

Cancelled while inspectors on site; test not started	Not ready	No	Yes
Regular inspection, test started, test not completed	Not Ready or Failure due to fault of contractor	Yes	Yes
Regular inspection, test started, test not completed	Failed, but due to fault of contractor	Yes	No
Regular inspection, test completed	Substantially ready with minor deficiencies	Yes	No
Regular inspection, test completed	No punch list, inspection approved	Yes	No
Final inspection	Deficient	Yes	Yes

I: AMUSEMENT DEVICE PERMIT FEES

The permit fees for each amusement device or carnival ride shall be the maximum in accordance with the Virginia Amusement Device Regulations (VADR) (Ch. 61-1-3(d)6)

J: BUILDING AND FIRE PREVENTION CODE MODIFICATIONS AND LOCAL BOARD OF BUILDING CODE APPEALS FEES:

- Building and Fire Prevention Code Modification Fees $ ~~260.00~~ 273.00
- Applications for appeals to local Board of Building Code Appeals based on the VUSBC, the VSFPC, the Virginia Amusement Device Regulations (VADR) and Chapters 61, 64, 65, and 66 of the Code of the County of Fairfax $ ~~260.00~~ 273.00

II. SITE DEVELOPMENT FEES

The following site development fees to cover the cost of reviewing site and subdivision plans and related documents; processing site and subdivision plan agreements; making inspections of required site improvements; permitting any work or construction on any land dedicated or proposed for dedication to public use; and other fees incidental to the administration of these activities pursuant to Chapters 2, 101, ~~104,~~ 112.2~~1~~, and 124.1 of the Code, and any fees paid to the County upon submission of any request for a waiver, exception, and modification of the County Ordinances, are hereby adopted:

A: PLAN AND DOCUMENT REVIEW FEES

The following fees are due upon submission to the County of the following plans and documents. The Fire Prevention Division review fees are listed in Part D.

(A) *Pre-Submission Filing and Review Fees for Certain Plans*:

- Gateway Review Fee
  Fee assessed at the initial plan submission for bonded plans, for a quality and content review of plan submissions by technical staff prior to the beginning of the comprehensive review. Fee will

be charged for each Gateway Review regardless of pass or fail and comprehensive review will not begin until Gateway passes.

- First Gateway Review Fee $ ~~550.00~~ 577.50
- Subsequent Gateway Review Fee (each time plan fails, requiring Gateway resubmission) Previous Gateway Review Fee + 10%

- Minimum Submission Review Fee
  Fee assessed at initial plan submission for non-bonded plans to ensure that the plan submission meets all necessary technical and formatting requirements. Fee will be charged for each Minimum Submission Review (MSR) regardless of pass or fail and comprehensive review will not begin until MSR passes.
  - Fee per MSR Submission $ ~~120.00~~ 126.00
  - Subsequent MSR Submission (each time plan fails, requiring MSR resubmission Previous MSR Review Fee + 10%

(B) Plats:

1. Easement plat, per submission $ ~~475.00~~ 498.75

2. Preliminary subdivision plat: (101-2-3)

- Initial Submission
  - Less than 10 lots $ ~~4,612.00~~ 4,842.60
    - Plus, fee per lot or division of land including outlots and parcels $ ~~87.00~~ 91.35
  - 10 lots or more $ ~~7,509.00~~ 7,884.45
    - Plus, fee per lot or division of land including outlots and parcels $ ~~87.00~~ 91.35

Redate (extension): fee for reapproval of a previously approved preliminary plat submitted to the County for approval during the validity period of the preliminary plat, each. $ ~~936.00~~ 982.80

- Resubmission, per submission – Percentage of the Original Fee 25.00%
- Revisions, per submission – Percentage of the Original Fee 25.00%

3. Record (final) subdivision plat: (101-2-5)

- Initial Submission $ ~~800.00~~ 840.00
  - Plus, fee per lot or division of land including outlots and parcels $ ~~40.00~~ 42.00
- Resubmission Fee, per submission $ ~~407.00~~ 427.35
- Redate (extension): fee for reapproval of a previously approved final plat that has expired, per submission $ ~~699.00~~ 733.95

(C) *Subdivision Plans, Site Plans, and Site Plans for Public Improvements Only*: *The following schedule shall be used to tabulate the fees for review of subdivision and site plans, and site plans for public improvements only.*

1. Base Fee:

- Subdivision Plans
  - 1st Review Cycle $ ~~8,070.00~~ 8,473.50
- Site Plans

- 1st Review Cycle $ ~~11,206.00~~ 11,766.30
- Site Plans and Subdivision Plans Additional fee per disturbed acre or any fraction thereof $ ~~1,167.00~~ 1,225.35

- The maximum base fee (as part of the initial review cycle) is as follows:
  - For Subdivision Plans $ ~~19,648.00~~ 20,630.40
  - For Site Plans $ ~~65,479.00~~ 68,752.95
- Site plans for public improvements only including sanitary sewer, trail, sidewalk, storm sewer, channel improvements, waterline, and/or road construction pursuant to Chapter 2 of the Code.
  - 1st Review Cycle $ ~~4,646.00~~ 4,878.30

2. Fees in addition to base fees:

- Site Plans for the following public improvements only including sanitary sewer, trail, sidewalk, storm sewer, channel improvements, waterline, and/or road construction pursuant to Chapter 2 of the Code.
  Additional fee per linear foot or fraction thereof, of each improvement $ ~~2.20~~ 2.31
- Additional plan review, as a result of an approved zoning action associated with the proposed construction to include the following with a maximum cumulative fee of $ ~~4,574.00~~ 4,802.70
  - Sites subject to rezoning $ ~~2,686.00~~ 2,820.30
  - Sites subject to special exception $ ~~1,885.00~~ 1,979.25
  - Sites subject to special permit $ ~~1,885.00~~ 1,979.25
  - Sites subject to variance $ ~~1,397.00~~ 1,466.85
- Review resulting from site conditions and proposed improvements
  - SWM/BMP facility, for each proposed facility serving the site (on or off-site), except as noted,
    with a maximum cumulative fee of $ ~~8,250.00~~ 8,662.50
    - Constructed Wetland or Ponds $ ~~3,520.00~~ 3,696.00
    - Bioretention Basin or Filter, Infiltration Facility, Filtering Practice[1], Innovative BMP[2], or Detention-Only Facility[3] $ ~~2,090.00~~ 2,194.50
    - Rainwater Harvesting System,
      per square foot of collection area, $ ~~0.13~~ 0.14
      with a minimum of $ ~~2,090.00~~ 2,194.50
    - Permeable Pavement, Vegetated Roof,
      per square foot of surface $ ~~0.13~~ 0.14
      with a minimum of $ ~~1,650.00~~ 1,732.50
    - Manufactured BMP[4], Micro- or Urban Bioretention[5] $ ~~1,320.00~~ 1,386.00
  - Floodplain area (existing and proposed) $ ~~943.00~~ 990.15
  - Natural drainage way (non-floodplain watersheds) $ ~~943.00~~ 990.15
  - Problem soils (area with soil types A or B, per the official map adopted by the Board or as deemed by the Director) $ ~~1,397.00~~ 1,466.85

3. Additional Review Cycles:

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[1] Filtering practices include facilities such as sand filters.
[2] BMPs not ~~on~~ in the Virginia Stormwater Management Handbook or the Virginia Stormwater BMP Clearinghouse approved list ~~or listed with a Pilot Use Designation or Conditional Use Designation~~.
[3] Vaults or other underground storage systems providing detention only. No ponds.
[4] Includes proprietary devices.
[5] Includes residential rain gardens, urban stormwater planters, expanded tree pits, and stormwater curb extensions.

- Subsequent Review Cycle Fee: fee tabulated at a percentage of all fees due at initial submission (Base Fee + all other associated fees assessed in accordance with (C1) and (C2) above).
  Percentage of all fees 55.00%
  - Plus, additional fees charged in accordance with (C1) and (C2) above for changes in the amount of disturbed area, zoning action, site conditions, and/or proposed improvements from that indicated on the first submission. Tabulated Fee
- Signature Set Review Cycle : Site Plans, Subdivision Plans, and Site Plans with public improvements only, consisting of 5 or less modified plan sheets $0.00
- Signature Set Review Cycle-: Site Plans, Subdivision Plans, and Site Plans with public improvements only, consisting of 6-20 modified plan sheets ~~$135.00~~ 141.75 + ~~$80.00~~ 84.00 per modified sheet
- Additional review cycles if Signature Set Review Cycle is not approved; per review cycle (does not apply to site plans with public improvements only) $ ~~7,225.00~~ 7,586.25
- Additional review cycles for site plans with public improvements only, if Signature Set Review Cycle is not approved; per review cycle $ ~~3,375.00~~ 3,543.75

4. Revisions to approved plans:

- Fee, per submission $ ~~1481.00~~ 1,555.05
  - Plus, additional fees charged in accordance with (C1) and (C2) above for changes in the disturbed area, zoning action, site conditions, and/or proposed improvements from that indicated on the approved plan. Tabulated Fee
  - Minor Revisions $ ~~159.00~~ 166.95

5. Plan extensions (redate), per request $ ~~1884.00~~ 1,978.20

(D) *Minor Site Plans and Grading Plans*:

1. Minor Site Plans,
- 1st Review Cycle $ ~~4,710.00~~ 4,945.50
- Subsequent Review Cycle
  Percentage of the 1st Review Cycle Fee 55.00%
- Signature Set Review Cycle, consisting of 5 or less modified plan sheets $0.00
- Signature Set Review Cycle : Minor Site Plans, and Grading Plans with public improvements only, consisting of 6-20 modified plan sheets
  ~~$135.00~~ 141.75 + ~~$80.00~~ 84.00 per modified sheet
- Additional review cycles if Signature Set Review Cycle is not approved; per review cycle $ ~~4,750.00~~ 4,987.50
- Revisions; per submission $ ~~869.00~~ 912.45
- Minor Revisions $ ~~159.00~~ 166.95

2. Grading plans for building permits on existing lots within a subdivision currently bonded with the County (Subdivision Lot Grading Plans or Site Plan Lot Grading Plans):
- 1st submission $ ~~1,397.00~~ 1,466.85
- Resubmissions and revisions to approved plans $ ~~475.00~~ 498.75
- Minor Revisions $ ~~159.00~~ 166.95

3. Grading plans for building permits on existing lots that are not within a subdivision currently bonded within the County and parcels with lots of 5 acres or more, per infill lot (Infill Lot Grading Plans):

- 1st Review Cycle $ ~~2,113.00~~ 2,218.65
- Subsequent Review Cycle
  Percentage of the 1st Review Cycle Fee 55.00%
- Signature Set Review Cycle, consisting of 5 or less modified plan sheets $0.00
- Signature Set Review Cycle: Minor Site Plans, and Grading Plans with public improvements only, consisting of 6-20 modified plan sheets $~~135.00~~ 141.75 + $~~80.00~~ 84.00 per modified sheet
- Additional review cycles if Signature Set Review Cycle is not approved; per review cycle $ ~~770.00~~ 808.50
- Revisions to approved plans, per submission $ ~~783.00~~ 822.15
- Minor Revisions $ ~~159.00~~ 166.95

4. Rough grading plan (RGP) and filling parcels:

- 1st Review Cycle, per division of land or disturbed acre, or fraction thereof, whichever amount is greater $ ~~1,412.00~~ 1,482.60
  Not to Exceed $ ~~18,338.00~~ 19,254.90
- Subsequent Review Cycle
  Percentage of the 1st Review Cycle Fee 55.00%
- Signature Set Review Cycle, consisting of 5 or less modified plan sheets $0.00
- Signature Set Review Cycle~~-~~: Minor Site Plans, and Grading Plans with public improvements only, consisting of 6-20 modified plan sheets $~~135.00~~ 141.75 + $~~80.00~~ 84.00 per modified sheet
- Additional review cycles if Signature Set Review Cycle is not approved; per review cycle $ ~~990.00~~ 1,039.50
- Revisions, per submission $ ~~550.00~~ 577.50
- Minor Revisions $ ~~135.00~~ 141.75

5. Conservation plan without a grading plan, per submission $ ~~1,329.00~~ 1,395.45

(E) *Processing of Studies, Soils Reports and Other Plans*:

1. Studies:

- Drainage study, per submission (non-floodplain watersheds) $ ~~2,157.00~~ 2,264.85
- Floodplain study
  - Per submission, per linear foot of baseline or fraction thereof $ ~~3.04~~ 3.19
  - Plus, fee per road crossing and per dam, $ ~~672.00~~ 705.60
    Not to exceed total fee, per submission: $ ~~12,349.00~~ 12,966.45
- Floodplain Use Determination $ 0
- Parking study
  - Parking tabulation for change in use, per submission $ ~~1,078.00~~ 1,131.90
  - Parking redesignation plan, per submission $ ~~1,078.00~~ 1,131.90
- Shared parking adjustment based on:
  - Shared adjustment (Subsection 6100.6.B.(1) of the Zoning Ordinance) $ ~~3,093.00~~ 3,247.65
  - Sum of the hourly parking demand or the sum of the hourly parking demand in combination with other factors (Subsection 6100.6.B.(2) of the Zoning Ordinance
    - Under 225 spaces $ ~~3,093.00~~ 3,247.65
    - 225 to 350 spaces $ ~~5,371.00~~ 5,639.55
    - 351 to 599 spaces $ ~~8,587.00~~ 9,016.35
    - 600 spaces or more $ ~~17,986.00~~ 18,885.30
  - Offsite parking (Subsection 6100.6.B.(3) of the Zoning Ordinance)

$ ~~2,812.00~~ 2,952.60

- Parking adjustments, including: $ ~~2,812.00~~ 2,952.60
  - Transit-related adjustment (Subsection 6100.6.C of the Zoning Ordinance)
  - Parking adjustments based on affordable housing (Subsection 6100.6.D of the Zoning Ordinance)
  - Parking adjustments based on publicly available parking (Subsection 6100.6.E of the Zoning Ordinance)
  - Parking adjustments based on public benefit (Subsection 6100.6.F of the Zoning Ordinance)
  - Parking adjustment based on the unique nature of the proposed site or use(s) (Subsection 6100.6.G of the Zoning Ordinance)

- Water Quality Fees*
  - Resource Protection Area (RPA) Boundary Delineations and Resource Management Area (RMA) Boundary Delineations
    - Non-bonded lots: existing lots and acreage, rough grading and filing parcels, and parcels with lots of 5 acres or more not within a subdivision or site plan development currently bonded with the County; and minor site plans; per submission $ ~~461.00~~ 484.05
    - Bonded lots: lots in conjunction with multiple construction within a subdivision currently bonded with the County, per submission:
    - Projects with 150 linear feet or less of baseline $ ~~461.00~~ 484.05
    - Projects with greater than 150 linear feet of baseline $ ~~461.00~~ 484.05
      - Plus, fee per linear foot of baseline or fraction thereof, in excess of 150 linear feet $ 1.10%
- Water Quality Impact Assessments (WQIA)
  - Minor WQIA

    $ ~~356.00~~ 373.80
  - Major WQIA
    - Non-bonded lots: existing lots and acreage, rough grading and filling parcels, and parcels with lots of 5 acres or more not within a subdivision or site plan development currently bonded with the County; and minor site plans; per submission $ ~~475.00~~ 712.50
    - Bonded lots: lots in conjunction with multiple construction sites within a subdivision or site plan currently bonded with the County, per submission $ ~~1,817.00~~ 2,726.00

*In the event that an RPA and RMA Boundary Delineation and a WQIA are submitted simultaneously, only one fee shall be required and such fee shall be the higher of the fees required for the individual studies.

2. Soils Reports:

- Commercial and multi-family development, bonded residential lots: lots in conjunction with multiple constructions in a newly bonded subdivision development, site plan or site plan for public improvements only
  - 1st submission $ ~~3,764.00~~ 3,952.20
  - Resubmissions and revisions to approved reports, per submission $ ~~1,234.00~~ 1,295.70
- Non-bonded residential lots: existing lots and acreage, rough grading and filling parcels, and parcels with lots of 5 acres or more, not within a subdivision or site plan development currently bonded with the County; and minor site plans; per submission

- 1st submission $ ~~2,421.00~~ 2,542.05
- Resubmissions and revisions to approved reports, per submission $ ~~1,234.00~~ 1,295.70

3. Other Plans:
- As-built plans
  - Sanitary Sewer, per submission $ ~~699.00~~ 733.95
  - Site and subdivision, per submission $ ~~475.00~~ 498.75
- Debris landfill design plan
  - Base fee, per submission $ ~~1,478.00~~ 1,551.90
  - Plus, per acres $ ~~98.00~~ 102.90
- Debris landfill permit, each annual permit $ ~~6,457.00~~ 6,779.85
- Environmental Site Assessment:
  - 1st submission $ ~~3,499.00~~ 3,673.95
  - Resubmissions and revisions, per submission $ ~~1,234.00~~ 1,295.70
- Photometric or Sports Illumination Plan, fee per submission when such plan is not submitted as part of a required site plan submission $ ~~970.00~~ 1,018.50

(F) *Miscellaneous fees*:
- Lot Validation Application $ ~~488.00~~ 512.40
- Landscape Deferral Application $ ~~119.00~~ 124.95

B. BONDING AND AGREEMENT FEES

The following fees shall be paid upon submission to the County of agreement packages.

(A) Agreement Package Processing Fee, per agreement package:
- Security value exceeding $10,000 $ ~~2,706.00~~ 2,841.30
- Security value of $10,000 or less $ ~~374.00~~ 392.70

(B) Agreement Extensions, Replacements and Reductions:
- Agreement extensions $ ~~1,085.00~~ 1,139.25
- Replacement agreement: There shall be no replacement agreement fee if the rating for the corporate surety has fallen to a “B” level according to the A.M. Best Key Rating Guide and the replacement request is submitted to and approved by the Director prior to the expiration date of the agreement $ ~~1,932.00~~ 2,028.60
- Agreement security reductions in support of an agreement $ ~~1,837.00~~ 1,928.85
- Agreement extension and reduction submitted simultaneously $ ~~1,837.00~~ 1,928.85

Also see Part C, Site Inspection Fees, for inspection fee for agreement extensions

C. SITE INSPECTION FEES

Unless otherwise noted, the following fees shall be paid at the time of bonding, or prior to issuance of a construction permit for land disturbing activity, whichever occurs first. The Fire Prevention inspection fees are listed in Part D.

(A) *Base Fee for Projects with Bonded Improvements including agreement only plans:*
Fee is based on a percentage of the bonded amount
- Major Site Plans 4.4%
  - With a minimum of $ ~~8,250.00~~ 8,662.50
  - With a maximum of $ ~~253,000.00~~ 265,650.00

- Subdivision Plans 3.3%
  - With a minimum of $ ~~22,000.00~~ 23,100.00
  - With a maximum of $ ~~165,000.00~~ 173,250.00
- Public Improvement Plans 4.4%
  - With a minimum of $ ~~6,050.00~~ 6,352.50
  - With a maximum of $ ~~38,500.00~~ 40,425.00

(B) *Inspection Fee for Agreement Extensions:* Per disturbed acre, per agreement month. A one-time fifty-percent reduction of the extension inspection fee may be permitted ~~$ 50.89~~ 53.43

(C) *Inspection following a stop work order*: each, payable at next bonding action $ ~~814.00~~ 854.70

(D) *Inspection following a violation:* each inspection, payable at next bonding action $ ~~407.00~~ 427.35

D. FIRE PREVENTION DIVISION (OFFICE OF THE FIRE MARSHAL) FEES

The following Fire Prevention Division fees shall be paid for the review and inspection of the following plans and plats. Plan review fees are due upon submission to the County of such plans and plats except that fees for plans submitted directly to the Fire Prevention Division shall be due upon completion of the plan review process or within 120 days of plan submission, whichever comes first. Inspection fees are due upon completion of the inspection.

Site plans
Site plan revisions
Site plan extensions
Rough grading plans
As-built site and subdivision plans
Plats
Subdivision plans
Site plans for public improvements only
Revisions and reapprovals to subdivision plans and site plans for public improvements only

(A) Plan Review fees: Fees are based on an hourly charge calculated on the hour or part thereof, per reviewer

Per Hour $~~208.00~~ 216.00

(B) *Testing and Inspection Fees*: Fees are based on an hourly charge calculated per hour on the quarter hour or part thereof, per inspector

Per Hour $~~208.00~~ 216.00

E. SITE PERMIT FEES

Before a permit is issued for any work or construction on any land dedicated or proposed for dedication to public use, the following fees shall be paid to the County. A separate utility permit is required for each of the following types of surface work, overhead installations or underground installations:

(A) Surface work:

- Private entrances by homeowner $ ~~407.00~~ 427.35
- Private property being developed for sale by subdivision (i.e., land developer) $ ~~407.00~~ 427.35
- Drainage structures $ ~~407.00~~ 427.35
- Steps, sidewalks, curb, and gutter, etc. $ ~~407.00~~ 427.35

(B) Overhead installations:

- Crossings $ ~~407.00~~ 427.35

- Poles $ ~~407.00~~ 427.35
- Guys and anchors $ ~~407.00~~ 427.35
- Streetlights $ ~~407.00~~ 427.35
- Removal/demolition $ ~~407.00~~ 427.35

(C) Underground installations:

- Crossings $ ~~624.00~~ 655.20
- Parallel installations, any length on one permit $ ~~624.00~~ 655.20
- Emergency permits or permits for repairs of existing facilities $ ~~407.00~~ 427.35
- Valve boxes $ ~~407.00~~ 427.35
- Manholes (construction, reconstruction, adjust when on existing line) $ ~~407.00~~ 427.35
- Test holes $ ~~407.00~~ 427.35
- Fire hydrants, installed on existing line $ ~~407.00~~ 427.35
- Service connections $ ~~407.00~~ 427.35
- Removal/demolition $ ~~407.00~~ 427.35

F. WAIVER, EXCEPTION, MODIFICATION AND EXEMPTION FEES

Fees in accordance with the table below shall be paid to the County upon submission of any request for a waiver, exception, and modification of the County Ordinances, including but not limited to the Chesapeake Bay Preservation Ordinance (Chapter 118), the Subdivision Ordinance (Chapter 101), the Zoning Ordinance (Chapter ~~112.1~~112.2), Erosion and Stormwater Management Ordinance (Chapter ~~124~~124.1), and the Public Facilities Manual (PFM). The fee assessed shall be based on the Ordinance requirement and the type of plan submitted pursuant to Chapter 101, ~~112.1~~112.2 or ~~104~~ 124.1 of the Code.

Resource Projection Area (RPA) Applications

County Ordinance

1. *Chapter 118-5-1(a): Exemption*
   Pursuant to Chapter 101 No fee
   Pursuant to Chapter ~~104~~124.1 No fee
   Pursuant to Chapter 112.~~1~~2 No fee

2. *Chapter 118-5-1(b): Exemption*
   Reconstruction of structures destroyed/damaged by casualty, if such reconstruction is otherwise permitted by law and as long as the structure is reconstructed in the same location and creates no more impervious area than existed with the prior structure.
   Pursuant to Chapter 101 No fee
   Pursuant to Chapter ~~104~~124.1 No fee
   Pursuant to Chapter ~~112.1~~112.2 No fee

3. *Chapter 118-5-2: Exemption for public utilities*
   Pursuant to Chapter 101 No fee
   Pursuant to Chapter ~~104~~124.1 No fee
   Pursuant to Chapter ~~112.1~~112.2 No fee

4. *Chapter 118-5-3(a): Exemption*
   Water wells, site amenities for passive recreation, historic preservation, and archeological activities located within an RPA.

Pursuant to Chapter 101 No fee
Pursuant to Chapter ~~104~~124.1 No fee
Pursuant to Chapter ~~112.1~~112.2 No fee

5. *Chapter 118-5-3(b): Exemption for less than 2500 sf. Disturbance in RMA.*
   Pursuant to Chapter 101 No fee
   Pursuant to Chapter ~~104~~124.1 No fee
   Pursuant to Chapter ~~112.1~~112.2 No fee

6. *Chapter 118-5-3(c): Exemption*
   Pursuant to Chapter 101 No fee
   Pursuant to Chapter ~~104~~124.1 No fee
   Pursuant to Chapter ~~112.1~~112.2 No fee

7. *Chapter 118-5-4(a): Waiver*
   Loss of buildable area in RPA for lots recorded prior to 10/01/89 with no encroachment into the seaward 50 feet of the RPA buffer area.
   Pursuant to Chapter 101
   Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 235.20
   Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

8. *Chapter 118-5-4(b): Waiver*
   Loss of buildable area in RPA for lots recorded between 10/01/89 and 11/18/03 for houses located within the RPA, with no encroachment into the seaward 50 feet for the RPA buffer area.
   Pursuant to Chapter 101
   Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 235.20
   Pursuant to Chapter ~~112.1~~112.2 ~~964.00~~ 1,012.20

9. *Chapter 118-5-5(a): Exception*
   Waiver of the performance criteria for minor additions to principal structures established as of 7/01/93. No accessory structures or uses.
   Pursuant to Chapter 101
   Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 235.20
   Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

10. *Chapter 118-5-5(b): Exception*
    Waiver of the performance criteria for minor additions to principal structures established between 7/01/93 and 11/18/03 and located within the RPA. No accessory structures or uses.
    Pursuant to Chapter 101
    Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 235.20
    Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

11. *Chapter 118-6-7: Exception*
    Loss of buildable area in RPA for lots recorded prior to 1/18/03 that does not meet the requirements of 118-5-4. A Public Hearing is required. (see note 4)
    Pursuant to Chapter 101
    Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 336.00
    Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,446.00

12. *Chapter 118-6-8: Exception*
    Construction of accessory structures and uses to principal structures that were established as of

7/1/93 and do not result in the creation of 1,000 sq. ft. of additional impervious area within RPA, or that exceeds 2 percent of the lot area up to maximum 2,500 sq. ft., whichever is greater. A Public Hearing is required. (see note 4)
Pursuant to Chapter 101
Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 336.00
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,446.00

13. *Chapter 118-6-9: General Exception*
General exception for construction in an RPA. A Public Hearing is required. (see note 4)
Pursuant to Chapter 101 $ ~~964.00~~ 1,446.00
Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 336.00
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,446.00

Best Management Practices (BMP) and Stormwater Management (SWM) Applications (see note 5)

County Ordinance

1. *PFM 6-0402.4: SWM/BMP Modification:*
to use an innovative water quality or detention facility
Pursuant to Chapter 101 No fee
Pursuant to Chapter ~~104~~124.1 No fee
Pursuant to Chapter ~~112.1~~112.2 No fee

2. Chapter 124.1-6-1, Chapter 118-3-2(e):
Water Quality Exception for site and subdivision plans
Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
Pursuant to Chapter ~~104~~124.1
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

3. *Chapter* 124.1-7-1,~~124-6-1~~ *Chapter 112-7-808(1) PFM 6-0401.2:*
Water Quality Exception for sites located in the Water Supply Overlay District
Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
Pursuant to Chapter ~~104~~124.1
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

4. *PFM 6-0301.2 General Water Quantity Exception*
Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
Pursuant to Chapter ~~104~~124.1
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

5. *PFM 6-0303.6 SWM Modification to construct an underground detention facility with non-standard materials.*
Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
Pursuant to Chapter ~~104~~124.1
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

6. *PFM 6-1603.4: SWM Waiver of the dam breach analysis for dams <70 acres, <15 feet high and <25 acre-feet of storage.*
Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
Pursuant to Chapter ~~104~~124.1
Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

7. *PFM 6-1600: SWM Waiver of the dam standards*
   Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
   Pursuant to Chapter ~~104~~124.1
   Pursuant to Chapter ~~112.1~~112.2 $ ~~964.00~~ 1,012.20

8. *Chapter 12.1-4-6-1, Chapter 118-3-2(e), PFM 6-0401.3: Water Quality Exception for a single lot grading plan.*
   Pursuant to Chapter 101
   Pursuant to Chapter ~~104~~124.1 $ ~~224.00~~ 235.20
   Pursuant to Chapter ~~112.1~~112.2

9. *Chapter 101-2-2(12), PFM 6-0303.7: SWM Modification to locate a detention facility on an individual residential lot.*
   Pursuant to Chapter 101 $ ~~964.00~~ 1,012.20
   Pursuant to Chapter ~~104~~124.1
   Pursuant to Chapter ~~112.1~~112.2

General Applications
County Ordinance

1. *General Waiver:*
   Except as noted otherwise in this section, the fee associated with a request for a waiver, exception, or modification of the requirements of the County's Ordinances, including but not limited to the Subdivision Ordinance, Zoning Ordinance, the Erosion and Stormwater Management Ordinance, and the Public Facilities Manual.
   $ ~~964.00~~ 1,012.20

2. *Chapter 101-2-2: Public Street Frontage Waiver:*
   Fee for a waiver of the public street frontage requirement. A Public Hearing is required (see note 4)
   $ ~~2,706.00~~ 2,841.30

3. *Minor Adjustment of Property Lines:* Fee for a waiver associated with the minor adjustment of property lines. $ ~~343.00~~ 360.15

Notes:

1. Chesapeake Bay Preservation Ordinance (CBPO) waivers and exception requests submitted under §§ 118-5 and 118-6 require submission of a concurrent Water Quality Impact Assessment (WQIA) and application fee.

2. Water quality fees are not required for plans and permits reviewed under Chapter ~~104~~ 124.1 for which fees have been paid in connection with the review and approval of WQIA's, RPA Boundary Delineations, RMA Boundary Delineations, and CBPO exceptions filed under Chapters 101 and ~~112.1~~112.2 of the Code.

3. In no instance shall the total fee for all waivers, exceptions and modifications associated with a subdivision, site plan or minor site plan exceed: $ ~~3,854.00~~ 4,046.70
   CBPO waivers and exceptions associated with grading plans shall not exceed: $ ~~964.00~~ 1,012.20

4. An additional fee shall be paid with the submission of an exception request when a public hearing is required under Article 6 of Chapter 118 of the Code, in the amount of: $ ~~482.00~~ 723.00

5. A single fee shall be paid when combined stormwater and BMP waivers are submitted simultaneously, in the amount of: $ ~~1,133.00~~ 1,189.65

6. The cumulative fee for any modifications or waivers requested for the portion of a development in which affordable dwelling units are located, and which relate to typical street sections, sidewalks, and/or curb and gutter, shall not exceed: $ ~~964.00~~ 1,012.20

7. A single fee shall be paid when a combined WQIA and PFM Modification of RPA planting density requirements are submitted simultaneously, in the amount of WQIA Fee

Case Review of Fees: In the event that, prior to plan approval for review fees or prior to bond release for inspection fees, the payor disputes the fee charged, he may request in writing to the Director a case review of costs incurred by the County. In the case where the review reveals that the fees paid exceed 100% of the costs, then a refund of the difference shall be made. If the case review reveals that 100% of the costs incurred by the County exceed the fees paid, then the developer shall pay the difference to the County prior to plan approval for review fees, or prior to bond release for inspection fees.

G. PERMITS FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITY FEES

The following fees shall be paid for permits for Chesapeake Bay Preservation Act land-disturbing activities, General Permits for Discharges of Stormwater from Construction Activities, modification or transfer of coverage under a permit, and permit maintenance.

(A) General / Stormwater Management – Base Fee

The state's portion of the fees for initial coverage under the General Permit for Discharges of Stormwater from Construction Activities shall be paid directly to the state in accordance with § ~~124-3-3.~~124.1-9-3

1. Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; Sites with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre.) Fee not required for land-disturbing activities exempt from the Erosion and Stormwater Management Ordinance under § ~~124-1-7~~124.1-1-7. $ ~~339.00~~ 355.95

2. All land disturbing activities requiring General Permit coverage for Discharges of Stormwater from Construction Activities. $ ~~339.00~~ 355.95

(B) General / Stormwater Management – Modifications

Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities. If the permit modifications result in changes to stormwater management plans that require additional review by the County, such reviews shall be subject to the fees set out in this part. The fee assessed shall be based on the total disturbed acreage of the site. In addition

to the permit modification fee paid to the County, modifications resulting in an increase of total disturbed acreage shall pay to the state the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage.

1. Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre)	$ 0.00
2. Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres for construction of single-family detached residential structures)	$ 0.00
3. Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres except for construction of single-family detached residential structures)	$ ~~220.00~~ 231.00
4. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)	$ ~~275.00~~ 288.75
5. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$ ~~330.00~~ 346.50
6. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$ ~~495.00~~ 519.75
7. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)	$ ~~770.00~~ 808.50

(C) General / Stormwater Management – Permit Maintenance

Fees for annual permit maintenance including expired state permits that have been administratively continued. With respect to the General Permit for Discharges of Stormwater from Construction Activities, these fees shall apply until the state permit coverage is terminated. Fees for annual permit maintenance will be collected on a schedule consistent with the bond acceptance, approval, extension, reduction, and release process for bonded projects and as part of the process for acceptance and release of conservation deposits for non-bonded projects.

1. Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; Sites with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	$ 0.00
2. Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre)	$ 0.00

3. Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres for construction of single-family detached residential structures)	$ 0.00
4. Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres except for construction of single-family detached residential structures)	$ ~~440.00~~ 462.00
5. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)	$ ~~550.00~~ 577.50
6. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$ ~~715.00~~ 750.75
7. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$ ~~990.00~~ 1,039.50
8. Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)	$ ~~1,540.00~~ 1,617.00

III. MISCELLANEOUS FEES

The following fees must be paid to the County incidental to the Building and Site Development Fees identified in Parts I and II above. Fees must be paid in conjunction with the submission of the related plan, permit or application for processing.

• Technology Surcharge – Percentage of each transaction	10.00%

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 9

Authorization to Advertise a Public Hearing on Proposed Amendments to Chapter 62, Fire Protection, of the Code of the County of Fairfax, Virginia

ISSUE:
Adjustments to the fees charged under Chapter 62 of the Code of the County of Fairfax, Virginia, for plan review, permits and inspection services in order to support the Fire Marshal's efforts to enhance the plans review, permit and inspection services and to achieve a cost recovery threshold of 90-100%.

RECOMMENDATION:
The County Executive recommends that the Board authorize the advertisement of the proposed amendments as set forth in the staff report dated March 3, 2026.

TIMING:
Board action is requested on March 3, 2026, to provide sufficient time to advertise the public hearing on April 14, 2026, at 3:00 p.m., before the Board of Supervisors, for the proposed amendments to become effective at 12:01 a.m. on July 1, 2026.

BACKGROUND:
The Fire and Rescue Department proposes revising the fees associated with Fire Marshal services, including plan review, permits, and inspections. The hourly rate fees for Fire Marshal services and operational permits were last updated in 2024. During that revision, the hourly rate for plan review fees and fees for most operational permits outlined in Chapter 62 were raised by approximately 30% spread out over a two-year period, with a 15% increase effective July 1, 2024, and an additional 15% increase effective July 1, 2025. These adjustments aimed to cover the actual costs of delivering services. During the two-year period, staff has monitored costs and revenue based on the Fire Marshal's fee structure each year with the goal of achieving a cost recovery threshold ranging from 90% to 100%.

When the last comprehensive increase in fees occurred in 2024, the cost recovery rate in FY 2025 was just over 70%. Since then, costs to provide services have continued to increase to support compensation and operational requirements as well as to ensure quality of services. The County funded average employee pay increases of 3.83% in FY 2025 and 4.19% in FY 2026 for General County merit employees. The FY 2027 cost

recovery rate is estimated to be 71% without the recommended fee increase. The increased costs are primarily due to increases in personnel costs, fringe benefits and increased operating costs. The proposed fee increase will assist in the Fire Marshal achieving its cost recovery threshold. With the proposed fee increases, applicants can expect enhanced Fire Marshal services, including reliable turnaround times for plan review and permits, adequate inspection resources, and improved customer service responsiveness. The adjustments help ensure the County can continue delivering consistent, high-quality code compliance support that protects life safety while reducing delays to projects.

The current proposal was presented to the Board of Supervisors at the Land Use Policy Committee meeting on February 10, 2026.

Summary of Amendments:
The proposed amendments increase fees charged by the Fire Marshal. The proposed adjustments will assist the Fire Marshal in efforts to achieve a cost recovery rate of 90-100%. In general, the hourly fees contained in Table 107.2 of the Fire Protection Code of the County of Fairfax (Chapter 62) concerning plan review, witnessed fire protection systems tests, and certain inspections will be increased from $208 per hour (billed in ¼ hour increments) to $216 per hour, representing a 3.7% increase. Most operational permits contained in Table 107.2 of the Fire Prevention Code of the County of Fairfax (Chapter 62) will increase by 4.6% from $195 to $204. The increase to the Fire Marshal fees will also apply to the plan review and sprinkler acceptance testing fees contained in Appendix Q of the Code of the County.

Coordination:
The vetting process for the proposed amendments included meetings with industry representatives to discuss the proposed fee increases and the anticipated financial impact to projects. During those meetings, representatives from industry understood the need for the proposed increases.

REGULATORY IMPACT:
The proposed fee amendments increase the fees charged by the Fire Marshal for plan review, permits, and inspection services to ensure that the mandated rate of cost recovery is 90-100%. For a full list of proposed amendments, refer to Attachment I – Amendments to Chapter 62, Section 62-2-9, Table 107.2, Fire Prevention Fees and Detailed Permit Requirements.

EQUITY IMPACT:
Plan review, permit and inspection fees are consistently applied to all applications as determined by the scope and nature of the project. The Fire Marshal recognizes the diverse needs of its customers and in alignment with the principle of equity, the proposed fee increases were applied in a fair and equitable manner across industry, considering the costs associated with delivering services for the respective business areas.

FISCAL IMPACT:
If adopted by the Board, it is anticipated that the proposed fee adjustments will generate increased revenue of approximately $345,000 in FY 2027. This revenue estimate is based on the FY 2025 actuals, FY 2026 year-to-date actuals for services provided under Chapter 61 and Chapter 62 and assumes that the workload remains constant in FY 2027. Any reduction in plan and permit activity may have a negative impact on the projected revenue. Staff will work in close coordination with the Department of Management and Budget to monitor these trends. The $345,000 in additional revenue is reflected in the County Executive's FY 2027 Advertised Budget Plan.

ENCLOSED DOCUMENTS:
Attachment I – Staff Report

STAFF:
Thomas Arnold, Deputy County Executive
Fire Chief John S. Butler, Fire and Rescue Department
Deputy Chief William D. Vannoy, Fire and Rescue Department
Battalion Chief Christopher M. Sampl, Fire and Rescue Department
Margaret Dix, Financial Specialist III, Fire and Rescue Department

ASSIGNED COUNSEL:
Patrick Foltz, Assistant County Attorney

FAIRFAX COUNTY

STAFF REPORT

V I R G I N I A

Authorization to Advertise Proposed Amendments to the Code of the County of Fairfax, Chapter 62

Fire Marshal Fees

PUBLIC HEARING DATES **March 3, 2026**

Board of Supervisors

PREPARED BY
FIRE PREVENTION DIVISION
FIRE AND RESCUE DEPARTMENT
703-246-4753

NJ

Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

The proposed Fire Prevention Code of the County of Fairfax amendments increase Fire Marshal fees for plan review, inspection services and operational permits contained in the Prevention Code of the County of Fairfax (Chapter 62).

Existing Fire Prevention Code Provisions

The Fire Prevention Division of the County's Fire and Rescue Department reviews various plans, issues operational permits, performs inspections and witnesses periodic testing of existing fire protection systems for compliance with Fire Prevention Code of the County of Fairfax. Under the existing Fire Prevention Code, Fire Marshal fees are assessed for review of various types of plans, issuance of operational permits, and witnessing annual re-testing of existing fire protection systems. The Fire Marshal fees are based on the actual costs of performing each type of service. The Statewide Fire Prevention Code allows jurisdictions to assess fees to defray the costs associated with enforcing the code. The Fire Marshal's Office was directed by the BOS to set fees so that 90-100% of actual costs are recovered.

Background

The current Fire Marshal permit and inspection fees were adjusted in FY 2025 where Fees for most operational permits were set at $195. The Fire and Rescue Department recently reviewed the current fee structure and cost recovery effort within the Fire Prevention Division. As a result of the review, staff recommend an increase in existing fees to more closely align the fees with the cost of performing mandated services. Staff recommend a roughly 4.5% increase in fees for most operational permits, raising fees for most operational permits from $195 to $204. Staff also propose a fee increase to of the hourly rate for plan review and acceptance testing from $208 per hour to $216 per hour, representing a 3.7% increase. The rationale for the proposed rate increases is due to increased personnel costs, benefits and operational expenses. The projected FY 2026 cost recovery is 71 percent without the recommended fee increase.
The recommended increased rates would be comparable to those of surrounding jurisdictions and are intended to represent a 90% to 100% cost recovery rate.

Proposed Amendments

The proposed Fire Prevention Code of the County of Fairfax amendments increase the cost of most operational permits to $204. Exceptions to these permits include the following:

- Fire Prevention Permit Fees for Floor Finishing, and Hot Works would rise from $104 to $109.
- Fire Prevention Permit Fees for Pyrotechnics and Fireworks would rise from $936 to $982.
- Fire Prevention Permit Fees for Explosives Use would increase from $234 to $245.
- State Regulated Care Facility Inspections would increase from $33 to $35.

Additional changes to the hourly fees contained in Table 107.2 of the Fire Protection Code of the County of Fairfax (Chapter 62) concerning plan review, witnessed fire protection systems tests, and certain inspections would see increased rates from $208 per hour (billed in ¼ hour increments) to $216 per hour. The proposed rates increase is intended to approximate a 90% to 100% cost recovery rate which aligns with the directive set by the Board.

Conclusion

Despite the previous rate increase, rising personnel costs, benefits and operational expenses have resulted in the current fees not generating sufficient revenue to recover 90-100% of the Fire Marshal's costs to process and review plans, perform inspections or re-test existing fire protection systems. Staff believe that the proposed fee increase is appropriate.

Staff recommend the adoption of the proposed amendments as advertised with an effective date of 12:01 A.M. on July, 1, 2026.

Attachment I

CHAPTER 62. Fire Protection[1]

ARTICLE 1. In General

Section 62-1-1. Penalty.

Any person, firm, or corporation who shall violate any of the Sections of this Chapter or any provisions of the Fire Prevention Code of Fairfax County adopted by Section 62-2-6 or shall fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall fail to comply with such an order within the time fixed therein shall separately for each and every such violation and noncompliance respectively, be guilty of a violation of this Chapter and the violation shall be deemed a Class 1 Misdemeanor, and shall, upon conviction, be punishable by imprisonment not to exceed 12 months, or by a fine not to exceed $2,500.00 or both. Each day that a violation continues after a service of notice as provided for in this Code shall be deemed a separate offense. (3-91-62; 49-92-62; 12-94-62; 15-96-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-1-2. Use of fire apparatus, equipment, etc., within County.

a. It shall be unlawful for any person to operate or cause to be operated, upon a public highway or street in the County, any vehicle or equipment used, intended to be used, or designed to be used for the purpose of fighting fires, unless such vehicle or equipment is owned by a recognized firefighting company of the County.

b. For the purpose of this Section, a recognized firefighting company of the County shall be construed to mean one that has been recognized as such by resolution of the Board of Supervisors.

c. This Section shall not apply to the operation of firefighting vehicles and equipment owned by any firefighting company outside of the County when such vehicle or equipment is traveling in or through the County for a parade or other non-firefighting purposes or in response to a call from the Fairfax County Department of Public Safety Communications. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-1-3. Damage or injury to fire department equipment or personnel.

It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any fire department vehicle at any time, or to injure, or attempt to injure, or conspire to injure fire department personnel while such personnel are in the performance of departmental duties. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-1-4. Unlawful boarding or tampering with fire department vehicles.

It shall be unlawful for any person, without proper authorization from the fire department officer-in-charge of said vehicle, to cling to, attach himself to, climb upon or into, board, or swing upon any fire department vehicle, whether such vehicle is in motion or at rest or to sound any warning device thereon or to manipulate, tamper with, or destroy or attempt to manipulate, tamper with, or destroy any lever, valve, switch, starting device, brake, pump, or any equipment, protective clothing, or tool on or a part of such fire department vehicle. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62.)

ARTICLE 2. Fire Marshal

Section 62-2-1. County Fire Marshal and Deputy Fire Marshal—Creation of office; appointment; powers and duties generally.

The Fairfax County Office of the Fire Marshal is hereby created. The County Executive shall appoint a County Fire Marshal whose powers and duties shall be as set forth in this Chapter. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-2-2. Same—Tenure.

The County Fire Marshal shall not be appointed for a definite tenure, but shall continue contingent upon and subject to the personnel rules of the County. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-3. Oaths of Fire Marshal, Fire Code Official, and Technical Assistants to the Fire Marshal.

The County Fire Marshal, Fire Code Official, and Technical Assistants to the Fire Marshal, before entering upon their duties, shall, respectively, take an oath, before any officer authorized to administer oaths, faithfully to discharge the duties of their office. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; Ord. No. 23-22-62.)

Section 62-2-4. Investigation and notification of fires and injuries.

a. The Fire Marshal shall investigate or cause to be investigated, every fire or explosion occurring within the County that is of a suspicious nature, or which involves the loss of life, or causes injury to persons, or causes destruction of or damage to property. Such investigation shall be made at the time of the fire or at a subsequent time, depending on the nature and circumstances of the fire. The Fire Marshal shall take charge immediately of the physical evidence, and in order to preserve any physical evidence relating to the cause or origin of such fire or explosion, take means to prevent access by any person or persons to such building, structure, or premises until such evidence has been properly processed. The appropriate police department, upon request of the County Fire Marshal, shall assist in the investigation, as needed. The results of any such investigation shall be forwarded by the Fire Marshal to the Commonwealth's Attorney for proper disposition.

b. A medical professional who is primarily responsible for the treatment of an individual for a burn injury described below shall, as soon as practicable, notify the Fairfax County Fire Marshal and the Department of Public Safety Communications. The treating physician or designee shall be responsible for giving the notice required by this section.

1. The provisions of this subsection apply to:
    i. Any burn injury from the result of direct flame contact causing 2nd degree burns (partial thickness) to 5 percent or more of the patient's body and all 3rd degree burns (full thickness), regardless of the percentage of burned area.
    ii. All chemical burns regardless of severity.
    iii. Any upper respiratory burn injury requiring advanced airway intervention and/or support.
    iv. Any burn injury which causes death or
    v. Any burn injury which is likely to cause death.
2. The provisions of this section do not apply to sunburn.
3. Notice under this section shall include:
    i. The name and address of the patient, if known.
    ii. A description of the burn injury.
    iii. The reported cause of the burn injury, if given.
    iv. The patient's prognosis.
    v. Any other fact concerning the burn injury which may assist in determining the origin and cause of the fire. (17-97-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-2-5. Powers of arrest.

The Fire Marshal and all members of the Fire Marshal's staff permitted under Title 27 of the Code of Virginia to do so shall have the same police powers as a regular member of the County Police Department in the investigation and prosecution of all offenses involving fires, fire bombings, bombings, attempts or threats to commit such offenses, false alarms relating to such offenses, possession and manufacture of explosive devices, substances, and fire bombs, storage, use, and transportation of hazardous materials and hazardous waste, environmental crimes, and other offenses involving the calling or summonsing of fire or rescue equipment without just cause in violation of the Code of Virginia or the Code of the County of Fairfax, and other criminal or civil offenses arising out of or incidental to the investigation of the enumerated offenses. (17-97-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-6. Enforcement of the Virginia Statewide and Fairfax County Fire Prevention Codes.

The County of Fairfax shall enforce the Virginia Statewide Fire Prevention Code promulgated by the Board of Housing and Community Development of the Commonwealth of Virginia pursuant to Section 27-98 of the Code of Virginia. The provisions of the Virginia Statewide Fire Prevention Code and the Fire Prevention Code of the County of Fairfax shall be enforced by the County Fire Marshal, the Fire Code Official, and the Technical Assistants to the Fire Marshal. (3-91-62; 12-94-62; 17-97-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-7. Fairfax County Fire Prevention Code.

The regulations set forth herein shall be known as the Fire Prevention Code of the County of Fairfax, and shall be herein referred to as such or as this Code. (3-91-62; 12-94-62; 17-97-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-8. Amendments, additions, deletions to the Virginia Statewide Fire Prevention Code.

The Virginia Statewide Fire Prevention Code is hereby amended and changed pursuant to Section 27-97 of the Code of Virginia in the following respects:

104.1.2 Authority for enforcement of fireworks provisions by other than Technical Assistants to the Fire Marshal. Fairfax County police officers are empowered to enforce Section 5601.1.3 Fireworks, within the boundaries of the County and on all County-owned properties located outside the territorial limits of Fairfax County.

106.3.2 Inspection by others. The Chief of the Fire Department may designate such other persons as they deem necessary to make fire safety inspections. Such persons shall use the Virginia Statewide Fire Prevention Code and this Code as the basis for such inspections.

106.8. Summoning the Fire Marshal. The fire department officer-in-charge of any fire, explosion, or incident scene shall immediately summon the Fire Marshal to such scene to investigate the circumstances involved where such circumstances require investigation as outlined in Section 62-2-4 of this Code.

106.9 Notification of fire department. In any building, when a fire or evidence of a fire is discovered, even though it has apparently been extinguished, it shall be immediately reported to the chief of the fire department, or designee. This shall be the duty of the owner, manager, or person in control of such building at the time of discovery. This requirement shall not be construed to forbid the owner, manager, or person in control of said building from using all diligence necessary to extinguish such fire prior to the arrival of the fire department.

Table 107.2. Duration of permit is 365 days, unless otherwise noted. Amended as follows:

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
	Section 1 - Detailed Operational Permit Requirements. Note: All permit fees are per line item that applies.					
1	5101.2	*Aerosol Products, Level 2 or 3.* An operational permit is required to manufacture, store or handle, an aggregate quantity in excess of 500 pounds net weight.	~~$195~~	$204		
2	107.2	*Amusement Buildings: Permanent.* An operational permit is required to operate a special amusement building.	~~$195~~	$204		
3	107.2 403.11.2.1	*Amusement Buildings: Temporary or Mobile.* An operational permit is required to operate a special amusement building, (e.g., Haunted House). (60 day permit but not past event date)	~~$195~~	$204		
4	2001.3	*Aviation Facilities*. An operational permit is required to use a Group H or Group S Occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.	~~$195~~	$204		
5	107.2	*Assembly, Indoor (to include Exhibits and Trade Shows).* An operational permit is required to operate exhibits and trade shows. Permit is valid for up to 30 days, but not past event date.	~~$195~~	$204		
6	107.2 403.11.2.1	*Assembly, Outdoor (to include Carnivals, Circuses, Fairs, and Festivals).* An operational permit is required to conduct an outdoor gathering of 500 persons or more, at one time. Permit is valid for up to 30 days, but not past event date.	~~$195~~	$204		
7	107.2	*Assembly, Place of or Education* - Occupant Load 50 or Greater	~~$195~~	$204		
8	1201.4	*Battery Systems, Stationary Storage* An operational permit is required for the operation of stationary storage battery systems regulated by Chapter 12.	~~$195~~	$204		
9	301.2	*Cellulose Nitrate Film*: An operational permit is required to store, handle, or use cellulose nitrate film in a Group A Occupancy.	~~$195~~	$204		
10	2201.2	*Combustible Dust-Producing Operations.* An operational permit is required is required to operate a grain elevator, flour starch mill feed mill, or a plant pulverizing aluminum coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.	~~$195~~	$204		
11	3701.3	*Combustible Fibers*. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 Cubic Feet. *Exception*: An operational permit is not required for agricultural storage.	~~$195~~	$204		
12	601.3	*Commercial Kitchen Operation Requiring a Type I Hood.* An operational permit is required for the operation of a commercial kitchen requiring a Type I hood. *Exceptions:* 1. Assembly (Group A) or Educational (Group E) Occupancies having a Fire Prevention Code Permit (FPCP). 2. Mobile food preparation vehicles.	~~$195~~	$204		

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Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee		Hourly Fee	
13	5301.2 5001.5 5401.2	*Compressed Gas: Corrosive*. An operational permit is required for the storage, use, or handling of corrosive gas in excess of 200 cubic feet at normal temperature and pressure (NTP). *Exception:* Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	~~$195~~	$204		
14	5301.2 5801.2 5001.5	*Compressed Gas: Flammable*. An operational permit is required for the storage, use, or handling of flammable gas in excess of 200 cubic feet at normal temperature and pressure (NTP). *Exceptions:* 1. Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle, 2. cryogenic fluids; and 3. liquified petroleum gases.	~~$195~~	$204		
15	5301.2 6001.2 5001.5	*Compressed Gas: Toxic or Highly Toxic.* An operational permit is required for the storage, use, or handling of any toxic or highly toxic gas in any amount.	~~$195~~	$204		
16	5301.2 5001.5	*Compressed Gas: Inert or Simple Asphyxiant.* An operational permit is required for the storage, use, or handling of inert or simple asphyxiant gas in excess of 6,000 cubic feet at normal temperature and pressure (NTP). *Exception:* Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	~~$195~~	$204		
17	5301.2 6301.2 5001.5	*Compressed Gas: Oxidizing (including Oxygen).* An operational permit is required for the storage, use, or handling of oxidizing gas in excess of 504 cubic feet at normal temperature and pressure (NTP). *Exception*: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	~~$195~~	$204		
18	5301.2 6401.2 5001.5	*Compressed Gas: Pyrophoric.* An operational permit is required for the storage, use, or handling of pyrophoric gas in any amount.	~~$195~~	$204		
19	107.2	*Covered and open mall buildings*. An operational permit is required for: 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid-fired or gas-fired equipment or vehicles in the mall. 3. The use of open-flame or flame-producing equipment in the mall.	~~$195~~	$204		

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
20	5501.2 2301.2 5001.5 5801.2	*Cryogenic Fluids. An operational permit is required to produce, store, transport onsite, use, handle or dispense cryogenic fluids in excess of the amounts listed below.* *Exception:* Vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.				
		Type of Cryogenic Fluid / *Inside Building (gallons)* / *Outside Building (gallons)*				
		Flammable / More than 1 / 60	~~$195~~	$204		
		Inert / 60 / 500	~~$195~~	$204		
		Oxidizing (Includes oxygen) / 10 / 50	~~$195~~	$204		
		Physical or health hazard not indicated above / Any amount / Any amount	~~$195~~	$204		
21	2101.2	*Dry Cleaning Plants*. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	~~$195~~	$204		
22	601.3	*Electrified Security Fence*	~~$195~~	$204		
23	5601.2	*Explosives*: Explosives Use, Each Site or Location (6 Month Permit).	~~$234~~	$245		
24	5601.2	*Explosives*: Firm or Company License.	~~$195~~	$204		
25	5601.2	*Explosives*: Storage and Display of Black Powder or Smokeless Propellant Indoors *Exception*: Storage in Group R-3 or R-5 occupancies of smokeless propellant, black powder, and small arms primers for personal use, not for resale, and in accordance with the quantity limitations and conditions set forth in Section 5601.1, Exceptions 4 and 12.	~~$195~~	$204		
26	5601.2	*Explosives:* Laboratory Use (6 Month Permit).	~~$195~~	$204		
27	3303.2.1	*Fire Prevention Program Manager:* A permit is required for the Fire Prevention Program Manager designated by the owner for safeguarding construction, alteration, and demolition operations. *Exception:* Building less than 5 stories above average grade plane and less than 50,000 square feet in size.	~~$0~~	$0		
28	5701.4	*Flammable and combustible liquids*. An operational permit is required: 1. To use or operation of a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the U.S. Department of Transportation (DOT), nor does it apply to piping systems. 2. *Class I*: Store, Handle, or Use in Excess of 5 Gallons in a Building or in excess of 10 Gallons Outside a Building. *Exceptions:* a. Storage or Use in the Fuel Tank of a Motor Vehicle, Aircraft, Motorboat, Mobile Power Plant, or Mobile Heating Plant, Unless Such Storage, in the Opinion of the Fire Official, Would Cause an Unsafe Condition.	~~$195~~ ~~$195~~	$204 $204		

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Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
		b. Storage or Use of Paints, Oils, Varnishes, or Similar Flammable Mixtures When Such Liquids are Stored for Maintenance, Painting, or Similar Purposes for a Period of Not More Than 30 Days. 3. *Class II or IIIA*: Store, Handle or Use in Excess of 25 Gallons in a Building or in Excess of 60 Gallons Outside a Building, except for Fuel oil used in conjunction with oil burning equipment. 4. To remove Class I or Class II liquids from an underground storage tank used for fuel fueling motor vehicles by any means other than the approved, stationary, on-site pumps normally used for dispensing purposes 5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used. 6. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.				
29	5701.4	*Flammable/Combustible Liquid Tank. An operational permit is required for the following:* *a. Underground Storage, with or without dispensing equipment.* *b. Above-ground Storage, with or without dispensing equipment.* *c. Bulk Storage Facility - in Excess of 100,000 Gallons.* *d. Installation, Above ground or Underground Tank (90 Day Permit).* *e. Alter or Relocate an Existing Tank (90 Day Permit)* *f. Place Temporarily Out of Service.* *g. Underground Abandonment (90 Day Permit)* *h. Underground Removal (Commercial - 90 Day Permit)* *i. Underground Removal (Residential - 90 Day Permit)* *j. Above-ground Removal (Commercial - 90 Day Permit).* *k. Above-ground Removal (Residential - 90 Day Permit)* *l. Install Product Lines/Dispensing Equipment (90 Day Permit)* *m. Manufacture, Process, Blend, or Refine* *Note:* Installation permits are based on the fee Table in Appendix Q of Chapter 61 of the Code of the County of Fairfax.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204		
30	2401.3	*Floor finishing*: An operational permit is required for floor finishing or surfacing exceeding 350 square feet using class I or class II liquids (30-day permit).	~~$104~~	$109		
31	2501.2	*Fruit or crop-ripening*: An operational permit is required to operate a fruit or crop ripening facility or conduct a fruit-ripening process using ethylene gas.	~~$195~~	$204		
32	2601.2	*Fumigation, thermal insecticidal and fogging*: An operational permit is required to operate a business of fumigation, thermal or insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used. (15 day permit).	~~$195~~	$204		
33	5001.5	*Hazardous Materials.* An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts shown below:				
34		*Combustible Liquids*: refer to flammable and combustible liquids				

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Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
35		*Corrosive Gases*: refer to Compressed Gases				
36	5401.2	*Corrosive Liquids*: greater than 55 Gallons	~~$195~~	$204		
37	5401.2	*Corrosive Solids*: greater than 1000 Pounds	~~$195~~	$204		
38		*Explosives*: refer to Explosive Materials				
39		*Flammable Gasses*: refer to Compressed Gases				
40		*Flammable Liquids*: refer to Flammable and Combustible Liquids				
41	5901.2	*Flammable Solids*: greater than 100 Pounds	~~$195~~	$204		
42		*Highly Toxic Gases*: refer to Compressed Gases				
43	6001.2	*Highly Toxic Liquids*: any amount	~~$195~~	$204		
44	6001.2	*Highly Toxic Solids*: any amount	~~$195~~	$204		
45		*Oxidizing Gases*: refer to Compressed Gases				
46	6301.2	*Oxidizing Liquids:* a. Class 4: any amount b. Class 3: greater than 1 gallon. c. Class 2: greater than 10 gallons. d. Class 1: greater than 55 gallons.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
47	6301.2	*Oxidizing Solids:* a. Class 4: any amount b. Class 3: greater than 10 pounds. c. Class 2: greater than 100 pounds. d. Class 1: greater than 500 pounds.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
48	6201.2	*Organic Peroxides, Liquid* a. Class I: any amount. b. Class II: any amount. c. Class III: greater than 1 gallon. d. Class IV: greater than 2 gallons. e. Class V: no permit required.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
49	6201.2	*Organic Peroxides, Solids:* a. Class I: any amount. b. Class II: any amount. c. Class III: greater than 10 pounds. d. Class IV: greater than 20 pounds. e. Class V: no permit required.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
50	6401.2	*Pyrophoric Material:* a. Gas: any amount. b. Liquid: any amount. c. Solid: any amount.	 ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204		
51	6001.2	*Toxic Materials:* a. Gases: refer to compressed gases. b. Liquids: 10 gallons. c. Solids: 100 pounds.	 ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204		

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Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
52	6601.2	*Unstable (Reactive) Materials:* Liquids: a. Class 1: greater than 10 gallons. b. Class 2: greater than 5 gallons. c. Class 3: any amount. d. Class 4: any amount. *Solids:* a. Class 1: greater than 100 pounds. b. Class 2: greater than 50 pounds. c. Class 3: any amount. d. Class 4: any amount.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204 $204 $204 $204 $204		
53	6701.2	*Water-reactive Solids and Liquids:* Liquids: a. Class 1: greater than 55 gallons. b. Class 2: greater than 5 gallons. c. Class 3: greater than any amount. Solids: a. Class 1: greater than 500 pounds. b. Class 2: greater than 50 pounds. c. Class 3: any amount.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204 $204 $204		
54	5001.5	*Hazardous Production Facilities (HPM*): An operational permit is required to store, handle or use hazardous production materials.	~~$195~~	$204		
55	3201.2	*High Piled Storage*. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet.	~~$195~~	$204		
56	3501.2	*Welding and other Hot Work*: Public Exhibitions and Demonstrations (Each Exhibitor/Demo – Permit is valid for up to 10 days per event, but not past event date.)	~~$104~~	$109		
57	3501.2	*Welding and other Hot Work*: An operational permit is required for: a. Small Scale Hot Work. b. Fixed-Site Hot Work Equipment (Example: Welding Booth). c. Cutting or Welding, All Locations. d. Open Flame Device Roofing Operation, *to include Rubberized Asphalt Melter Operations* (Each Site/Location - 90 Day permit). e. Torch or Open-Flame Operations other than Roofing (Each Site/Location - 30 Day permit).	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$104~~	 $204 $204 $204 $204 $109		
58	3001.2	*Industrial Ovens*: An operational permit is required for operation of industrial ovens regulated by Chapter 30.	~~$195~~	$204		
59	2801.2	*Lumber Yards and Agro-Industrial Solid Biomass and Woodworking Plants*. Storage or Processing of Lumber Exceeding 100,000 Board Feet (8,333 ft^3) (236 m^3).	~~$195~~	$204		
60	109.3.1	*Live/Work Units*: An operational permit is required for each Live/Work Unit that does not function solely as a dwelling unit.	~~$195~~	$204		
61	6101.2	*LP-Gas*: An operational permit is required for storage or use of LP-gas, (inside or outside any structure).	~~$195~~	$204		
62	6101.2	*LP-Gas:* An operational permit is required for storage and/or use outside, portable installation, per event, more than 10 gallons aggregate (30 day permit). *Exception*: Single-and two-family dwellings.	~~$104~~	$204		

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
63	6106.5 6109.16	*LP-Gas*: An operational permit is required for: a. Dispensing and Cylinder Refill Location. b. Retail cylinder exchange location. *c.* Automated cylinder exchange location.	 ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204		
64	315.2	*Miscellaneous Combustible Storage*: Storage inside any building or upon any premises in excess of 2500 cubic feet.	~~$195~~	$204		
65	319.2	*Mobile food preparation vehicle*: A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease laden vapors.	~~$195~~	$204		
66	307.2	*Open Burning:* An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground, as follows: a. Bonfire (10 Day Permit) *b.* Silvicultural / Controlled Burning (90 Day Permit)	 ~~$195~~ ~~$195~~	 $204 $204		
67	301.2	*Open Flame and Candles.* An operational permit is required to use open flames or candles in connection with assembly areas, educational use, dining areas of restaurants or drinking establishments. a. Public meetings or gatherings in assembly or educational use (Each Event - Permit is valid for up to 60 days, but not past event date. b. Assembly areas or dining areas of restaurants or drinking establishments.	 ~~$104~~ ~~$195~~	 $109 $204		
68	2901.2	*Organic Coatings:* An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon in one day.	~~$195~~	$204		
69	323.4	*Powered Micromobility Devices*	~~$195~~	$204		
70	107.2	*Private Fire Hydrant* - An operational permit is required for the removal from service, use or operation of private fire hydrants.	~~$195~~	$204		
71	3901.3	*Processing and Extraction Facilities*	~~$195~~	$204		
72	5601.2	*Pyrotechnics and Fireworks:* An operational permit is required for Outdoor Fireworks Display (Aerial Audience) (One day Permit)	~~$936~~	$982		
73	5601.2	*Pyrotechnics and Fireworks*. An operational permit is required for Retail Sales (inside mercantile establishment) of Permissible Fireworks - Any Amount (45 day permit).	~~$936~~	$982		
74	5601.2	*Pyrotechnics and Fireworks*. An operational permit is required for Wholesale Sales of Permissible Fireworks - Any Amount (21 day permit. With a minor site plan, up to 45 day permit).	~~$936~~	$982		
75	6501.2	*Pyroxylin Plastic*: Storage or handling, more than 25 pounds of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastic.	~~$195~~	$204		
76	608.2	*Refrigeration Equipment:* An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.	~~$195~~	$204		
77	2301.2	*Repair garages and service stations*: An operational permit is required for operation of repair garages and automotive, marine and fleet service station.	~~$195~~	$204		
78	2001.3	*Rooftop Heliports*: An operational permit is required to operate a rooftop heliport.	~~$195~~	$204		
79	1205	*Solar photovoltaic power systems.* An operational permit is required for the installation and operation of a solar photovoltaic power system.	~~$195~~	$204		

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Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
80	2401.3	*Spraying or dipping operations:* An operational permit is required for the following: a. Flammable/Combustible Liquid Spray Finishing Operation b. Flammable/Combustible Liquid Dip Tank Operation. c. Application of Combustible Powders/Spray/Fluidized. d. Organic Peroxides and Dual-component coatings. e. Spraying or dipping, all locations (permit/no inspection)	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
81	5001.5	*Swimming Pool Operation:* The operation of a public or community pool requires an operational permit.	~~$195~~	$204		
82	3103.4	*Temporary membrane structures and tents,* (Permit is valid for up to 6 months, but not past event date.) *Exceptions:* 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet or less, including all connecting areas or spaces with a common means of egress and with an occupant load of less than 50 persons.	~~$195~~	$204		
83	3105.3	*Temporary Special Event Structures (Stage Canopies)*	~~$195~~	$204		
84	3401.2	*Tire-rebuilding Plants*: An operational permit is required for the operation and maintenance of a tire-rebuilding plant.	~~$195~~	$204		
85	3401.2	*Tire Storage (scrap tires and tire byproducts)*: An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet of total volume of scrap tires and for indoor storage of tires and tire byproducts.	~~$195~~	$204		
86	107.2	*Waste Handling*: An operational permit is required for the operation of wrecking yards, junk yards and waste material handling facilities.	~~$195~~	$204		
87	2801.2	*Wood Products*: An operational permit is required to store chips, hogged material, lumber, or plywood in excess of 200 cubic feet.	~~$195~~	$204		
	Note: All permit fees are per line item that applies					
	Section 2 - Plan Review Fees					
88	3201.4	*Fire Safety and Evacuation Plan Review for High-Piled Combustible Storage Areas in Excess of 500 Square Feet.*			~~$208~~	$216
89	3201.3	*High-piled Combustible Storage Plan Review*			~~$208~~	$216
90	2803.7	*Lumber Yard/Agro-Industrial/Biomass Facility Plan Review*			~~$208~~	$216
91	6109	*Site and Installation Plan Review for Storage of Portable LP-Gas Containers Awaiting Use or Resale*			~~$208~~	$216
92	5001.5.1	*Hazard Communication*: Hazardous Material Management Plan Review			~~$208~~	$216
93	5001.6.3	*Hazardous Material Facility Closure Plan Review*			~~$208~~	$216
94	5001	*Hazardous materials facility emergency response plan, above the threshold planning quantity of extremely hazardous substances.*	~~$133~~	$139		
95	5001	*Tier II submissions, per chemical, to a maximum of $200.*	~~$33~~	$35		
	Section 3 - Inspection and Testing Fees					
96	107.10	*State Regulated Care Facility Inspections* (each inspection).			~~$33~~	$35
97	107.10	*Certificate of Occupancy Inspections* (Towns of Vienna and Herndon).			~~$208~~	$216
98	107.10	*Fire Prevention Permit Inspections, Follow-ups, Performance Testing, and Re- inspections.*			~~$208~~	$216

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99	107.10	*Fire Code Inspection* (Not Otherwise Specified), (i.e., Pre-Occupancy Punch List - Each Inspector).			~~$208~~	$216
100	901.6.3.1	*Testing and Reinspection of Existing Fire Protection Systems* (Each Inspector).			~~$208~~	$216
101	901.12	*Unwanted or Nuisance Fire Alarm Inspections, Follow-ups, and Re-inspections.*			~~$208~~	$216

107.4.1 Duration of permit. Permits shall remain in effect for 12 months from the date issued unless otherwise specified by Table 107.2 or unless suspended or revoked in accordance with this Code.

108.4 Revocation. The fire official is authorized to revoke an operational permit issued under the provisions of this Code upon a finding of any of the following, whether found by inspection or otherwise: that there has been a false statement, misrepresentation, or other intervening act by the applicant as to the material facts in the application or documents on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than listed on the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. Inclusion of any false statements or misrepresentation as to a material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the person or firm for which it was issued.
6. The permittee failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this code or any other code or county ordinance within the time provided herein.
7. The permit was issued in error or in violation of an ordinance, a regulation, or this code.
8. The Certificate of Occupancy and/or Use Permit has been revoked or suspended.
9. The building has been deemed unsafe, uninhabitable, or presents a hazardous condition to occupants.

109.4 Approvals. Approval as the result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

109.5 Follow-up inspections resulting from noncompliance. Where follow-up inspections are required as a result of noncompliance with this Code, fees shall be assessed as listed under Table 107.2.

109.6 Inspections performed outside business hours. Inspections may be performed outside business hours at the sole discretion of the fire official. Fees for these inspections shall be assessed at twice the rate listed under Table 107.2. Fees shall be assessed in 30-minute increments.

110.5.1 Imminent threat to human health or safety or to property. If the fire official shall adjudge that the violation creates an imminent threat to human health or safety or to property, the fire official may restrain, correct, or abate such violation and institute appropriate legal proceedings to collect the full cost of such response from the owner and the tenant or other person in control of the premises.

112.1.1 Fairfax County Board of Fire Prevention Code Appeals. The Fairfax County Board of Building Code and Fire Prevention Code Appeals is the Local Board of Fire Prevention Code Appeals (BFPCA) for Fairfax County.

APPROVED. Approved by the County Fire Marshals Office.

APPROVED AGENCY. An established and recognized organization that is regularly engaged in conducting tests, furnishing inspection services or furnishing product evaluation or certification where such organization has been approved by the fire code official.

BLAST AREA. The area of a blast, including the blast site and adjacent areas that could reasonably be expected to be within the influence of flying material, fumes, and/or concussion as a result of the blasting operation being conducted.

BLAST SITE. The area in which explosive materials are being handled and which includes all boreholes to be loaded for a blast and a distance of 50 feet in all directions, as measured from the perimeter formed by the boreholes to be loaded.

BLASTING. The process of moving, heaving, breaking, or shattering soils and rocks, or doing other work, such as the demolition of structures or research and testing, that generates seismic waves through the use of energetic materials in chemical reactions, explosions, or other detonations or deflagrations.

CARBON MONOXIDE SOURCE. A piece of commonly used equipment or permanently installed appliance, fireplace or process that produces or emits carbon monoxide gas.

CONGESTED AREA. An urban, suburban, or industrialized area in which multiple structures may be impacted by the effects of blasting operations.

ELECTRIFIED SECURITY FENCE. Any fence, other than used in an agricultural setting, that meets the following requirements:

1. The fence is powered by an electrical energizer with both of the following output characteristics:
    a. The impulse repetition rate does not exceed 1 hertz (Hz).
    b. The impulse duration does not exceed 10 milliseconds, or 10/10000 of a second.
2. The fence is used to protect and secure commercial or industrial property.

FIRE CHIEF. The head of the County Fire and Rescue Department, County of Fairfax, Virginia, also referred to as the Fire Chief or Chief of the Fire and Rescue Department, or a duly authorized representative.

FIRE MARSHAL'S OFFICE. The County Fire Marshal, and, under the authority of the Fire Marshal, the Deputy Fire Marshal and members of the Fire Marshal's staff, also referred to as the Fire Prevention Division, fire code official, or the fire official.

FLYROCK. Any dirt, mud, stone, fragmented rock, or other material that is displaced from the blast area in an uncontrolled or unplanned manner by the effects of a blast.

HYBRID FIRE-EXTINGUISHING SYSTEM. A system that utilizes a combination of atomized water and inert gas to extinguish fire.

INFLATABLE AMUSEMENT DEVICE. A device made of flexible fabric or other combustible materials that is inflated by one or more air blowers providing internal air pressure to maintain its shape. Such devices are typically designed for recreational activities that allow occupants to bounce, climb, slide, negotiate an obstacle course or participate in interactive play.

LABORATORY. A facility that provides controlled conditions in which scientific research, experiments, and measurements may be performed.

LEGAL OFFICER. Add as follows. LEGAL OFFICER. County Attorney or the Commonwealth's Attorney for the County of Fairfax.

MISFIRE. Any explosive material, explosive charge, blast, or portion thereof which failed to function as intended.

OCCUPANT. Any person physically located or situated in or on any property, structure, space, or vehicle irrespective of the length of time or the reason for such occupancy.

POWERED MICROMOBILITY DEVICES. Motorized bicycles, motorized scooters and other personal mobility devices powered by a lithium ion or lithium metal battery. The term does not include motor vehicles that are required to be registered with the Virginia Department of Motor Vehicles.

RETAILER. Any persons selling fireworks or explosive materials and/or offering fireworks or explosive materials for retail sale.

RUBBERIZED ASPHALT MELTER (MELTER). Portable equipment used for the heating of rubberized asphalt material. The term applies only if both the material being heated is a mix of asphalt and inert material and when an indirect method of heating is used. An indirect method of heating refers to a fully enclosed double-shell oil or air system that transfers heat from a burner(s) or electric heating element(s) to the oil or air jacket around the outside of a material vat which then heats the rubberized asphalt material. Melters can be fueled by means of diesel or electric means. Melters are not considered asphalt (tar) kettles or pots as addressed in Section 303.

TEMPORARY STORAGE (OF EXPLOSIVES). Storage of explosive materials for not more than 24 hours.

WHOLESALER. A person, firm, or corporation offering explosive materials for sale or explosive materials to a retailer. Such term also includes a manufacturer of explosive materials, a representative of any such manufacturer, a distributor, a jobber, or a middleman of any description dealing in explosive materials, any of whom shall sell or offer to sell explosive materials to a retailer within the County.

301.2 Permits. Permits shall be required as set forth in Sections 107 and 108 for the activities or uses regulated by Sections 306, 307, 308, 315, and 319.

304.2.1 Handling readily combustible materials. No person producing, using, storing, or having charge of, or under their control, any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or other combustible waste material, shall neither fail nor neglect, at the close of each day, to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal, metal-lined, or approved noncombustible and covered, receptacles or bins. Baling equipment deemed suitable by the fire official shall be installed in stores, apartment buildings, factories, and other buildings where accumulations of paper and waste materials are not removed at least every day.

305.4.1 Mischievous fire play. It shall be unlawful for any person to ignite or use fire or other ignition sources in a deliberate, negligent, or unlawful manner for the purpose of impulsive or mischievous play or reckless experimentation.

307.2 Permit required. If under the requirements of the Commonwealth of Virginia or the County of Fairfax Air Pollution Control Chapter, a bonfire or controlled burning is allowed, a permit for each such fire shall be obtained from the fire official, in accordance with Section 107.2, prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Exceptions:

1. Recreational fires.
2. Fire set for the training of firefighters under the direction of the Chief of the Fire Department.
3. Fire set by a public health or safety officer where a health or fire hazard cannot be abated by any other means.

307.5.1 Endangering other property. No person shall kindle, authorize to be kindled, or maintain any permitted fire in such a manner that will endanger the property of another.

308.1.3 Torches for removing paint, sweating pipe joints, or roofing operations. Persons utilizing a torch or other flame-producing device for removing paint from a structure, sweating pipe joints, or roofing operations, shall provide a minimum of one portable fire extinguisher complying with Section 906 and with a minimum 4-A rating, two portable fire extinguishers, each with a minimum 2-A rating, or a water hose connected to the water supply on the premises where such burning is done. Combustible material in close proximity to the work shall be protected against ignition by shielding, wetting, or other approved means. The person doing the burning shall remain on the premises 1 hour after the torch or flame-producing device is utilized.

308.1.3.1 Permit. A permit in accordance with Section 107 and 108 shall be secured from the fire official prior to the utilization of a torch or flame-producing device in or on any building or structure.

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids shall not be operated or stored on a balcony or deck of any structure or within 15 feet of combustible construction or residential occupancy.

Exceptions:

1. Detached one- and two-family dwellings and townhouses.
2. Cooking devices using electricity as a heating source and listed by a recognized testing authority.
3. All cooking devices as allowed under the building code.

308.1.4.1 Notification of tenants. The management of multi-family residential occupancies which have balconies, decks, or patios shall notify their tenants in writing of the prohibitions outlined in section 308.1.4 of this Code when the tenant or occupant initially occupies the building and periodically thereafter as may be necessary to ensure compliance.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:
   - 1.1 Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
   - 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
   - 1.3 Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
   - 1.4 Where used in an approved manner to maintain the temperature of prepared food items, on a table used only to serve food.
2. Heat-producing equipment complying with Chapter 6 and the applicable building code.

3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.

SECTION 322 RUBBERIZED ASPHALT MELTERS FOR ROOF DECK SYSTEMS

322.1 General. The provisions of this section shall apply to any type of fully enclosed chassis-mounted or portable rubberized asphalt melter using indirect heating of a mix of asphalt and inert material for application on roof decks. There shall be no direct burner or flame impingement on the material vat with indirect heating. Temperature rise in the material vat is gradual and controlled.

322.2 Permits. Permits shall be required in accordance with Section 107.2 and Chapter 35.

322.2.1 Torches. Any use of torches or burners shall require a separate permit in accordance with Chapter 35.

322.3 Location. The melter shall be located and operated in a controlled area. The area shall be as designated by the fire code official and identified by the use of traffic cones, barriers, and other suitable means. Where rubberized asphalt melters are staged and operated on roof decks, the design load of the roof deck shall be capable of supporting the weight of the rubberized asphalt melter where loaded to capacity with rubberized asphalt material. The design load of the roof deck shall be as determined on building drawings or by a design professional as approved by the fire code official. Rubberized asphalt melters shall be chocked in place on the roof deck at locations identified by the design professional and as approved by the fire code official. Rubberized asphalt cakes for use in rubberized asphalt melters shall be located on the roof at a location agreed upon by the applicant and the fire code official.

322.3.1 Buildings. Rubberized asphalt melters shall not be located inside buildings.

322.3.2 Air intakes. Air intakes into the building in the area of work shall be identified and shut off and an alternate supply of outdoor air into the building shall be coordinated, such as by temporarily covering air intakes to make them smoke and odor proof.

322.3.3 Exits. Rubberized asphalt melters shall not be located within 20 feet of any exit or combustible material. Rubberized asphalt melters shall not block any means of egress.

322.3.4 Combustible materials. Combustible materials on the roof deck shall be protected in accordance with Section 3504.

322.4 Fire Extinguishers. Not less than two approved 4-A:40-B:C fire extinguishers complying with Section 906 shall be provided and maintained within 25 ft. of the rubberized asphalt melter. A minimum of one approved 4-A:40-B:C fire extinguisher shall be provided in close proximity to the roofing material application. Each employee shall be instructed on the proper use of fire extinguishers and in the event of a fire to turn off all rubberized asphalt melter power supply, engines, and burners. Employees shall notify the fire department.

322.5 Attendant Supervision. An operating rubberized asphalt melter shall be attended by an employee who is knowledgeable and solely dedicated to the operation of the equipment and associated hazards. The employee shall always be within sight of the melter. The employee shall remain in the area of the melter for a minimum of one hour after the device is shut down in compliance with Section 3504.2.

322.6 Minimum Melter Design Requirements. A Rubberized asphalt melter shall be operated as a complete unit as designed and built by the manufacturer. Field changes that override controls or safety features are prohibited. Material vats shall be a permanent integral part of the rubberized asphalt melter unit. The rubberized asphalt melter chassis shall be substantially constructed and capable of carrying the load imposed upon it whether it is standing still or being transported.

322.6.1 Lids. Rubberized asphalt melter shall have lids permanently attached. The lids shall be kept closed at all times, except to add rubberized asphalt membrane cakes to the rubberized asphalt melter. Loading doors shall be designed as a safety door integral to the roofing material tank and shall be provided with handles that allow rubberized asphalt cakes to be lowered into the tank without operator exposure to the vat material.

322.7 Melter Operation. Rubberized asphalt melters shall be operated according to manufacturer

instructions. Rubberized asphalt melters shall operate using integral control systems that include shut off controls for the electric or diesel-fired burner, temperature controls for the oil or air system, and the material vat. Where a diesel burner is utilized, it shall fire into a burner flue assembly for the oil or air jacketed shell for uniform heat transfer to the material vat. There shall be no open flame devices on rubberized asphalt melters. All rubberized asphalt melters shall have an approved, working visible temperature gauge(s) that indicates the temperature of the rubberized material being heated and, in the case of oil jacketed rubberized asphalt melters, the temperature of the heat transfer oil heating the material vat. The rubberized asphalt melter shall have limit switches that prevent the material vat from heating beyond 400 degrees F.

322.8 Fuel System and containers. Fuel containers for diesel-powered melters shall be constructed and approved for the use for which they were designed. Rubberized asphalt melter fuel tanks shall be attached to the frame of the melter. Portable fuel tanks shall not be utilized to power rubberized asphalt melters. Diesel tanks and engines integral to rubberized asphalt melters shall be maintained in accordance with manufacturer instructions.

322.8.1 Refueling. Refueling of diesel tanks shall be performed when the rubberized asphalt melter is off. A refueling and spill prevention plan approved by the fire code official shall be utilized. Refueling shall be conducted using approved safety cans. No open flames shall be present within 20 feet of the refueling operation.

322.9 Maintenance. Rubberized asphalt melters and integral working parts shall be in good working condition and shall be maintained free of excessive residue.

322.10 Transporting. Rubberized asphalt melters shall not be transported over a highway, road, or street when the heat source for the melter is operating.

SECTION 323 POWERED MICROMOBILITY DEVICES

323.1 General.

Lithium-ion and lithium metal battery powered micromobility devices shall be operated and maintained in accordance with this section.

Exceptions:

1. Storage, repair and charging in residential occupancies of powered mobility devices, provided that such devices are for personal use by its owner.

2. Charging of a single powered mobility device in any occupancy by its owner.

323.1.1 Prohibited locations.

The use of a residential occupancy as a business for the charging of commercially owned powered micromobility devices as part of a rental or sales service shall not be permitted.

323.2 Battery chargers and equipment.

Powered micromobility devices shall be charged in accordance with their listing and the manufacturer's instructions using only the original equipment manufacturer-supplied charging equipment or charging equipment in accordance with the listing and manufacturer's instructions.

323.3 Listing.

Powered micromobility devices shall be listed and labeled in accordance with UL 2272 or UL 2849, as applicable.

323.4 Battery charging areas.

Where approved, powered micromobility devices shall permitted to be charged in a room or area that complies with all of the following:

1. Only listed devices utilizing listed charging equipment shall be permitted to be charged.

2. Is provided with sufficient electrical receptacles to allow the charging equipment for each device to be directly connected to a receptacle. Extension cords and relocatable power taps shall not be used.

3. Storage of combustible materials, combustible waste or hazardous materials shall not be permitted.

4. The charging operation shall not be conducted in or obstruct any required means of egress.

5. Removable storage batteries shall not be stacked or charged in an enclosed cabinet unless the cabinet is specially designed and approved for such purpose.

6. A minimum distance of 18 inches (457.2 mm) shall be maintained between each removable storage battery during charging operations unless each battery is isolated from neighboring batteries by an approved fire-resistant material.

7. A minimum of 18 inches (457.2 mm) shall be maintained between the location of the battery on each powered micromobility device during charging operations.

322.5 Fire safety plan.

A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

401.9 Promulgation of fire safety instructions. The fire official shall issue regulations which require the owner, lessor, or management agent of buildings to post signs where, in the professional judgment of the fire official, such signs are deemed to be effective in minimizing the danger to persons and property in case of fire.

401.9.1 Elevator warning signs. Elevator lobby call stations on each floor and on all elevator cars shall be marked with approved signs reading as follows: "USE STAIRWAYS IN CASE OF FIRE - DO NOT USE ELEVATOR." The requirements of this section shall apply to all buildings. Elevators installed in use group R-5 shall be exempt from the provisions of this section.

401.9.2 Posting of signs. It shall be unlawful for the owner of any building which is leased to another or the lessor or management agent of any such building, to fail to post the signs required by the preceding paragraphs

503.1. Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

Add the following exception to 503.1:

3. In communities developed with single-family dwellings and/or townhomes that were constructed prior to December 31, 1979, wherein the Fire Code Official has no site plan and/or subdivision plan depicting or identifying designated fire lanes/fire apparatus access roads for the development, the Fire Code Official may conduct an analysis to designate and/or modify the requirements of this section. Any code modification shall require a written request from the community association accompanied by a site plan depicting the dimensions and location of the subject streets relative to all dwellings, structures and points of assembly. Before granting a fire code modification request, the Fire Code Official shall evaluate the type and grade of construction, structural components, including but not limited to the exterior wall coverings, accessibility and/or obstructions throughout the subject area, available water supplies, the distance and rescue response time from a fire station, and other relevant factors. Such fire code modifications may be granted by the Fire Official only if the health, safety, and welfare of the community is not compromised.

503.1.1 Buildings and Facilities. Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The fire code official shall require fire lanes to be designated on public streets and on private property where necessary for the purpose of preventing parking in front of or adjacent to fire hydrants and fire department connections and to ensure access to buildings and

structures for firefighting and rescue apparatus.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:
   - 1.1 The building is equipped throughout with an approved automatic sprinkler system in accordance with the applicable NFPA13, NFPA 13R, or NFPA13D standard.
   - 1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.
   - 1.3 There are not more than two Group R-3, R-5, or Group U occupancies.
2. Where approved by the fire code official, fire apparatus access roads permitted to be exempted or modified for solar photovoltaic power generation facilities.

503.2.1.1 Required markings and parking prohibitions. Required markings and parking prohibitions shall be based on the street width (curb-to-curb or paved surface) as in Table 503.2.1.1. This shall apply to both one- and two-way designated streets.

Table 503.2.1.1

Street width	Parking	Fire lane markings
< 28 feet	No parking allowed on either side	Both sides marked as fire lanes
28 to 36 feet	Parallel parking allowed on one side as determined by the fire code official	One side marked as a fire lane
> 36 feet	Parallel parking allowed on both sides	No fire lane markings required *Exception*: Required access to pools, fire department apparatus access roads, and similar areas shall be marked as fire lanes

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 100 feet in length shall be provided with an approved area for turning around fire apparatus.

503.3.1 Marking specifications. Fire lane markings shall conform to the following:

1. Sign Details
   - 1.1 Metal construction 12 inches by 18 inches.
   - 1.2 Red letters on reflective white background with 3 /8-inch red trim strip around entire outer edge of sign.
   - 1.3 Lettering on sign to read: “NO PARKING OR STANDING FIRE LANE”.

2. There shall be a ½-inch space after the line that reads "NO”, a 1-inch space after the lines that read “PARKING" and "OR", and a 1½-inch space after the line that reads "STANDING".

3. Lettering size and standard wording shall be as follows:
   - 3.1 “NO” (2 inches)
   - 3.2 “PARKING” (2 inches)
   - 3.3 “OR” (1 inch)
   - 3.4 “STANDING” (2 inches)
   - 3.5 “FIRE LANE” (2½ inches)

4. Arrow (if required) shall be 1 inch by 6 inches with a solid head 1½ inches wide by 2 inches deep.

5. Sign types.

5.1 Sign type "A". Standard wording with an arrow at bottom pointing to the right. One sign mounted parallel to the line of curbing or pavement edge at the end of the painted area (see figure 503.3.1.- A).



Figure 503.3.1.- A

5.2 Sign Type "C." Standard wording with an arrow at bottom pointing to the left. One sign mounted parallel to the line of curbing or pavement edge at the end of the painted area (see figure 503.3.1.- B).



Figure 503.3.1.- B

5.3 Sign Type "D". Standard wording with no arrow. Two signs, back-to-back, mounted perpendicular to line of curbing or pavement edge. To be seen from either side. Located every 100 feet in long stretches of a marked, painted fire lane (see figure 503.3.1.- D).



Figure 503.3.1.- D

5.4 Posts for fire lane signs shall be metal and securely mounted. Signs shall be located and spaced as shown on the approved plans. In long stretches, the maximum distance between fire lane signs shall be 100 feet. Fire lane signs are to be mounted 7 feet above the finished grade to the bottom of the sign.

5.5 All curbs or paved spaces designated as fire lanes shall be indicated by yellow (highway grade) paint as approved by the fire code official. In areas without curbing, a 6-inch-wide yellow stripe shall be applied to the edge of the pavement. The property owner or designee shall repaint whenever the paint begins to fade or when directed by the fire code official.

503.3.2. Tampering. It shall be unlawful for any person to deface, injure, tamper with, remove, destroy, or impair the usefulness of any posted fire lane sign or marking installed under the provisions of this code.

503.6.1 Emergency operation for security gates and barricades. Gates and barricades that are installed across a fire apparatus access road that is normally intended for vehicular traffic shall be installed with a fire department access system which has an emergency override fire department master key switch as approved by the fire official. Gates and barricades shall be maintained operational at all times.

503.8 Carnival, fair, festival, and circus access. It shall be the responsibility of the owner, operator, or other person responsible for the establishment, erection, or operation of any carnival or circus to establish, erect, and operate such carnival or circus so that there is provided and maintained an access lane, capable of supporting fire and rescue apparatus in all weather conditions, and so arranged as to afford access to within 100 feet of all booths, tents, rides, and other equipment, buildings, and structures used as part of or in conjunction with the carnival or circus.

503.9 Pool access. Stretcher access for a 24-inch x 84-inch stretcher must be provided from the fire department vehicular access to the pool deck.

Exception: Individually owned pools located on single-family lots.

506.3 Number and labeling of required keys. In buildings with fire command centers, 15 sets of common keys shall be provided for access to building services and systems regulated by Section 601 of this Code and to all storage, trash and utility rooms, roof access doors, and doors to other secured areas. In all other buildings required to provide fire department access, 3 sets of common keys shall be provided. Individual keys shall be clearly labeled as to function and each set of keys shall be individually tagged in a manner approved by the fire official.

506.4 Height of key boxes. Required key boxes shall be installed at the primary fire department entrance, in a visible and accessible position, 42 inches to 54 inches above finished grade. For new or renovated buildings, fire department key boxes must be installed prior to occupancy.

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507.5.5 Clear space around hydrants and fire department connections. A 4-foot clear space shall be maintained around each side of fire hydrants, and a 5-foot clear space shall be maintained on each side of a fire department connection, except as otherwise required or approved.

601.3 Permits. Permits shall be obtained for refrigeration systems, commercial kitchen hoods, and electrified security fences as set forth in Sections 107.2.

Add term to list of definitions in Section 602.1 DEFINITIONS as follows:

ELECTRIFIED SECURITY FENCE

606.3.3.3.2 Type I hood fire protection records. Add Subsection as follows: 606.3.3.3.2 Type I hood fire protection records. The occupant shall maintain on premises a copy of all literature issued by the system manufacturers at time of installation and an approved plan of the fire protection system covering the cooking appliances. These items shall be made available to the fire code official on request.

Section 611 Electrified Security Fence

611.1 General. Notwithstanding any other state, local or other legal requirements, the installation of an electrified security fence shall comply with 2006 international standards and specifications of the International Electrotechnical Commission for electric fence energizers in "International Standard IEC 60335, Part 2-76." Installation of the electrified security fence must conform to the requirements of this Code and other pertinent laws and ordinances.

611.2 Electrification. The energizer for electric fences must be driven by a commercial storage battery or batteries not to exceed 12 volts DC. The storage battery is charged primarily by a solar panel. However, the solar panel may be augmented by a commercial trickle charger. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.

611.3 Perimeter fence or wall. No electric fence shall be installed or used unless it is completely surrounded by a non-electrical fence or wall that is not less than six feet tall. There shall be a space of four (4) to twelve (12) inches between the electric fence and the perimeter fence or wall.

611.4 Height. Electric fences shall have a minimum height of 8 feet and a maximum of 10 feet.

611.5 Warning signs. Electric fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" and contain icons that are universally understood at intervals of not less than thirty feet.

610.6 Hours of activation. Electric fences must only be energized during hours when the public does not have legal access to the protected property, except when personnel are available on-site to deactivate the electric fence.

611.7 Key Box. Electric fences shall have installed a key box system in accordance with this Code.

611.7.1 Controller and key location. The electric fence controller and rapid entry key box for the electric fence must be located in a single accessible location for the entire fence.

807.5.2.4 Furniture, furnishings and displays. Furniture, furnishings, displays or other objects shall be prohibited in exit corridors serving Group E occupancies.

Exception: Furniture, furnishings, displays, and other objects shall be permitted in exit corridors when secured in place and not located in any portion of the required 72-inch exit corridor width or other required element of the means of egress. Upholstered furniture shall meet the requirements for Class I when tested in accordance with NFPA 260.

901.3. Permits. Permits shall be required as set forth in Sections 107 and 108.

901.6.4. Periodic retests. Periodic inspections and tests when required by the fire official shall be witnessed by the fire official. The fire official shall collect fees from the building owner or tenant for the witnessing of tests

required under this section, based on staff hours expended witnessing these tests.

901.6.4.1. Reinspection and testing fees. Fees for witnessing the testing and reinspection of existing fire protection equipment and systems, under the authority of 901.6.4, shall be assessed as listed under Subsection 107.2. A fee, based on hours reserved, shall be assessed for inspections not cancelled with notice.

901.12 Unwanted or Nuisance alarms. Inspection fees shall be as in Table 107.2 and 109.6. Whenever unwanted nuisance fire alarm activations occur in any occupancy exceed three in a 90-day period, the fire official may require the owner or occupant to conduct a test of the fire protection system causing the nuisance alarm. Testing shall be in accordance with section 901.6.4.

1. For the purpose of this section, an unwanted or nuisance alarm is deemed to occur whenever the fire official or fire department officer in charge responding to a fire alarm call shall determine, after investigation, that faulty equipment initiated the alarm.
2. As soon as possible following the unwanted or nuisance alarm determination, the responding officer in charge shall cause the Office of the Fire Marshal to be notified in writing of the facts and circumstances supporting the determination that faulty fire protection equipment initiated the alarm.
3. Whenever an owner or occupant is required by this section to conduct testing of a fire protection system, the fire official shall notify the owner or occupant in writing and prescribe a certified test consistent with standard procedures and a report of such testing shall be provided to the fire official upon request.

907.8.5 Posting of central station monitoring company and point of contact. The name, telephone number, and account number of the current central station monitoring company shall be posted and maintained inside the fire alarm control panel. Information for an alternate contact such as the building owner or representative shall also be posted. If the fire alarm system is not monitored, that fact shall be posted and maintained inside the fire alarm control panel, along with the building owner or representative contact information.

1201.4 Permits. Permits shall be required as set forth in Sections 107 and 108.

2001.3. Permits. For permits to operate aircraft-refueling vehicles, application of flammable or combustible finishes and hot work shall be required as set forth in Sections 107 and 108.

2006.11.5 Notification of the fire department. The fire department shall be notified of any fuel spill that is considered a hazard to people or property or which meets one or more of the following criteria:

1. Any dimension of the spill is greater than 10 feet (3048 mm).
2. The spill area is greater than 50 square feet (4.65 m^2).
3. The fuel flow is continuous in nature.
4. The procedures as set forth in section 5003.3.1 shall also be followed.

2101.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2201.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2301.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2401.3. Permits. Permits shall be required as set forth in Sections 107 and 108.

2501.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2601.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2701.5. Permits. Permits shall be required as set forth in Sections 107 and 108.

2801.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

01.2 Permits. Permits shall be required as set forth in Sections 107 and 108.

3001.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

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3103.2. Approval required. Tents and temporary membrane structures having an area in excess of 900 square feet (84 square meters) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official in accordance with Table 107.2

Exceptions:

1. Tents used exclusively for recreational camping purposes.

3103.4. Permits. Permits shall be required as set forth in Sections 107 and 108.

3104.5 Fireworks. Fireworks shall not be manufactured stored, sold, displayed, or used inside or within 100 feet of tents or membrane structures.

3105.3. Permits. Permits shall be required as set forth in Sections 107 and 108.

3201.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

3303.2 Fire prevention program manager. The owner shall designate a person to be the fire prevention program manager who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. The fire prevention program manager shall have the authority to enforce the provisions of this chapter and other provisions as necessary to secure the intent of this chapter. Where guard service is provided in accordance with NFPA 241, the manager shall be responsible for the guard service.

3303.2.1 Pre-fire plans. The fire prevention program manager shall develop and maintain an approved pre-fire plan in cooperation with the fire chief. The fire chief and the fire code official shall be notified of changes affecting the utilization of information contained in such pre-fire plans.

3303.6 Training. Training of responsible personnel in the use of fire protection equipment shall be the responsibility of the fire prevention program manager. Records of training shall be kept and made a part of the written plan for the fire prevention program.

3303.7 Fire protection devices. The fire prevention program manager shall determine that all fire protection equipment is maintained and serviced in accordance with this code. The quantity and type of fire protection equipment shall be approved. Fire protection equipment shall be inspected in accordance with the fire protection program.

3303.8 Hot work operations. The fire prevention program manager shall be responsible for supervising the permit system for hot work operations in accordance with Chapter 35.

3308.10 Daily fire safety inspection. The fire prevention program manager shall be responsible for completion of a daily fire safety inspection at the project site. Each day, all building and outdoor areas shall be inspected to ensure compliance with the inspection list in this section. The results of each inspection shall be documented and maintained on site until a certificate of occupancy has been issued. Documentation shall be immediately available on site for presentation to the fire code official upon request.

Failure to properly conduct, document and maintain documentation required by this section shall constitute an unlawful act in accordance with Section 110.1 and shall result in the issuance of a notice of violation in accordance with Section 110.3 to the fire prevention program manager. Upon the third offense, the fire code official is authorized to issue a stop work order in accordance with Section 112, and work shall not resume until satisfactory assurances of future compliance have been presented to and approved by the fire code official.

1. Any contractors entering the site to perform hot work each day have been instructed in hot work safety requirements in Chapter 35 and hot work is only performed in areas approved by the fire prevention manager.
2. Temporary heating equipment is maintained away from combustible materials in accordance with the

equipment manufacturer's instructions.

3. Combustible debris, rubbish and waste material is removed from the building in areas where work is not being performed.

4. Temporary wiring does not have exposed conductors.

5. Flammable liquids and other hazardous materials are stored in locations that have been approved by the fire prevention manager when not involved in work that is being performed.

6. Fire apparatus access roads required by Section 3310 are maintained clear of obstructions that reduce the width of the usable roadway to less than 20 feet.

7. Fire hydrants are clearly visible from access roads and are not obstructed.

8. The location of fire department connections to standpipe and in-service sprinkler systems are clearly identifiable from the access road and such connections are not obstructed.

9. Standpipe systems are in service and continuous to the highest work floor, as specified in Section 3313.

10. Portable fire extinguishers are available in locations required by Section 3315 and 3317.3.

3401.4. Permits. Permits shall be required as set forth in Sections 107 and 108.

3501.2 Permits. Permits shall be required as set forth in Sections 107 and 108.

3701.3 Permits. Permits shall be required as set forth in Sections 107 and 108.

3901.3 Permits. Permits shall be required as set forth in Sections 107 and 108.

5001.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the fire code official, an application for a permit shall include an HMIS, such as Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III, Tier II Report or other approved statement. The HMIS shall include the following information:

1. Product name.

2. Component.

3. Chemical Abstract Service (CAS) number.

4. Location where stored or used.

5. Container size.

6. Hazard classification.

7. Amount in storage.

8. Amount in use-closed systems.

9. Amount in use-open systems.

The HMIS shall be maintained onsite or readily available through another means where approved by the fire code official for use by emergency responders and shall be updated not less than annually.

5601.1 Scope. The provisions of this chapter shall govern the possession, manufacture, transportation, storage, handling, sale and use of explosives, explosive materials, fireworks and small arms ammunition.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.

2. Explosives in forms prescribed by the official United States Pharmacopoeia.

3. The possession, storage and use of small arms ammunition where packaged in accordance with DOT packaging requirements.

4. The possession, storage, and use of not more than 15 pounds (6.81 kg) of commercially manufactured

sporting black powder, 20 pounds (9 kg) of smokeless powder and any amount of small arms primers for hand loading of small arms ammunition for personal consumption.

5. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial explosive devices that in the aggregate contain less than 50 pounds (23 kg) of explosive materials.
7. The possession, storage and use of blank industrial-power load cartridges where packaged in accordance with DOTn packaging regulations.
8. Transportation in accordance with DOTn 49 CFR Parts 100—185.
9. Items preempted by federal regulations.
10. The storage, handling, or use of explosives or blasting agents pursuant to the provisions of Title 45.1 of the Code of Virginia.
11. The display of small arms primers in Group M when in the original manufacturer's packaging.
12. The possession, storage and use of not more than 50 pounds (23 kg) of commercially manufactured sporting black powder, 100 pounds (45 kg) of smokeless powder, and small arms primers for hand loading of small arms ammunition for personal consumption in Group R-3 or R-5, or 200 pounds (91 kg) of smokeless powder when stored in the manufacturer's original containers in detached Group U structures at least 10 feet (3048 mm) from inhabited buildings and are accessory to Group R-3 or R-5.

5601.1.6 Manufacturing. The manufacture of explosives and blasting agents shall be prohibited. This shall not apply to hand loading of small arms ammunition for personal use when not for resale, the assembly of two component explosives for use on site, or the mixing of blasting agents for use on site.

5601.1.7 Permit required for sale of explosive materials. It shall be unlawful for any person, firm or corporation, wholesaler or retailer to sell, offer for sale or expose for sale any explosive materials within the county without a permit from the Fire Marshal's Office. Such permit shall be issued only after the applicant files with the Fire Marshal's Office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall be available for the payment of any damage arising from the acts or omissions of the applicant, their agents or employees in connection with the activities authorized by the permit. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit, and remains continuously in effect until such activities are completed.

5601.1.7.1 Storage & Handling in Sales of Explosive Materials. Except where approved in 5604.1, the storage of explosive materials within the county in support of wholesale or retail sales is prohibited. Except where approved in *5604.1*, it shall be unlawful for any person, firm or corporation, wholesaler or retailer to package, ship, transfer, or otherwise handle explosive materials in the county without a permit from the Fire Marshal's Office.

5601.2.4 Insurance required for blasting. Before a permit is issued for the storage, transportation, disposal, or use of explosives or blasting agents, the applicant shall file with the Office of the Fire Marshal a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall be available for the payment of any damage arising from the acts or omissions of the applicant, their agents, or employees in connection with the storage, transportation, disposal, or use of explosives or blasting agents. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the operations or activities authorized by the permit and remains continuously in effect until such operations or activities are completed.

5601.7. Seizure. The fire official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials, or fireworks offered or exposed for sale, stored, possessed, or used in violation of this chapter.

5603.1 General. Records of the receipt, handling, use, sale or disposal of explosive materials, and reports of any accidents, thefts or unauthorized activities involving explosive materials shall conform to the requirements of this section.

5603.2 Transaction record. The permittee shall maintain a record of all transactions involving receipt, removal, use, sale or disposal of explosive materials. Such records shall be maintained for a period of 5 years.

Exception: Where only Division 1.4G (consumer fireworks) are handled, records need only be maintained for a period of 3 years.

5603.4.1 Accidents with no injuries or property damage. Any blasting misfires, malfunctions, or other unintended blasting related events or accidents involving the use of explosives, explosive materials, or fireworks which do not involve injuries or property damage shall be reported to the fire official immediately.

5603.8 Improper storage. If at any time Division 1.3G fireworks, explosives, or explosive materials are found not properly stored in a magazine, it shall immediately be reported to the Fairfax County Office of the Fire Marshal.

5604.1 General. Storage and transportation of explosives and explosive materials, small arms ammunition, small arms primers, propellant-actuated cartridges and smokeless propellants in magazines shall comply with the provisions of this section.

5604.1.1 Overnight Storage. The overnight storage of explosive materials, including Division 1.3G fireworks, is prohibited.

Exceptions:

1. Overnight storage approved by a special use permit issued by the Fairfax County Board of Supervisors.
2. Explosive materials used for laboratory testing purposes, up to 1 pound total in storage of which no more than ¼ pound is in use at any time, when approved by the fire code official and stored in compliance with the magazine requirements of section 5604.3.
3. Explosive materials in storage for a period of not more than 7 days for specialized blasting operations such as the demolition of structures or loading of similarly complex blasts, when approved by the fire code official. Storage for more than 7 days shall necessitate approval of the Fairfax County Board of Supervisors.
4. Wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive activated power tools in quantities involving less than 500 pounds total explosive material.
5. The temporary storage of fireworks at display sites in accordance with 5608.5 and NFPA 1123 or NFPA 1126.

5604.1.1.1 Enforcement. The Fairfax County Office of the Fire Marshal shall enforce the regulations contained herein pertaining to the intra-county transportation of explosives.

5604.1.1.2 Notification. Operators of vehicles transporting explosives in Fairfax County shall immediately notify the Fire Official upon experiencing a mechanical breakdown or being otherwise unable to move.

5604.1.2 Transfer of explosive materials. The on-site delivery of explosive materials where explosives would be transferred from the delivery vehicle to an on-site vehicle shall be prohibited without the prior approval of the Fire Marshal. Approval of on-site delivery will be dependent on an inspection of the proposed transfer site. Such operations will only be approved where:

1. Transfer is from the magazine of the delivery vehicle directly to the magazine of the receiving vehicle(s).
2. All vehicles delivering and/or receiving explosive materials shall possess a valid Explosives Transport

Vehicle permit.

3. The area of the transfer is barricaded and posted.
4. An appropriate guard shall be posted to ensure the safety and security of the transfer operations and prevent unauthorized persons from entering the transfer area.
5. Transfer of explosive materials will cease, and all explosive materials will be secured immediately upon entry of an unauthorized person into the transfer area.
6. Transfer shall be conducted in accordance with an approved blast plan.

5604.2.1 Control in wholesale and retail stores. The storage or display of explosives and blasting caps in wholesale and retail stores is prohibited unless in a magazine.

5604.3 Magazines. The storage of explosives and explosive materials in magazines shall comply with Table 5604.3. Explosive materials in overnight storage, regardless of quantity, shall utilize Type 1 or Type 2 magazines as approved by the fire code official. Regardless of magazine type, storage of explosives in non-sprinklered buildings is prohibited.

5607.3 Blasting in congested areas. When blasting is done in a congested area or in close proximity to a structure, railway or highway, or any other installation, precautions in the loading, delaying, initiation, and confinement of blasts shall be taken to minimize earth vibrations, air blast effects, and fragments from being thrown. Sufficient burden, spacing, stemming, blasting mats, or other protective means shall be used to prevent fragments from being thrown.

5607.3.1 Pre-blast surveys. A pre-blast survey shall be performed on each structure located within a minimum of 150 feet and any well located within a minimum of 250 feet of the blast site. Written confirmation that the pre-blast survey has been done shall be maintained by the blasting contractor. Requests for access to structures for pre-blast surveys shall be made by certified mail to the last known address of the owner(s) of any structures located within the pre-blast survey areas as defined herein. If permitted by the owner(s), said pre-blast surveys shall be conducted to determine the pre-blast conditions of these structures. A minimum of 14 days' notice shall be provided for the scheduling of the pre-blast survey. Documentation consisting of a written acknowledgement that the survey has been performed or declined by the property owner and a map depicting the above referenced 150- and 250-feet radius, shall be provided to the fire code official at the time of the Explosive Use Site Permit Inspection meeting.

5607.3.2 Pre-blast notification. All structures located within a minimum of 300 feet of the blast site shall be notified of the scheduled blasting 10 days prior to blasting and no blasting shall occur until such notice has been given.

5607.5 Utility notification. Whenever blasting is being conducted in the vicinity of utility lines or rights-of-way, the blaster shall notify the appropriate representatives of the utilities at least 5 business days in advance of blasting, specifying the location and intended time of such blasting. Verbal notices shall be confirmed with written notices. Blasting operations will not proceed until the owners/operators of utilities have been contacted and measures for safe control have been taken.

Exception: When approved by the fire code official the time limit shall not apply in emergency situations.

5607.7 Nonelectric Detonator Precautions. Precautions shall be taken to prevent accidental initiation of nonelectric detonators from stray currents induced by lightning or static electricity. Blast initiation devices shall not be connected to non-electric systems until the blast area is secured, traffic is stopped if necessary, and audible warnings have been sounded.

5607.8 Blasting area security. Beginning at the time that explosive materials arrive on site, only authorized persons engaged in loading operations or otherwise authorized to enter the site shall be allowed at the blast site. Beginning with the time that individual loaded boreholes are connected together, only authorized persons engaged in blasting operations or otherwise authorized to enter the area shall be allowed within the blast area. No activity of any nature other than that which is required for loading holes with explosives shall be permitted within the blast area. The blast site and blast area shall be guarded or barricaded and posted. Blast area security shall be

maintained until after the post-blast inspection has been completed.

5607.9 Drill Holes. Holes drilled for the loading of explosive charges shall be made and loaded in accordance with NFPA 495. Loaded boreholes shall not be left unattended.

5607.9.1 Equipment for loading and stemming. Only equipment and machinery necessary to load boreholes shall be allowed within the blast site after the arrival of explosives. Said equipment or machinery shall not be operated over loaded boreholes or at any location where there is a potential to contact explosive materials. Equipment and machinery used to stem loaded boreholes shall not be operated within the blast site once loading operations begin.

5607.9.2 Stemming of loaded boreholes. All boreholes loaded with explosives shall be stemmed to the collar or to a point which will confine the charge. Stemming shall be a minimum of 4 feet unless otherwise approved. Stemming will be stone appropriately sized to the borehole diameter. Drill cuttings shall not be used as stemming material.

5607.13 Firing control. No blast shall be fired until the blaster in charge has made certain that all surplus explosive materials are in a safe place in accordance with Section 5607.10, all persons and equipment are removed from the blast area or protected under approved cover, and that an adequate warning signal audible throughout the blast area has been given.

5607.16 Blast records. A record of each blast shall be created immediately following the blast and retained for at least five years and shall be available for inspection by the fire code official. When required by the fire code official, the diameter and depth of boreholes, type and amount of explosives, and explosives per delay period shall be listed for each individual borehole and not averaged over the entire site. The record shall contain the following minimum data:

1. Name of contractor.
2. Location and time of blast.
3. Name of certified blaster in charge.
4. Type of material blasted.
5. Number of holes bored and spacing.
6. Diameter and depth of holes.
7. Type and amount of explosives.
8. Amount of explosive per delay of 8 milliseconds or greater.
9. Method of firing and type of circuit.
10. Direction and distance in feet to nearest dwelling, public building, school, church, commercial building, institutional building, or other installation.
11. Weather conditions.
12. Whether or not mats or other precautions were used.
13. Type of detonator and delay period.
14. Type and height of stemming.
15. Seismograph record when utilized.

Exception: Items 8 and 13 of this section are not applicable to restricted blasters.

5607.17 Blasting in asbestos rock. Blasting operations conducted in rock or soils that present a hazard to public health through dust generation or other effects of drilling and blasting must be reported as such to the fire code official and the blaster-in-charge must obtain and maintain all necessary health, safety, and environmental

permits or approvals.

5607.18 Blast effects monitoring. All blasts occurring within the County will be monitored by at least one seismograph placed in proximity to the nearest structure to the blast. The seismograph must be capable of monitoring both ground vibration and air overpressure and the blaster in charge must be able to provide the results of blast monitoring on-site immediately following the blast. Additional seismographs may be required by the fire code official as conditions at the blast warrant.

1. All seismographs will be properly calibrated by a qualified firm. Annually, calibration records shall be presented to the fire code official upon request.
2. Adequate trigger levels shall be set for the blast being conducted but at no time less sensitive than:
    a. Ground vibration: 0.05 inches per second peak particle velocity
    b. Air blast: 100 decibels
    c. Recording time: 5 seconds.
3. GPS coordinates documenting the location of each seismograph used in mineral mining will be included in the blasting records required in 5607.16.

5607.19 Detonating cord and safety fuse. The use of detonation cord in blasting and explosives operations will comply with NFPA 495 and the requirements listed in 29 CFR 1926.908(a) through (j). Safety fuse shall be used only where approved by the fire official. The use of safety fuse shall comply with the requirements listed in 29 CFR 1926.907(a) through (m).

5608 Fireworks Display. Change title to: Section 5608 Fireworks.

5608.1 General. Outdoor fireworks displays, use of pyrotechnics before a proximate audience and pyrotechnic special effects in motion picture, television, theatrical and group entertainment productions shall comply with Sections 5608.2 through 5608.10 and NFPA 1123 or NFPA 1126. The manufacture of fireworks is prohibited within the County. The display, sale, or discharge of fireworks shall comply with the requirements of this chapter.

5608.1.1 Unlawful activities. Except as hereinafter provided, it shall be unlawful for any person, firm, or corporation to transport, manufacture, store, possess, sell, offer for sale, expose for sale, or to buy, use, ignite, or explode any fireworks.

5608.1.1.1 Reloading. It shall be unlawful for any person, firm, or corporation to reload any mortar where shells or fireworks fail to ignite during any shoot, show or display. In the event that a shell fails to ignite in the mortar, the mortar shall be marked to indicate the presence of an unfired shell, and the mortar shall not be reloaded or reused while the misfired shell remains a hazard.

5608.1.1.2 Cold Spark Machines. It shall be unlawful for any person, firm, or corporation to utilize cold spark machines within a structure or building.

5608.1.2 Permissible fireworks. The provisions of *5608.1.1* shall not apply to consumer 1.4G permissible fireworks which have been approved by the Fire Marshal's Office. Such permissible fireworks shall be used only on private property with the approval of the owner. The sale or storage of any fireworks shall be prohibited on the property of another without the express written permission of the owner. The sale of fireworks to minors shall be prohibited unless the minor is accompanied by a parent or legal guardian.

5608.2.1.1 Permit required for display of aerial fireworks. The Office of the Fire Marshal may issue permits, upon application in writing, for the display of aerial fireworks, commonly known as pyrotechnic displays, for fair associations, amusement parks, or by any organization, individual, or group of individuals; provided such display is in general accord with the applicable sections of NFPA 1123 and NFPA 1126, as listed in chapter 80 of this Code. After such permit has been issued, sales of fireworks may be made for use under such permit and the association, organization, group, or individual to which it is issued may make use of such fireworks under the terms and conditions of such permit. No permit shall be issued until the applicant files with the Fire Marshal's Office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall become available for the

payment of any damage arising from the acts or omissions of the applicant, their agents, or employees in connection with the display of aerial fireworks. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit and remains continuously in effect until such activities are completed.

5608.2.3 Permit required for sale of fireworks. It shall be unlawful for any person, firm, or corporation, wholesaler, or retailer to sell, offer for sale, or expose for sale any fireworks within the county without a permit from the Fire Marshal's Office. This permit shall be valid for a maximum of 45 days. Such permit shall be issued only after the applicant files with the Fire Marshal's Office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall be available for the payment of any damage arising from the acts or omissions of the applicant, his agents, or his employees in connection with the activities authorized by the permit. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit and remains continuously in effect until such activities are completed.

5608.10 Retail display and sale. In addition to the restrictions set forth in section, 5601.2.2, retail sales of permissible fireworks shall only be conducted from approved, fixed locations. Such locations shall comply with all Fairfax County rules and regulations applicable to such sites. The sale or storage of any fireworks shall be prohibited on the property of another without the express written permission of the owner. Staff selling permitted, permissible fireworks shall be 18 years or older.

5608.10.1 Precautions. Fireworks displayed for retail sale shall not be made readily accessible to the public and under the supervision of retail staff. A minimum of one pressurized water fire extinguisher complying with section 906 shall be located not more than 15 feet and not less than 10 feet from the retail sale location. "NO Smoking" signs complying with section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale.

5608.10.2 Sales to minors. The sale of permissible fireworks to persons under the age of 18 shall be prohibited unless the person is accompanied by a parent or legal guardian.

5608.10.3 Records to be kept by wholesaler and retailer. Each wholesaler shall maintain full and complete records of all purchases and sales of fireworks and each retailer shall maintain full and complete records of all purchases of fireworks. The Fairfax County Fire Marshal or designated agent is authorized to examine the books and records of any wholesaler or retailer documenting the purchases and sales of fireworks within the county.

5608.11 Approval of permissible fireworks. Persons engaged in the business of selling or offering to sell fireworks at wholesale shall submit to the Office of the Fire Marshal a list of fireworks for approval. Persons engaged in the business of selling fireworks at wholesale may be required to submit to the Office of the Fire Marshal at least 5 samples of each firework intended to be sold or delivered by such wholesaler, together with complete specifications including the manufacturer and trade name of such fireworks and a chemical analysis of each such fireworks submitted. No wholesaler or retailer shall sell or deliver in the county any fireworks other than those approved by the State Fire Marshal's Office.

5701.4 Permit required. Permits shall be required as set forth in Sections 107 and 108 and regulated in accordance with this section. The manufacture, storage, possession, sale and use of fireworks or explosives shall not take place without first applying for and obtaining a permit.

5704.2.7.10 Leak reporting. A consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire department, the fire code official and other authorities having jurisdiction. The procedures as set forth in section 5003.3.1 shall also be followed.

(3-91-62; 4-91-62; 49-92-62; 12-94-62; 15-96-62; 17-97-62; 37-97-62; 44-99-62; 15-03-62; 13-06-62; 27-08-62; 33-08-62; 17-09-62; 04-12-62; 43-14-62; 23-22-62.)
(Supp. No. 174, 11-24)

ARTICLE 3. Junior Firefighters

Section 62-3-1. Junior firefighters.

Any person residing in the County of Fairfax, the City of Fairfax, or the towns of Vienna, Herndon and Clifton, aged 16 years or older, who is a member of a Fairfax County volunteer fire company, with parental or guardian approval, is authorized to (i) seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and (ii) work with or participate in non-hazardous activities of such volunteer fire company, provided such person has attained certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, subject to the following conditions:

1) Evidence of residency in the Commonwealth shall be provided by the junior firefighter.

2) The junior firefighter shall present an original letter by a parent or legal guardian that permits junior firefighter participation.

3) The junior firefighter shall provide an original consent form signed by a parent or legal guardian allowing participation in Virginia Department of Fire Programs training courses.

4) The junior firefighter shall be provided with a copy of the County's liability insurance coverage applicable to junior firefighters. (11-16-62; 32-18-62.)

Board Agenda Item
March 3, 2026

ADMINISTRATIVE – 10

Authorization to Advertise a Public Hearing on Proposed Amendments to Appendix Q, Section I, Subsection H, and Section II, Subsection D, of the Code of the County of Fairfax, Virginia

ISSUE:
Adjustments to the fees charged under the Code of the County of Fairfax, Virginia, for plan review and inspection services set forth in Appendix Q, in order to support the Fire Marshal's efforts to enhance the plans review, permit and inspection services and to achieve a cost recovery threshold of 90-100%.

RECOMMENDATION:
The County Executive recommends that the Board authorize the advertisement of the proposed amendments as set forth in the staff report dated March 3, 2026.

TIMING:
Board action is requested on March 3, 2026, to provide sufficient time to advertise the public hearing on April 14, 2026, at 3:00 p.m., before the Board of Supervisors, for the proposed amendments to become effective at 12:01 a.m. on July 1, 2026.

BACKGROUND:
The Fire and Rescue Department proposes revising the fees associated with Fire Marshal services, including plan review, permits, and inspections. The hourly rate fees for Fire Marshal services and operational permits were last updated in 2024. During that revision, the hourly rate for plan review fees and fees for most operational permits outlined in Chapter 62 were raised by approximately 30% spread out over a two-year period, with a 15% increase effective July 1, 2024, and an additional 15% increase effective July 1, 2025. These adjustments aimed to cover the actual costs of delivering services. During the two-year period, staff has monitored costs and revenue based on the Fire Marshal's fee structure each year with the goal of achieving a cost recovery threshold ranging from 90% to 100%.

When the last comprehensive increase in fees occurred in 2024, the cost recovery rate in FY 2025 was just over 70%. Since then, costs to provide services have continued to increase to support compensation and operational requirements as well as to ensure quality of services. The County funded average employee pay increases of 3.83% in

FY 2025 and 4.19% in FY 2026 for General County merit employees. The FY 2027 cost recovery rate is estimated to be 71% without the recommended fee increase. The increased costs are primarily due to increases in personnel costs, benefits and increased operating costs. The proposed fee increase will assist in the Fire Marshal achieving its cost recovery threshold. Updating these fees supports reliable plan review and sprinkler acceptance testing by maintaining the resources necessary to meet workload demands and sustain appropriate staffing and technical expertise. For applicants, this translates into more predictable timelines, clearer coordination and communication throughout the review process, and fewer avoidable delays tied to review completion and required fire protection system acceptance testing.

The current proposal was presented to the Board of Supervisors at the Land Use Policy Committee meeting on February 10, 2026.

Summary of Amendments:
The proposed amendments increase fees charged by the Fire Marshal. The proposed adjustments will assist the Fire Marshal in efforts to achieve a cost recovery rate of 90-100%. In general, the plan review fees contained in Appendix Q, Section I, Subsection H, and Section II, Subsection D will increase from $208 per hour (billed in ¼ hour increments) to $216 per hour, representing a 3.7% increase. The increase to the Fire Marshal fees will also apply to the sprinkler acceptance testing fees contained in Appendix Q of the Code of the County.

Coordination:
The vetting process for the proposed amendments included meetings with industry representatives to discuss the proposed fee increases and the anticipated financial impact to projects. During those meetings, representatives from industry understood the need for the proposed increases.

REGULATORY IMPACT:
The proposed fee amendments increase the fees charged by the Fire Marshal for plan review, permits, and inspection services to ensure that the mandated rate of cost recovery is 90-100%. For a full list of proposed amendments, refer to Attachment I – Amendments to Appendix Q, Section I, Subsection H and Section II, Subsection D.

EQUITY IMPACT:
Plan review, permit and inspection fees are consistently applied to all applications as determined by the scope and nature of the project. The Fire Marshal recognizes the diverse needs of its customers and in alignment with the principle of equity, the proposed fee increases were applied in a fair and equitable manner across industry,

considering the costs associated with delivering services for the respective business areas.

FISCAL IMPACT:
If adopted by the Board, it is anticipated that the proposed fee adjustments will generate increased revenue of approximately $345,000 in FY 2027. This revenue estimate is based on the FY 2025 actuals, FY 2026 year-to-date actuals for services provided under Appendix Q and Chapter 62 and assumes that the workload remains constant in FY 2027. Any reduction in plan and permit activity may have a negative impact on the projected revenue. Staff will work in close coordination with the Department of Management and Budget to monitor these trends. The $345,000 in additional revenue is reflected in the County Executive's FY 2027 Advertised Budget Plan.

ENCLOSED DOCUMENTS:
Attachment I – Staff Report

STAFF:
Thomas Arnold, Deputy County Executive
Fire Chief John S. Butler, Fire and Rescue Department
Deputy Chief William D. Vannoy, Fire and Rescue Department
Battalion Chief Christopher M. Sampl, Fire and Rescue Department
Margaret Dix, Financial Specialist III, Fire and Rescue Department

ASSIGNED COUNSEL:
Patrick Foltz, Assistant County Attorney

FAIRFAX
COUNTY

VIRGINIA

STAFF REPORT

Authorization to Advertise a Public Hearing on Proposed Amendments to Appendix Q, Section I, Subsection H, and Section II, Subsection D, of the Code of the County of Fairfax, Virginia.

Fire Marshal Fees

PUBLIC HEARING DATES **March 3, 2026**

Board of Supervisors

PREPARED BY
FIRE PREVENTION DIVISION
FIRE AND RESCUE DEPARTMENT
703-246-4753

NJ

Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

The proposed Fire Prevention Code of the County of Fairfax amendments increase Fire Marshal fees for plan review and inspection services contained in the Code of the County of Fairfax, Appendix Q, Section I, Subsection H and Section II, Subsection D.

Existing Fire Prevention Code Provisions

The Fire Prevention Division of the County's Fire and Rescue Department reviews various plans, issues operational permits, performs inspections and witnesses periodic testing of existing fire protection systems for compliance with Fire Prevention Code of the County of Fairfax. Under the existing Fire Prevention Code, Fire Marshal fees are assessed for review of various types of plans, issuance of operational permits, and witnessing annual re-testing of existing fire protection systems. The Fire Marshal fees are based on the actual costs of performing each type of service. The Statewide Fire Prevention Code allows jurisdictions to assess fees to defray the costs associated with enforcing the code. The Fire Marshal's Office was directed by the BOS to set fees so that 90-100% of actual costs are recovered.

Background

The current Fire Marshal permit and inspection fees were adjusted in FY 2025 where Fees for most operational permits were set at $195. The Fire and Rescue Department recently reviewed the current fee structure and cost recovery effort within the Fire Prevention Division. As a result of the review, staff recommend an increase in existing fees to more closely align the fees with the cost of performing mandated services. Staff recommend a fee increase to the hourly rate for plan review and acceptance testing from $208 per hour to $216 per hour, representing a 3.7% increase. The rationale for the proposed rate increases is due to increased personnel costs, fringe benefits and operational expenses. The projected FY 2026 cost recovery is 71% without the recommended fee increase. The recommended increased rates would be comparable to those of surrounding jurisdictions and are intended to represent a 90% to 100% cost recovery rate.

When the last comprehensive increase in fees occurred in 2024, the cost recovery rate in FY 2025 was just over 70%. Since then, costs to provide services have continued to increase to support compensation and operational requirements as well as to ensure quality of services. The County funded average employee pay increases of 3.83% in FY 2025 and 4.19% in FY 2026 for General County merit employees. The proposed fee increase will assist in the Fire Marshal achieving its cost recovery threshold.

Proposed Amendments

The proposed Code of the County of Fairfax amendments increase plan review, witnessed fire protection systems tests, and certain inspections rates from $208 per hour (billed in ¼ hour increments) to $216 per hour. The proposed rates increase is

intended to approximate a 90% to 100% cost recovery rate which aligns with the directive set by the Board.

Conclusion

Despite the previous rate increase, rising personnel costs, fringe benefits and operational expenses have resulted in the current fees not generating sufficient revenue to recover 90-100% of the Fire Marshal's costs to process and review plans, perform inspections or re-test existing fire protection systems. Staff believe that the proposed fee increase is appropriate.

Staff recommend the adoption of the proposed amendments as advertised with an effective date of 12:01 A.M. on July, 1, 2026.

Attachment I

Appendix Q – Land Development Services Fee Schedule of The Code of the County of Fairfax, Virginia

SECTION I
D.FIRE PREVENTION DIVISION (OFFICE OF THE FIRE MARSHAL) FEES

The following Fire Prevention Division fees shall be paid for the review and inspection of the following plans and plats. Plan review fees are due upon submission to the County of such plans and plats except that fees for plans submitted directly to the Fire Prevention Division shall be due upon completion of the plan review process or within 120 days of plan submission, whichever comes first. Inspection fees are due upon completion of the inspection.

Site plans	Subdivision plans
Site plan revisions	Site plans for public improvements only
Site plan extensions	Revisions and reapprovals to subdivision plans and site plans for public improvements only
Rough grading plans	
As-built site and subdivision plans	
Plats	

(A) Plan Review fees: Fees are based on an hourly charge calculated on the hour or part thereof, per reviewer

Per Hour	~~$208.00~~ $216.00

(B) Testing and Inspection Fees: Fees are based on an hourly charge calculated per hour on the quarter hour or part thereof, per inspector

Per Hour	~~$208.00~~ $216.00

SECTION II
H: FIRE PREVENTION DIVISON (OFFICE OF THE FIRE MARSHAL) FEES

(A) Plan Review Fees:

Fees for all plan review are based on an hourly charge calculated on the quarter hour or part thereof, per reviewer. Fees are due upon completion of the plan review process.

Per Hour	$208.00 $216.00

(B) Acceptance Testing and Inspection Fees:

Fees are based on an hourly charge calculated on the quarter hour or part thereof, per inspector. Fees for fire protection equipment and systems performance tests and inspections, other equipment and systems performance tests and inspections, occupancy or preoccupancy inspections, fire lanes and required reinspection’s shall be imposed per hour calculated on the quarter hour or part thereof, per required inspector.

Per Hour	$208.00 $216.00

(C) Reinspection Fees:

Reinspection fees shall be based on the hours reserved to perform the test and will be charged per hour calculated on the quarter hour or part thereof, per required inspector. The following matrix is to serve as a guideline in determining when a reinspection fee is required for acceptance testing. A minimum notice of 24 hours (one full business day) for test cancellation is required. The fee is charged when an inspection is not canceled in time to save an unnecessary trip by inspectors.

- Per Hour ~~$208.00~~ $216.00

(D) Plan Review and Inspections Performed Outside of Business Hours:

Plan reviews and inspections may be performed outside of business hours upon request at the sole discretion of the fire official. Fees for these plan reviews and inspections shall be assessed at twice the rate listed in (A), (B) and (C) above. Fees shall be assessed in 30 minute increments.

REINSPECTION FEES

CIRCUMSTANCE	CONDITION	INSPECTED	REINSPECTION FEE
Cancelled or rescheduled off site more than 24 hours prior to appointment	N/A	No	No
Cancelled or rescheduled off site less than 24 hours prior to appointment	N/A	No	Yes
Contractor shows, others do not, or inspectors arrive, no one on site	Cannot Test	No	Yes
Cancelled while inspectors on site; test not started	Not Ready	No	Yes
Regular inspection, test started, test not completed	Not Ready or Failure due to fault of contractor	Yes	Yes
Regular inspection, test started, test not completed	Failed, but due to fault of contractor	Yes	No
Regular inspection, test completed	Substantially ready with minor deficiencies	Yes	No
Regular inspection, test completed	No punch list, inspection approved	Yes	No
Final inspection	Deficient	Yes	Yes

Board Agenda Item
March 3, 2026

ACTION – 1

Authorization of Subordinate Financing Up to $2,000,000 to a Subsidiary of Enterprise Community Development for the Renovation of Coralain Gardens (Mason District)

ISSUE:
Board of Supervisors (Board) authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to provide subordinate financing of up to $2,000,000 to one or more subsidiaries of Enterprise Community Development (ECD) for the substantial renovation of Coralain Gardens Apartments, located at 7435 Arlington Boulevard, Falls Church, Virginia ("Project").

RECOMMENDATION:
The County Executive recommends the Board authorize the FCRHA to make the subordinate financing loans of up to $2,000,000 to support the Project.

TIMING:
Immediate. To increase the competitiveness of the developer's 9% Low-Income Housing Tax Credits (LIHTC) application, the developer needs to demonstrate that it has secured local subordinate financing sources as a part of the application, which is due to Virginia Housing in March 2026.

BACKGROUND:
Coralain Gardens Apartments (Property) is a 106-unit multifamily property built in 1964 and consists of 4.87 acres of land, including common recreational spaces. Its location on Route 50, situated within one mile of the Beltway, provides access to major highways, while both the Dunn Loring Metro Station and Merrifield are within three miles.

In 2023 the prior owner, RST Development, LLC (RST), sought to sell the Property and triggered the FCRHA's the right of first refusal (ROFR). The FCRHA assigned its right to purchase the Property under the ROFR to a subsidiary of Enterprise Community Development (ECD), and ECD acquired the Property and assumed the balance of the FCRHA's 2007 loan $4,350,996.

ECD planned to pursue financing for substantial renovations after acquiring the site, but in March 2025, prior to closing, a major funding source for renovation of the property

(total $6,650,00) was terminated in March 2025. ECD will now pursue a funding strategy of applying for 9% LIHTC and the 4% LIHTC for the Project. ECD anticipates submitting its application for the competitive 9% LIHTC allocation from Virginia Housing by March 12, 2026.

Rehab Development Description:

ECD originally requested a loan of up to $5,000,000 through the FY2026 Notice of Availability of Funding Application (NOFA) to support the Project. Since the application under the NOFA was submitted, ECD received an Affordable and Special Needs Housing (ASNH) award from Virginia Department of Housing and Community Development (DHCD) in December 2025, so Fairfax County Department of Housing and Community Development (HCD) staff is recommending Board approval for a loan of up to $2,000,000.

The additional loan supports an enhanced plan that elevates the quality, durability, accessibility, and sustainability of Property. The original renovation scope as outlined in the July 20, 2023 FCRHA Board Item provided a baseline rehabilitation consistent with Virginia Housing LIHTC requirements, while the new scope anticipates expanded health, safety, and compliance measures; more efficient building systems and infrastructure upgrades; enhanced interior finishes; and common area and exterior improvements; all resulting in long-term sustainability of the property.

Proposed Financing and Analysis:

The Property's new projected renovation hard cost is approximately $156,025 per unit, as compared to the original plan's $113,636 per unit, with a total budget of approximately $50.2 million. This increased investment provides greater health and safety protections, code compliance and accessibility, resident quality of life, and long-term sustainability. The new renovation scope is intended to ensure that Coralain Gardens remains a high-quality, affordable housing option.

The Project is structured to utilize both 9% and 4% LIHTCs and will likely be a phased closing. Phase one, which utilizes 4% LIHTC to cover 64 units, is anticipated to reach financial closing by third quarter of 2026. Phase two will use 9% LIHTC for the remaining units, with an anticipated closing by first quarter of 2027 and a projected construction completion by the third quarter 2027, subject to the terms in Attachment 2 (Term Sheet).

The requested loan will increase the competitiveness of the 9% LIHTC application which awards points based on the amount of local subsidized funding. Additionally, the requested funding will be used with other essential project financing sources, including

an anticipated First Mortgage from Virginia Housing, LIHTC equity, a seller note, reserves, developer fee, and the existing FCRHA loan to fund the proposed renovations.

EQUITY IMPACT:
The renovation project aligns with One Fairfax's commitment to equitable community and economic development. The project promotes wealth-building and stability for low- and moderate-income households, ensuring that residents-regardless of race, income, age, or background---can live in neighborhoods that connect them to opportunity, resources, and a high quality of life.

FISCAL IMPACT:
Up to $2,000,000 will be funded from a combination of Affordable Housing Development and Investment Housing Blueprint Loan funds, HOME Investment Partnerships funds, and/or Community Development Block Grant funds, as appropriate. FCRHA Assistant Secretary would make a determination of how the requested $2,000,000 is distributed across individual sources and how the value of the original loan is allocated between the designated Low Income Housing Tax Credits entities once the 9% and 4% structures are finalized. The FCRHA will receive an annual monitoring fee to Fund 81000, FCRHA General Operating Fund.

ENCLOSED DOCUMENTS:
Attachment 1 – Project Financing
Attachment 2 – Loan Term Sheet
Attachment 3 – Project Map

STAFF:
Christopher Leonard, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development, (HCD)
Anna Shapiro, Deputy Director, Real Estate Finance and Development, HCD
Callahan Seltzer, Division Director, Real Estate and Community Development Finance (RECDF), HCD
Meghan Van Dam, Division Director, Planning and Inclusionary Housing (PIH), HCD
Lucinda Metcalf, Associate Director of Housing Preservation, PIH, HCD
Rachel Waldman, Associate Director, RECDF, HCD
Jeremy Welsh-Loveman, Real Estate Finance Project Manager, RECDF, HCD

Board Agenda Item
March 3, 2026

ASSIGNED COUNSEL:
Ryan Wolf, Senior Assistant County Attorney

Project Costs and Financing		
Development Costs		**Cost ($)**
Acquisition		$24,150,000.00
Rehabilitation/Construction Costs		$16,538,675.00
Architecture and Engineering		$721,151.00
Professional Services		$825,408.00
Operating and Carrying Costs		$0.00
Financing Costs		$1,786,405.00
Legal Fees		$389,623.00
Reserves and Escrows		$1,233,248.00
Developer's Fee		$4,511,561.00
Total Development Cost:		**$50,156,071.00**
Development Source(s)	**Type**	**Amount**
LIHTC Equity (9%)	Equity	$6,799,320.00
LIHTC Equity (4%)	Equity	$8,869,417.00
ASNH 2025 Round (4%)	Soft	$2,998,561.00
Blueprint (9%)	Soft	$2,000,000.00
Virginia Housing Mortgage (4%)	Senior Permanent	$12,229,959.00
Virginia Housing Mortgage (9%)	Senior Permanent	$7,151,715.00
FCHRA Existing Loan (4%)	Soft	$2,627,017.00
FCHRA Existing Loan (9%)	Soft	$1,723,980.00
Seller Note and Reserves (combined)	Soft	$3,513,346.00
Deferred Developer Fee	Soft	$2,242,756.00
Total		**$50,156,071.00**

Coralain Garden Project
Term Sheet for FCRHA Loan(s)

Borrower(s):	One or more subsidiaries of Developer. If Developer elects to split the project into two components (e.g., to use a 9/4 twin LIHTC structure), each component will be owned by a separate affiliated entity.
Developer:	Enterprise Community Development
Project Address:	7435 Arlington Blvd, Falls Church, VA 22042.
Amount:	An aggregate total of up to $2,000,000. If Developer elects to split the project into two components (e.g., to use a 9/4 twin LIHTC structure), loan may be split between components.
Interest Rate:	3% simple interest per annum. Interest will accrue on funds as they are disbursed.
Repayment:	Loan will be repaid from annual net cash flow (NCF). NCF includes cash flow remaining after payment of must-pay debt service, operating expenses, operating reserves, deferred developer fee, and such other expenses as the FCRHA may reasonably approve. Payments made will be applied first to accrued interest, then to principal. All outstanding principal and accrued but unpaid interest will be due on the maturity date.
Term:	Will be coterminous with the term of the first-position permanent loan.
Security:	FCRHA loans will be secured by a deed of trust and will be subordinate only to the first-position deed of trust. However, one or more FCRHA loans may be in lower priority lien position if acceptable to the FCRHA in its sole discretion. If the project is funded with multiple FCRHA funds, then an FCRHA loan will be in second position, followed by other FCRHA loans in third position, fourth position, etc. At Loan Closing (and not as an ongoing requirement to release loan proceeds), the value of the property, as determined by an appraisal acceptable to the FCRHA, must exceed the aggregate debt of the FCRHA loan(s) together with all higher priority loans.
Affordability:	Will be consistent with the terms of existing FCRHA affordability restrictions, requiring (across the entire project) 28 units to be affordable at or below 50% AMI and a further 78 units at or below 60% AMI.

Right of First Offer:	Borrower will provide FCRHA with a right of first offer (ROFO) for the property (or on each component of the property, if there are multiple components).
Developer Fee:	Borrower may pay a developer fee to Developer, the total and deferred amounts of which are subject to the approval of the FCRHA. Borrower may recoup its deferred developer fee in full before making payments on FCRHA loans, subject to terms to be finalized between FCRHA and Borrower. Borrower will make no other payments to Developer (or affiliates of Developer) without the prior consent of the FCRHA.
Monitoring Fee:	Borrower will pay to the FCRHA a total annual monitoring fee of u $15,000 (in the aggregate, if multiple project components), escalating at 3% annually for monitoring project compliance with the affordability requirements detailed in the loan documents. The fee is must-pay. FCRHA reserves the right to adjust the initial fee amount prior to closing based on its analysis of available projected cash flow.
Reserves:	At funding, Borrower will establish a repair and replacement reserve. Such amount may be consistent with the first position lender's or investor's requirements, as approved by the FCRHA. Borrower will contribute funding in an amount equivalent to the existing repair and replacement reserve, held for the property, to fund this project. FCRHA may require additional ongoing funding to the replacement reserve, after payment of debt service for first position mortgage, in excess of $300, subject to approval for senior lender.
Transfers:	Borrower may not transfer the property, in whole or in part, by operation of law or otherwise, without the prior approval of the FCRHA, not to be unreasonably withheld. Borrower may, however, transfer the property to an affiliate under common control, as further described in the loan documents to be negotiated for the project, provided that Borrower must notify the FCRHA in advance and the transferee must assume the loan(s). No interests in the Borrower may be transferred without the prior approval of the FCRHA, not to be unreasonably withheld, except (i) for cause, as set forth in Borrower's partnership/operating agreement; and (ii) for transfers of the investor's interests in the Borrower to Borrower's general partner / managing member (or to a commonly controlled affiliate) after the end of the LIHTC compliance period.

Senior Loan:	The first position loan must have a fixed interest rate, provided that the FCRHA may approve a variable rate senior construction loan in its sole discretion. The permanent first position loan must amortize fully. First position lender must enter into intercreditor or subordination agreement with the FCRHA on terms reasonably acceptable to the FCRHA.
Other Loans:	Other than the loans represented in the application for the Project, Borrower may not subject the property to any deed of trust or other lien, whether senior or subordinate to the FCRHA loan(s), without the prior approval of the FCRHA. Borrower may not obtain any unsecured loans without the prior approval of the FCRHA, except for an unsecured loan that is cash flow dependent and the repayment of which would come after annual payment of the FCRHA loan(s) in priority of payment from NCF.
Refinancing:	Borrower may not refinance senior debt on the Project without the FCRHA's consent. FCRHA loans will become due upon any refinancing of the senior permanent loan. The FCRHA, in its sole discretion, may agree to resubordinate one or more of the FCRHA loans upon such refinancing.
Termination:	The FCRHA may terminate this commitment as to any portion of the project that does not close by December 31, 2027, subject to extension upon mutual agreement.
Closing Conditions:	Borrower will execute the FCRHA loan documents concurrently with Borrower's construction loan closing (Closing). Unless waived by the FCRHA in its sole discretion, the following conditions must be met before Closing: • Fully executed construction loan documents and construction contract. • Fully executed partnership/operating agreement of Borrower, with admission of investor. • Fully executed loan commitment for permanent loan, and all necessary approvals for any other permanent and/or ongoing funding sources.

- A satisfactory appraisal, dated no earlier than 6 months before Closing, showing a property value that exceeds the aggregate debt on the property.

- ALTA survey and Lender's title insurance policy for the benefit of the FCRHA, from a title company acceptable to the FCRHA.

- Building permits

- Borrower organizational documents (including good standing certificate and authorizing resolutions)

- Legal opinion of Borrower's counsel.

- Final underwriting acceptable to the FCRHA, including sources and uses, development budget, annual operating expenses, cash flow analysis, and a development schedule.

- Such other documents and information as the FCRHA may reasonably require.

- Satisfactory evidence that the property will carry casualty insurance, fire insurance, general liability insurance, and other standard types of insurance for such a project.

Disbursement: FCRHA loan funds may be disbursed at closing of construction financing or later. Conditions precedent to funding the FCRHA loan(s) shall be detailed in the loan documents, and shall include the following:

<u>Fundings Prior to Completion</u>:

- Certification of architect that at least the applicable amount of the construction contract price has been expended, as detailed in the loan agreements.

- Payment and performance bond specifying the FCRHA as a named insured.

- No outstanding defaults under any loan, construction, or other project-related agreement.

- Such other items and information as the FCRHA may reasonably require.

<u>Funding at completion of construction</u>:

- Certificate of substantial completion from project architect

- Final construction lien releases, all occupancy permits, and a set of as-built drawings for the project.

- Such other items and information as the FCRHA may reasonably require.

Use of Funds: FCRHA loan fund disbursements shall be used for eligible rehab costs, soft costs and financing costs.

The FCRHA may permit full or partial exceptions to any provision in this term sheet in its sole discretion. In the event of any conflict between this term sheet and any fully executed FCRHA loan document, the terms of the FCRHA loan document will control. No third party may rely on the contents of this term sheet.

FCRHA:

FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

By: _____
Name:
Title:

BORROWER:

[Entity Name]

By: _____
Name:
Title:



Project: Coralain Gardens
Location: 7417-7435 Arlington Boulevard, Falls Church, VA 22042
Date: 2/16/2024
Created by: Jason Kramer

Project Area
Architecture Resources
Individual Historic District Properties
Archaeological Resources

Sources: VDHR 2024, ESRI 2024
Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years and the representation depicted is based on the field observation date and may not reflect current ground conditions. The map is for general illustration purposes and is not intended for engineering, legal or other site-specific uses. The map may contain errors and is provided "as-is". Contact DHR for the most recent information as data is updated continually.

DHR
Department of Historic Resources

Board Agenda Item
March 3, 2026

ACTION – 2

Designation of Coralain Gardens Apartments, Located at 7435 Arlington Boulevard, as a Revitalization Area (Mason District)

ISSUE:
The Board of Supervisors (Board) is requested to designate Coralain Gardens Apartments, located at 7435 Arlington Boulevard, Falls Church, VA 22042 in the Mason District and having Tax Map Parcel Numbers 0503 01 0003(A) and 0503 01 0003 (Attachment 1 – Location Map) (the Site) as a Revitalization Area pursuant to *Virginia Code § 36-55.30:2.*

RECOMMENDATION:
The County Executive recommends that the Board adopt the resolution in substantially the form at Attachment 2 to designate the Site as a Revitalization Area for the purpose of facilitating award of nine percent (9%) Low Income Housing Tax Credits (LIHTC) by Virginia Housing to the project.

TIMING:
Immediate. The Board Revitalization Area designation is requested for the development partner to meet the March 12, 2026 deadline for submitting its Virginia Housing Development Authority (VH) 9% LIHTC application.

BACKGROUND:
The Site is located at 7435 Arlington Boulevard, Falls Church, VA 22042 in the Mason District and is the current location of Coralain Gardens Apartments, which features studios, one-bedroom, and two-bedroom apartments. A subsidiary of Enterprise Community Development (ECD) acquired the property in late 2023through an assignment of the Fairfax County Redevelopment and Housing Authority's Right of First Refusal (ROFR). ECD is now planning to apply for 9% LIHTC as part of its refinancing for rehabilitating the Site (the Project). The Project is structured to utilize both 9% and 4% LIHTCs and will likely be a phased closing. The approval of a loan related to this application is being requested from the Board in a separate action item. The units will be maintained as affordable to households with incomes averaging at or below 60% of

Area Median Income (AMI) as published by the U.S. Department of Housing and Urban Development.

Revitalization Area Designation and Tax Credit Application:
Applying for LIHTC is a critical source of project funding and is a highly competitive process with points awarded by VH to projects that meet specific criteria. A project is eligible for an additional 15 points if the site is designated as a Revitalization Area as described in Virginia Code § 36-55.30:2. (VH Revitalization Statute). If the Site is designated by the Board as a "Revitalization Area", the designation will be used solely for the purpose of receiving additional points for the LIHTC competitive 9% application. The designation will in no manner affect any areas in Fairfax County that have been, or in the future may be, determined by the Board to be Revitalization Areas or Revitalization Districts pursuant to Board actions on the County Comprehensive Plan that are separate and distinct from those set forth in the VH Revitalization Statute.

Staff has determined that the Site meets the above-referenced code definition because the Site meets the following criteria: (i) the Site, is deteriorating and, if not rehabilitated, is likely to deteriorate further by reason that the buildings, improvements or other facilities on the Site are subject to dilapidation and/or faulty or inadequate quality and condition; and (ii) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within this area and thereby create a desirable economic mix of residents in such area.

To receive the 15 points, a County Board resolution, in substantially the form of Attachment 2 (Resolution), is needed to designate the Site as a Revitalization Area.

FISCAL IMPACT:
None.

EQUITY IMPACT:
The Project aligns with One Fairfax's commitment to equitable community and economic development. With the region's current Area Median Income (AMI) at $163,900 for a family of four, the Project will provide crucial housing for households with incomes on average at or below 60% AMI. Further, the location of the proposed units also aligns with the One Fairfax Policy, which recommends, in part, (i) the

implementation of housing policies and practices that encourage all who want to live in Fairfax to be able to do so, and (ii) the providing of a full spectrum of housing opportunities across the county, most notably those in mixed-use areas that are accessible to multiple modes of transport. The proposed Project will promote opportunities for everyone to fully participate in the region's economic vitality, contribute to its readiness for the future, and connect to its assets and resources.

The renovation project aligns with One Fairfax's commitment to equitable community and economic development. The Project promotes wealth-building and stability for low-and moderate-income households, ensuring that residents-regardless of race, income, age, or background, can live in neighborhoods that connect them to opportunity, resources, and a high quality of life.

ENCLOSED DOCUMENTS:
Attachment 1 - Location Map
Attachment 2 - Resolution

STAFF:
Christopher Leonard, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development (HCD)
Anna Shapiro, Deputy Director, Real Estate Finance and Development, HCD
Callahan Seltzer, Division Director, Real Estate and Community Development Finance (RECDF), HCD
Meghan Van Dam, Division Director, Planning and Inclusionary Housing (PIH), HCD
Lucinda Metcalf, Associate Director of Housing Preservation, PIH, HCD
Rachel Waldman, Associate Director, RECDF, HCD
Jeremy Welsh-Loveman, Real Estate Finance Project Manager, RECDF, HCD

ASSIGNED COUNSEL:
Ryan Wolf, Senior Assistant County Attorney



Project: Coralain Gardens
Location: 7417-7435 Arlington Boulevard, Falls Church, VA 22042
Date: 2/16/2024
Created by: Jason Kramer

Project Area
Architecture Resources
Individual Historic District Properties
Archaeological Resources

Sources: VDHR 2024, ESRI 2024
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DHR
Department of Historic Resources



Project: Coralain Gardens
Location: 7417-7435 Arlington Boulevard, Falls Church, VA 22042
Date: 2/16/2024
Created by: Jason Kramer

Project Area
Architecture Resources
Individual Historic District Properties
Archaeological Resources

Sources: VDHR 2024, ESRI 2024
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DHR
Department of Historic Resources

Attachment 2

RESOLUTION OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA DESIGNATING CORALAIN GARDENS APARTMENTS AS A REVITALIZATION AREA PURSUANT TO VIRGINIA CODE § 36-55.30:2

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center in Fairfax, Virginia, on March 3, 2026, at which quorum was present and voting, the following was adopted:

WHEREAS, pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Board of Supervisors of the County of Fairfax, Virginia, desires to designate the area (the "Area") described on Exhibit A attached hereto as a revitalization area.

WHEREAS, Enterprise Community Development (ECD) (the "Developer") has proposed rehabilitating 106 affordable housing units (the "Development") within the Area having Fairfax County Tax Map Numbers 0503-01-0003(A) and 0503-01-0003 and located at 7435 Arlington Blvd Falls Church, VA 22042, in the Mason District.

WHEREAS, the Developer's financing plan for the Development includes, among other components, two applications to Virginia Housing: a 4% Low Income Housing Tax (LIHTC) application applied to 64 units and a competitive 9% LIHTC application, pertaining to the proposed Development, applied to 42 units.

WHEREAS, the 9% LIHTC evaluation process provides that 15 additional points may be awarded to projects that meet the definition of a Revitalization Area pursuant to Virginia Code § 36-55-30:2 ("Revitalization Area") and have been so designated by resolution of the governing body in which the Revitalization Area is located.

WHEREAS, the definition of a Revitalization Area used in Virginia Code § 36-55-30:2 is separate and distinct from terms "Revitalization Area" and "Revitalization District" as used in the various comprehensive plans for Fairfax County, Virginia. Any designation of the Area as a Revitalization Area does not in any manner affect any areas of the County that have been, or in the future may be, determined by the Board to be Revitalization Areas or Revitalization Districts.

WHEREAS, the Area meets the standards for a Revitalization Area as described in Virginia Code § 36-55-30:2, namely that (i) the Area, is deteriorating and, if not rehabilitated, is likely to deteriorate further by reason that the buildings, improvements or other facilities thereon are subject to dilapidation and/or inadequate quality or condition; and (ii) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low-and moderate-income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

The Area is deteriorating and, if not rehabilitated, is likely to deteriorate further by reason that the buildings, improvements or other facilities thereon are subject to dilapidation and/or inadequate quality or condition; and private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low- and moderate-income persons and families in this area and will induce other persons and families to live within this area and thereby create a desirable economic mix of residents in such area.

NOW, THEREFORE, BE IT HEREBY RESOLVED that pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Area is hereby designated as a revitalization area.

ADOPTED this day 3rd day of March 2026.

A Copy – Teste:

_____
Jill G. Cooper
Clerk to the Board of Supervisors

Attachment 2

Exhibit A

Fairfax County Tax Map Numbers 0503-01-0003(A) and 0503-01-0003, as depicted below:

Board Agenda Item
March 3, 2026

ACTION – 3

Authorization to Make Loans to Affiliates of Wellington Development Partners of up to $8,100,000 to Finance the Development of Agape Chantilly House Phase Two (Sully District)

ISSUE:
Board of Supervisors' authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to provide subordinate financing of up to $8,100,000 to affiliates of Wellington Development Partners (WDP) for the development of approximately 81 units of affordable senior housing (the Project) in the Sully District.

RECOMMENDATION:
The County Executive recommends the Board authorize the FCRHA to make the proposed loans for the development of the project in an amount not to exceed $8,100,000.

TIMING:
Immediate. Board action is requested on March 3, 2026, in order for the project to submit an application for competitive Low Income Housing Tax Credits later in the month.

BACKGROUND:
Wellington Development Partners applied for the FY26 Notice of Funding Availability (NOFA) for an Affordable Housing Development and Investment Fund (AHDI) loan to the Project. HCD staff recommends the Project for financing in an amount up to $8,100,000, subject to final underwriting.

Developer:
WDP is a developer based in Washington, DC with expertise in affordable housing, residential development, and LIHTC programs. WDP was formed to satisfy the growing need for suburban affordable housing, particularly in Northern Virginia. The firm's principals are affordable housing professionals with significant experience in rental assistance programs, community engagement, government programs including Housing Choice Voucher programs, and financing senior housing.

Project Description:

WDP entered into a joint venture agreement with Agape Property Management, LLC (APM), the owner of the 3.79-acre project site, to develop an affordable senior housing community. On March 19, 2024, the Board of Supervisors approved a rezoning plan, which allowed for the development of an up to 228-unit affordable independent living facility, with an on-site adult day care.

The developer intends to develop the facility in two phases, as permitted under the rezoning. The Board approved an up to $9,400,000 loan for Phase One of this development on February 18, 2025. Phase One will have approximately 101 units, an adult day care center, and will also serve low- and moderate-income seniors. The loan that is the subject of this item is for Phase Two, which will include approximately 81 units and 39 parking spaces.

Phase Two of the development is planned to include the following:

a) Approximately 81 new units of affordable housing in the Sully District serving seniors up to 60 percent of Area Median Income (AMI).

b) Centreville bus stop within 0.2 miles of the development.

c) Property will include controlled access, elevators, a fitness center, package lockers, on-site property management, a community room, a courtyard/outdoor terrace, parking and electric vehicle charging stations.

d) In-unit features include weather sheltered entries, extra floor space in kitchen/ bathroom to allow easy turning, kitchen task lighting, audio/visual doorbells, easy to use thermostats.

e) Project expects to meet the National Green Building Standards, include ADA (Americans with Disabilities Act) compliant units, and will be designed to meet Virginia Housing Universal Design standards.

Summary of Anticipated Project Financing:
The developer plans on using a combined four percent and nine percent LIHTC financing structure, and is requesting a subordinate financing of up to $8,100,000, divided into two loans. The Borrower will repay the loans out of net cash flow and the unpaid principal will bear three percent interest. The financing plan is described more fully in Attachment 2. Loan terms are detailed in the Term Sheet included as Attachment 3.

Requirements for funding:
The developer currently anticipates closing on the financing in the first quarter of 2027. Requirements for the closing include, but are not limited to, the following:

1. The developer must secure the nine percent LIHTC award from Virginia Housing, or otherwise structure the project to ensure FCRHA underwriting standards are met.
2. Additional funding sources secured that meet:
    a. The maximum Loan-to-Value ratio requirements
    b. Required debt leveraging ratios for respective LIHTC portions
    c. County per unit funding goal
3. Secure commitment of funds for the construction loan and permanent debt
4. Placement of tax credits with an investor
5. Final underwriting and loan amount determination by HCD staff
6. Satisfactory collateralization of the loans
7. Receipt and approval of all third-party reports by HCD staff
8. Other factors as deemed necessary to protect the interest of the FCRHA and Fairfax County

EQUITY IMPACT:
The proposed Project will contribute to the Board's goal of creating 10,000 affordable housing units by 2034.

Agape Chantilly House will provide crucial affordable housing for senior residents. The location of the proposed Project is accessible to important community amenities such as transportation, groceries, retail and recreation. The location and population served align with the One Fairfax Policy, which recommends, in part, (i) the implementation of housing policies and practices that encourage all who want to live in Fairfax to be able to do so, and (ii) providing a full spectrum of housing opportunities across the County, most notably those in mixed-use areas that are accessible to multiple modes of transport.

The Project will promote housing opportunities for the County's senior population, an important factor in promoting health, safety and well-being of seniors. Additionally, this will allow seniors to fully participate in the region's economic vitality and connect to the community's available resources.

FISCAL IMPACT:
The total FCHRA loan amount of no more than $8,100,000, is anticipated to come from one or both of the following sources:

- Fund 30300, Affordable Housing Development and Investment Fund
- Fund 40300, Housing Trust Fund (HTF)

The interest rate on the FCRHA loans will be three percent simple interest per annum. Interest will start to accrue on funds as they are disbursed.

For each respective 4 percent and 9 percent LIHTC applications in NOFA funding, the FCRHA will receive an ongoing loan monitoring fee. Underwriting staff will negotiate the annual monitoring fee to be maximally advantageous to the FCRHA, but in any event the fee will be no less than $7,500.

ENCLOSED DOCUMENTS:
Attachment 1 – Project Location Map
Attachment 2 – Appraised Value, Proposed Unit Mix, Rent Structure and Financing Plan
Attachment 3 – FY26 NOFA Loan Term Sheet

STAFF:
Christopher Leonard, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing & Community Development (HCD)
Anna Shapiro, Deputy Director, Real Estate Finance and Development, HCD
Callahan Seltzer, Division Director, Real Estate & Community Development Finance (RECDF), HCD
Rachel Waldman, Associate Director, Real Estate Finance, HCD
Jeremy Welsh-Loveman, Real Estate Finance Project Manager, Real Estate Finance, HCD

ASSIGNED COUNSEL:
Susan Timoner, Assistant County Attorney

Project Location

Agape Chantilly House: 3870 Centerview Drive Chantilly, VA 20151

Amenity	Distance from the Proposed Project
Urgent Care	.6 miles
Aldi	.7 miles
Sully Plaza Shopping Center	.7 miles
Walmart Supercenter	1.2 miles
Costco	1.6 miles
Target	1.6 miles
Sully Community Center	1.7 miles
Sully Senior Center	2.0 miles
Chantilly Regional Library	2.4 miles
Inova Fair Oaks Hospital Center	3.9 miles
Fair Oaks Mall	4.8 miles
Reston Hospital Center	9.0 miles



Note: The proximity to subject and area amenities are estimations provided by the appraiser, Allen & Associates Consulting, Inc on 10/18/24.

Appraised Value, Proposed Unit Mix, Rent Structure and Financing Plan

Appraised Value:
An independent appraisal company, Allen & Associate Consulting, Inc., confirmed that the total appraised value of Phase II of the Agape Chantilly House Project fully collateralizes the sum of the anticipated senior debt and FCRHA subordinate loan. According to the appraisal dated November 9, 2025, the appraised value for Phase II is $20,635,000. The final loans will be structured to fully collateralize the total requested loans.

The Department of Tax Administration (DTA) has reviewed the appraisal and determined that the valuation methodology and value conclusions were appropriate and reasonable.

Proposed Unit Mix:

	Room Type	30% AMI	50% AMI	60% AMI	Units
4% LIHTC	1-bed	4	0	37	41
	2-beds	0	0	6	6
9% LIHTC	1- bed	3	12	11	26
	2-beds	1	2	5	8
Total		8	14	59	**81**

The proposed unit mix is subject to change depending on availability of sources.

Rent Structure:
The project will use one rent-rate structure: LIHTC rents set by Virginia Housing for all units. It is possible that the project may utilize rental vouchers in the future, at the sole discretion of FCRHA. If the rental vouchers are used, the gross rent received by the landlord, and the portion due from the tenant, will be regulated by the voucher provider.

Current Estimated Financing Plan:
Wellington Development Partners proposes using both 4 percent and 9 percent LIHTC along with a variety of sources, including, but not limited to, a mortgage financed by Virginia Housing, Virginia REACH PLUS & REACH subordinate loans, second position subordinate financing through the FCRHA (FCRHA loans), and Affordable and Special Needs Housing (ASNH) funds from the Virginia Department of Housing and Community Development (DHCD). The total amount of FCRHA subordinate financing will not exceed $8,100,000. The sources of funds and allocation between sources may be revised before closing to reach an optimal financing structure. The proposed sources of funding for the Project, along with the uses of such funds in delivering the Project, are listed below:

Estimated Sources and Uses as of January 2026:

Sources	4 Percent LIHTC	9 Percent LIHTC	Combined
Tax Credit Equity	$ 5,712,407	$ 7,979,202	$ 13,691,609
VH First Mortgage	$ 1,451,796	$ 530,350	$ 1,982,146
Virginia REACH PLUS	$ 3,000,000	$ 2,400,000	$ 5,400,000
Virginia REACH	$ 2,138,500	$ 1,530,000	$ 3,668,500
FCHRA Subordinate Loan(s)	$ 5,747,646	$ 2,092,907	$ 7,840,553
Virginia DHCD: VHTF	$ 0	$ 2,000,000	$ 2,000,000
Deferred Developer Fee	$ 673,001	$ 746,904	$ 1,419,904
Total Sources	**$18,723,349**	**$17,279,363**	**$ 36,002,712**

Uses	4 Percent LIHTC	9 Percent LIHTC	Combined
Acquisition	0	$ 1,101,600	$ 1,101,600
Hard Construction Cost	$ 12,332,182	$ 10,505,192	$ 22,837,374
Construction Contingency	$ 812,724	$ 692,321	$ 1,505,045
Architecture & Engineering	$ 505,545	$ 430,649	$ 936,194
Soft Costs	$ 1,238,134	$ 1,054,707	$ 2,292,841
Financing/ Interests	$ 1,608,552	$ 1,768,894	$ 3,377,446
Reserves	$ 416,212	$ 46,000	$ 462,212
Developer Fee	$ 1,810,000	$ 1,680,000	$ 3,490,000
Total Uses	**$18,723,349**	**$17,279,363**	**$ 36,002,712**

The FCRHA staff will continue to underwrite the Project as other sources are committed, including LIHTC equity and additional sources sought by the developer. The Loan Underwriting Committee (LUC) recommended approval of up to $8,100,000 for this Project, but the final loan amount remains subject to final underwriting, including evaluation of the Loan to Value, County loan per unit, and leveraging ratios constraints as set forth in the 2026 NOFA.

Agape Chantilly House Phase Two

FY2026 NOFA Loan Term Sheet

Borrowers:	AHC2 4% Owner LLC and AHC2 9% Owner LLC
Developer:	To be formed single purpose entity controlled by Wellington Development Partners and Agape Property Management
Project Address:	3870 Centerview Drive Chantilly, VA 20151
Loan Amounts:	Up to $8,100,000, which will be divided into two loans, one for each of the 4 percent and 9 percent LIHTC entities. The funding of these two loans may include allocations from the Affordable Housing Development and Investment Fund, Housing Trust Fund (HTF), and/or other sources, at FCRHA's discretion. If the FCRHA uses multiple funding sources, each source will comprise a separate loan. The terms will apply to each loan.
Interest Rate:	Each loan will incur 3 percent simple interest per annum. Interest will start to accrue on funds as they are disbursed.
Repayment:	Loan will be repaid from annual net cash flow (NCF). NCF includes cash flow remaining after payment of must-pay debt service, operating expenses, operating reserves, deferred developer fee, and such other expenses as the FCRHA may approve. Payments made will be applied first to accrued interest, and then to principal. All outstanding principal and accrued but unpaid interest will be due on the maturity date.
Loan Term:	Loan term will be the longer of (i) term of first-position permanent loan or (ii) 30 years following conversion of first-position loan to permanent financing.
Security:	FCRHA Loans will be subordinate to the first trust mortgage and may be lower in priority lien position, if acceptable to the FCRHA in its sole discretion. If the project is funded with Blueprint and/or other FCHRA funds, then the Blueprint loan will be in second position, followed by other FCHRA loans in third position, fourth position, etc.)
Affordability:	Borrowers will rent units to households at or below 60% of Area Median Income (AMI) and must comply with all applicable affordability requirements, including LIHTC requirements during the LIHTC compliance period. FCRHA loan affordability restrictions will

be recorded in the land records for the property and will run with the land for the term of the loans(s).

Option & ROFR: Borrower will provide FCRHA with an option to purchase the property and a right of first refusal (ROFR) for the property. Each of the FCRHA's option and ROFR rights will be subordinate to senior debt financing and will not apply to offers where the purchaser is related to the Developer.

Developer Fee: Borrowers may pay a developer fee to Developer, the total and deferred amounts of which are subject to the approval of the FCRHA. Borrowers may recoup its deferred developer fee in full before making payments on the FCRHA loan(s), subject to terms to be finalized between FCRHA and Borrowers.

Borrowers will make no other payments to Developer (or affiliates of Developer) without the prior consent of the FCRHA.

Monitoring Fees: The FCRHA will receive an annual monitoring fee of no less than $7,500 per loan, escalating at 3 percent annually, for monitoring project compliance with loan and other affordability requirements. Underwriting staff will negotiate the monitoring fee to be maximally advantageous to the FCRHA, but in any event the fee will be no less than $7,500. The monitoring fees may be cash flow dependent but must be paid prior to any other cash flow dependent payment.

Reserves: At funding, Borrowers will establish a repair and replacement reserve. The amount of the reserve must be approved by the FCRHA.

Transfers: Borrowers may not transfer the property, in whole or in part, by operation of law or otherwise, without the prior approval of the FCRHA, not to be unreasonably withheld, and subject to the FCRHA's rights under the ROFR. Borrowers may, however, transfer the property to an affiliate under common control, as further described in the loan documents to be negotiated for the project, provided that Borrowers must notify the FCRHA in advance and that the transferee assumes the loan(s).

Senior Loan: The first position loan must have a fixed interest rate, provided that the FCRHA may approve a variable rate senior construction loan in its sole discretion. The permanent first position loan must amortize.

First position lender must enter into intercreditor or subordination agreement with FCRHA on terms reasonably acceptable to the FCRHA including, without limitation, the right to cure defaults, to

acquire the senior debt, and to acquire ownership of the property.

Other Loans: Borrower may not subject the property to any deed of trust or other lien, whether senior or subordinate to the FCHRA loan(s), and whether secured or unsecured, without the prior approval of the FCRHA, except as specifically permitted in the loan documents.

Refinancing: Borrower may not refinance senior debt on the Project without FCRHA's consent. FCRHA loans will become due upon any refinancing of the senior permanent loan. The FCRHA, in its sole discretion, may agree to resubordinate one or more of the FCRHA loans upon such refinancing.

Termination: If the Borrower does not obtain an award of 9% LIHTC in 2026, the FCRHA reserves the right to terminate the loan commitment.

Closing: Borrower will execute FCRHA loan documents concurrently with Borrower's construction loan closing (Closing). Unless waived by the FCRHA in its sole discretion, the following conditions must be met before Closing:

- Fully executed construction loan documents and construction contract.
- Fully executed partnership/operating agreement of Borrower, with admission of investor.
- Fully executed loan commitment for permanent loan, and all necessary approvals for any other permanent and ongoing funding sources.
- A satisfactory appraisal, dated no earlier than 6 months before Closing, showing a property value that exceeds the aggregate debt on the property.
- ALTA survey and Lender's title insurance policy for the benefit of the FCRHA, from a title company acceptable to the FCRHA.
- Zoning letter from the Fairfax County Department of Planning and Development, site plan, building permits, etc.
- Borrower organizational documents (including good standing certificate and authorizing resolutions).
- Legal opinion of Borrower's counsel.
- Final underwriting acceptable to the FCRHA, including sources and uses, development budget, annual operating expenses, 30-year cash flow analysis, and a development schedule.
- Such other documents and information as the FCRHA may

reasonably require.

Funding: FCRHA loan funds shall be disbursed at construction completion or earlier as may be permitted under the loan documents. Conditions precedent to funding the FCRHA loan(s) shall be detailed in the loan documents, and shall include the following:

- Certificate of substantial completion from project architect or other certification, as appropriate.
- Payment and performance bond specifying the FCRHA as a named insured.
- No outstanding defaults under any loan, construction, or other project-related agreement.
- Final construction lien releases, all occupancy permits, and a set of as-built drawings for the project.
- Such other items and information as the FCRHA may reasonably require.

The FCRHA may permit full or partial exceptions to any provision in this term sheet in its sole discretion. In the event of any conflict between this term sheet and any fully executed FCRHA loan document, the terms of the FCRHA loan document will control. No third party may rely on the contents of this term sheet.

[Signatures on the following pages]

FCRHA:

FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

By: _____
Name:
Title:

BORROWER(S):

AHC2 4% Owner LLC

By: _____
Name:
Title:

AHC2 9% Owner LLC

By: _____
Name:
Title:

Board Agenda Item
March 3, 2026

ACTION – 4

Approval of the Calendar Year 2026 Forest Health Program

ISSUE:
Board of Supervisors (Board) approval of the Calendar Year 2026 Forest Health Program.

RECOMMENDATION:
The County Executive recommends that the Board direct staff to take the following actions concerning Fairfax County's (County) Calendar Year 2026 Forest Health Program per *Appendix I of the Code of the County of Fairfax, Fairfax County Special Service District for the Control of Infestations of Insects that May Carry a Disease that is Dangerous to Humans, Gypsy Moths, Cankerworms and Certain Identified Pests*.

Asian Longhorned Beetle (ALB)

a. Review and update the long-term management plan for ALB.
b. Continue visual surveys for ALB in areas surrounding industrial activity and campsites.
c. Continue to investigate new methods to monitor areas that have been identified as being at high risk for ALB introduction.

Beech Leaf Disease (BLD)

a. Continue to identify and map beech forest stands in the County.
b. Continue to maintain an inventory of high value landscape beech trees on County property.
c. Initiate trunk injection treatments for selected high value landscape beech trees on County property.
d. Continue to identify and map BLD infestations and their spread throughout the County.
e. Monitor and report the progression of the disease and beech mortality in the County.
f. Participate in the U.S. Department of Agriculture (USDA) Forest Service's research project to understand the biology and the underlying dynamics of the spread of BLD and beech bark disease (BBD).
g. Continue to monitor and participate in the latest scientific research for BLD.

h. Seek out opportunities to advance the science surrounding treatment of BLD by aiding through funding or in-kind resources.
i. Update and maintain management plan for BLD.

Cooperative Agriculture Pest Survey (CAPS)

a. Conduct a monitoring program for oak ambrosia beetle (OAB), sudden oak death (SOD), and redbay ambrosia beetle (RAB) in support of CAPS monitoring efforts.
b. Investigate potential control methods for OAB, SOD, and RAB including the use of biological control.
c. Continue to monitor the latest scientific research for OAB, SOD, and RAB.

Emerald Ash Borer (EAB)

a. Continue to inventory the County's ash resources as well as investigate new control methods for EAB, including the use of biological control.
b. Continue a control program for EAB on high value ash trees on County-owned properties. Staff plan to use the trunk injected pesticide Mectinite® and basal bark trunk spray Safari® 20 SG.
c. Continue annual health evaluations of treated ash trees to determine efficacy and future treatments.
d. Continue monitoring existing biological control release sites to assess parasitoid establishment and expand release efforts to suitable areas.
e. Continue coordinating the remediation of tree damage caused by EAB, including the removal of dead ash trees from the County's property.

Fall Cankerworm (FCW)

a. Continue FCW defoliation surveys in the spring and conduct adult trapping over winter as needed.

Forest Health Initiative

a. Review i-Tree ECO™ and report result of the ecosystems services and characteristics of the urban forest.

Hemlock Woolly Adelgid (HWA)

a. Continue to inventory the County's hemlock resources and investigate new control methods for HWA, including the use of biological controls.

b. Continue a control program in naturally occurring forest stands of eastern hemlock on County and NOVA Parks property. Staff will treat sites in the Dranesville and Springfield districts. Staff plan to use the soil injected pesticide Xytect 2F®, bark and soil applied pesticide Transect®, trunk injected pesticide IMA-jet®, and CoreTect® pesticide soil tablets.
c. Continue health evaluations of hemlock trees to determine treatment efficacy and future treatments.
d. Continue to release predatory beetles and pursue expanding biocontrol efforts.
e. Investigate opportunities for hemlock restoration on NOVA Parks and Park Authority properties to support declining hemlock stands.
f. Conduct monitoring of HWA populations to track annual trends and management effectiveness.

Spongy Moth (SM)

a. Continue a monitoring program for SM life stages on residential and County-owned properties.
b. Continue to monitor SM population dynamics in the eastern United States.

Spotted Lanternfly (SLF)

a. Continue to monitor impacts on forest resources now that the County is considered infested with SLF.
b. Continue to inventory tree-of-heaven (*Ailanthus altissima*) on County property. Continue to remove or treat these trees with an herbicidal treatment of JLB Oil Plus®, Garlon® 3A, Garlon® 4 Ultra, and Rodeo®. Quality check treatment sites and reforest with native trees where appropriate.
c. In limited circumstances, systemic insecticides Transect®, Merit® 2F and Safari® 20 SG, may be applied to tree-of-heaven for SLF control. Continue to implement mechanical methods of control such as vacuum removal of SLF infestations.

TIMING:
Board action is requested on March 3, 2026. The timing of this item corresponds with the beginning of program monitoring activities.

BACKGROUND:
The *Appendix I of the Code of the County of Fairfax, Fairfax County Special Service District for the Control of Infestations of Insects that May Carry a Disease that is*

Dangerous to Humans, Gypsy Moths, Cankerworms and Certain Identified Pests, requires the submission of the annual Integrated Pest Management Program proposal for the Board's approval. The Department of Public Works and Environmental Services (DPWES), Urban and Community Forestry Division (UCFD) works in cooperation with state and federal agencies for monitoring, treatment, and public education for listed forest pests. Information on the monitoring, inventories, treatment, and public education of the Forest Health Branch can be found in the 2025 fiscal year report (Attachment 1). Pesticide trade names change frequently, and those mentioned below are current at the time of this writing. Treatments will only be performed using pesticides containing active ingredients listed in this document. Specific trade names may differ if safer pesticide formulations are released prior to treatment following approval of this document.

Asian Longhorned Beetle (ALB)

ALB (*Anoplophora glabripennis*) is an invasive insect that is thought to have been brought to the United States in wood packing material used in commercial shipping. Since the mid-1990s, ALB infestations have been discovered in Illinois, New York, New Jersey, Massachusetts, Ohio, and South Carolina. ALB will infest many hardwood species. According to an analysis conducted by the UCFD, approximately 13 percent of the County's trees are susceptible to this pest. ALB larvae kill trees by boring into the tree and disrupting its nutrient flow causing eventual tree death.

ALB infestations are difficult to detect. Most ALB infestations in the United States have been established for several years before detection. Eradication can be particularly difficult since they have had time to spread well beyond the initial site of introduction. The USDA and its partners have eradicated infestations in Illinois, New Jersey, various parts of New York City (Brooklyn, Queens, Manhattan, Staten Island), Islip (New York), Boston (Massachusetts), and two townships in Ohio. Eradication efforts are still ongoing in other parts of New York, Massachusetts, Ohio, and South Carolina. ALB could have drastic economic and social impacts if it is introduced in the County. It is critical that private and public tree care experts remain vigilant in monitoring this pest to find it early. According to the USDA, most of the infestations found in the United States have been detected by tree care professionals or informed homeowners.

Staff attempted to use monitoring traps in industrial areas where the risk of pest introductions is higher. Unfortunately, researchers discovered that the monitoring traps were ineffective for early detection. In the absence of effective monitoring traps, staff perform visual surveys for ALB damage in trees growing in industrial areas. In fiscal year (FY) 2025, teams of staff conducted a one-day survey of all major industrial areas in the County. Visual surveys at over 36 sites and inspections of over 65 trees showed no signs of ALB damage. Surveys will continue in 2026 using the same methodology, while adding areas such as campsites that would exhibit a higher risk for movement of

untreated firewood. Staff focused on outreach to increase chances of early detection and reporting of the pest. Staff continue to explore new methods to monitor areas that have been identified at high risk for introduction.

Beech Leaf Disease (BLD)

Beech leaf disease (BLD) is a relatively new disease in the United States. It affects native American beech (*Fagus grandifolia*), commonly planted European beech (*Fagus sylvatica*), and Asian beech (*Fagus engleriana*). First identified in Ohio in 2012, BLD has since spread to many Northeastern and Mid-Atlantic states, as well as Ontario, Canada. It was discovered and confirmed in the County in 2022. It is nearly 100 percent fatal to beech trees.

The disease is caused by sub-species of microscopic leaf-feeding nematodes (*Litylenchus crenatae ssp. mcannii (Lcm)*) whose species is native to Japan. A nematode is a tiny, worm-like creature that lives in soil, water, and inside plants and animals, often requiring a microscope to be seen. Researchers are studying how this subspecies of nematode is spreading in the United States. They have found that birds, insects, rain, wind, and possibly other microscopic organisms contribute to their distribution.

Feeding damage to the leaves can initially be seen as dark striping between the veins, curling, and/or leathery texture. The nematodes enter the leaf buds in the fall, feeding and laying eggs inside the buds into the winter. By springtime the emerging leaves are already damaged or destroyed. The nematodes can multiply and spread rapidly in the tree canopy until there are too few healthy leaves to support the tree, so it eventually dies. Seedlings and saplings die in one to three years; larger more mature trees in four to ten years. Research to further the understanding of this disease is ongoing while new treatments are being sought and developed.

American beech trees are important to the ecosystem and, along with red maple trees, are the most common species in the County. According to a UCFD analysis, approximately 7 percent of the County's trees are vulnerable to BLD. Beech trees are a critical component of the native forest ecosystem.

Individual trees can be treated with targeted interventions to manage BLD; however, this approach is impractical at the landscape scale due to the high labor demands of individual treatments. The Virginia Department of Agriculture and Consumer Services (VDACS) has issued a Special Local Need Label for Arbotect® 20-S for the treatment of BLD in beech trees. The label will expire at the end of 2028. The product contains the fungicide Thiabendazole, which is mixed with a large volume of water and injected through multiple injection sites into the tree. The treatment is used for large trees and can take from two to four hours. A single treatment can reduce the nematode

population in the tree for two years, then the treatment would be repeated on the third year or as symptoms return.

In FY 2025, staff initiated an inventory of high value mature landscape beech trees growing on County property that may be considered for trunk injection treatments over the next several years. Injection treatments are scheduled to be initiated in 2026.

Staff proactively seek opportunities to support university research studies. Staff has contributed infected twig samples to a regional nematode DNA study conducted annually by the University of Connecticut. In FY 2024 and FY 2025, staff provided field testing for early eDNA detection and nematode detection by a researcher at Grand Valley State University. Staff plans to continue these activities and explore additional opportunities to collaborate with state and non-profit research institutions in 2026.

Staff are participating in a long-term USDA Forest Service study of BLD throughout the eastern United States. In FY 2022, four permanent monitoring plots were established in beech stands confirmed to have, or be at high risk of developing BLD. The plots, all in County or regional parks are assessed annually. Detailed data about the plot location, forest composition and health, and BLD symptoms and influence at every level of the forest are collected and shared with the USDA Forest Service.

Cooperative Agricultural Pest Survey (CAPS)
CAPS is a USDA Animal and Plant Health Inspection Service (APHIS) program. The mission is to utilize a network of cooperators and stakeholders to detect non-native, invasive pests of concern. Using various traps and visual surveys, the UCFD monitors pests of concern to the forest resources of the County in collaboration with VDACS. The specific pests monitored in the County are oak ambrosia beetle (OAB), red bay ambrosia beetle (RAB), and sudden oak death (SOD). Currently OAB, SOD, and RAB, are not found in the County; however, their potential impacts to agriculture and natural resources warrants monitoring efforts to find them quickly should they arrive here.

OAB (*Platypus quercivorus*) is a small woodboring pest of concern globally because it has the potential to spread a serious fungal disease, Japanese oak wilt (*Raffaelea quercivora*), to willow oak and other oak species found in the County. The native range of this insect includes Japan and several places in Southeast Asia, but it has not yet been found in the United States. The County has a high density of potential hosts, according to the USDA APHIS, and could see significant financial and environmental impacts if OAB were to become established.

If OAB is found in the County, staff will work with VDACS and other partners to manage its spread and impact. Staff will monitor OAB and implement an outreach component to educate private and public groups about this pest and its control.

RAB (*Xyleborus glabratis*) is a woodboring beetle of global concern because it has the potential to spread a serious fungal disease, laurel wilt (*Raffaelea lauricola*), to sassafras and spice bush, both species found throughout the County. The native range of this insect includes India, Japan, Myanmar, and Taiwan. It was first found in the United States in 2002 and in southern Virginia in 2021. The potential hosts of RAB are valuable understory species that provide food and habitat to many native animals. USDA APHIS could see significant financial and environmental impacts if RAB were to become established.

If RAB is found in the County, staff will work with VDACS and other partners to manage its spread and impact. Staff will monitor RAB and implement an outreach component to educate private and public groups about this pest and its control.

SOD is a disease caused by a water-borne algae-fungus *Phytophthora ramorum*. This pathogen has caused wide-scale oak mortality in California and Oregon and could threaten eastern oak species if moved. It has been successfully intercepted in a few plant nurseries in the eastern United States and officials feel that it has been contained.

If SOD is found in the County, staff will work with VDACS and other partners to manage its spread and impact. Staff will monitor for SOD and implement an outreach program to educate private and public groups about SOD and its control.

Emerald Ash Borer (EAB)

EAB was first identified in the County in 2003 at a school site in the Wolf Trap area. Most ash trees have died since the pest's initial introduction. Forest Health funds have been used to remove tree hazards to help reduce negative economic impacts for homeowners, parks, and private businesses. Staff are implementing a research based EAB control program for individual ash trees on public lands within the County. Staff have coordinated with those responsible for the maintenance of the trees, advising them of ongoing control activities. An annual health assessment is made for each of the treated trees to evaluate its overall health and crown condition based on parameters set in the EAB Management Plan. The management plan will be reviewed and updated with any current/new methodology for managing EAB. To date, there are over 200 ash trees in this control program. Staff will continue to implement an outreach and education program to educate County residents about the current status of EAB infestation and management options.

EAB control is currently accomplished through tree injections that deliver an insecticide directly into the tree. The insecticide is a material containing emamectin benzoate and is sold by the trade name Mectinite®. Research indicates that the treatment used is effective, providing control for up to three years. Injections are performed by a combination of staff and contracted services. Most live ash trees are too small for tree

injections. Basal bark trunk sprays are more suitable for treating small trees. The preferred insecticide for this technique contains dinotefuran and is sold by the trade name Safari® 20 SG. The material is sprayed onto a section of the tree trunk, where it is absorbed through the bark and drawn into the tree's vascular tissues within the wood.

Research has shown that the introduction of EAB parasitoids is an effective control option. Since 2017, staff have released EAB parasitoids at Fairfax County Park Authority properties. Parasitoids are produced and supplied by the USDA APHIS EAB Parasitoid Rearing Facility in Brighton, Michigan. Staff will continue to monitor the release sites to determine if the parasitoids have successfully established. Staff also continue to research additional locations that qualify for parasitoid release. In FY 2021, staff planted 108 ash seedlings at a parasitoid release site in Flatlick Stream Valley Park. In FY 2025, staff planted over 400 ash seedlings at another parasitoid release site, Bren Mar Park. Staff will manage the tree planting sites for tree health and tree establishment for five years after planting. To date, over 500 trees, at both parks, are still viable. This is a project effort to support the growth and establishment of the released parasitoids at the two parks. Non-native plants have been removed at both sites. When deemed necessary more non-native plants removal will be conducted. In addition, supportive maintenance such as seeding and plantings may occur in 2026. EAB has caused widespread damage and mortality to ash trees in the County. The dead and dying trees require remediation as they may pose a safety risk to people and property. In July 2019, amendments in Appendix I of *The Code of the County of Fairfax, Virginia* enabled the use of service district funds for the remediation of damage caused by forest pests, including pruning or removal of trees directly killed or damaged by forest pests. In FY 2026, $50,000 was allotted in service district funds to remove hazardous infested ash trees at various County parks.

Fall Cankerworm (FCW)

FCW (*Alsophila pometaria*) populations were monitored this winter in those areas of the County that have experienced outbreaks in the past. In FY 2025, low population levels are indicated based on monitoring adult FCW moths in the Mount Vernon, Mason, and Franconia magisterial districts. Staff have identified no areas that will require treatment in 2026.

The method used for monitoring FCW is a USDA Forest Service recommended technique that involves trapping female moths as they emerge in the winter. Staff will implement this monitoring method if there is an indication of population levels that pose a threat of defoliation. Staff will continue to conduct an outreach program to the public on the insect’s role in the environment and its potential impact on trees.

Parasite Study – FCW have natural predators and parasites that can influence their population levels. One explanation for outbreak populations in these areas is a lack of

these natural predators and parasites, like *Telenomus alsophilae*, an egg parasitoid. Staff have been monitoring *T. alsophilae* to determine its presence in the County.

Staff collect FCW egg masses from survey sticky bands and from small branches of trees located near the bands. FCW eggs are reared indoors, and the viable eggs are counted to determine the level of parasitism in the mass. The data acquired from this survey increases understanding of the overall FCW population dynamics in the County.

Defoliation Survey – In FY 2025, staff conducted an extensive defoliation survey to locate and assess any damage caused by fall cankerworm. The data acquired from this survey provides an understanding of overall cankerworm activity in the County, as well as flagging areas of rising populations to be targeted in the ensuing year's FCW banding survey. No significant defoliation was observed from the survey in FY 2025.

Staff plan to continue these monitoring activities in 2026.

Forest Health Initiative

In 2022, the County contracted with Virginia Tech's Conservation Management Institute to conduct a tree survey and incorporate the data into the i-Tree ECO™ model. This model estimates ecosystem services and characteristics of the urban forest. The Conservation Management Institute completed all field data collection in 2023. The survey involved evaluating forest conditions in 202 randomly selected sites throughout the County. Data from i-Tree is used to communicate forest health impacts on ecosystem services such as stormwater runoff reduction, energy savings, carbon sequestration, and pollution removal. The survey can also be used to forecast potential impacts from invasive insects and diseases.

The Conservation Management Institute has processed and analyzed the data collected and compared it to the County's 2017 iTree ECO results (Attachment 1). Additionally, a report is being produced with an assessment of the potential resilience of the urban forests in the County and stand level carbon stocks. A summary of the report results will be posted on the County website in 2026.

Hemlock Woolly Adelgid (HWA)

Staff continue to explore various control options and management strategies for HWA *(Adelges tsugae*). HWA is an insect that attacks and kills eastern hemlock (*Tsuga canadensis*) trees. Native eastern hemlock is relatively rare in the County. The rarity of this species, the multiple benefits to wildlife, and the natural beauty that they impart make them worthy of protection. Prior to HWA infestation the species was an important landscape tree in the County. Staff will continue to inventory the County's natural stands of eastern hemlock. Staff have identified native stands in Dranesville and Springfield districts for HWA control.

Staff will utilize the County's HWA Management Plan (Attachment 1) to help guide management practices. The HWA Management Plan integrates chemical and biological control to protect hemlock trees and improve their health in the long-term.

Chemical Control - HWA control can be accomplished through trunk injections, soil injections, soil drench, soil tablets, or bark spray. Soil applications are an effective method for providing control to a target tree. Once applied to the soil around the base of a tree, the insecticide is absorbed by the roots. The insecticide used for soil injection and soil drench contains imidacloprid and is sold by the trade name Xytect™ 2F. Another viable soil treatment option is a soil pellet containing imidacloprid that is sold by the trade name CoreTect®. Control by soil injection or tablet can last five to seven years. Trunk injections are another effective method for providing control to a target tree. Once injected, the insecticide is transported throughout the tree's vascular tissues. The insecticide that will be used for trunk injections uses another imidacloprid formulation that is sold by the trade name IMA-Jet®. Control by trunk injection can last up to eight years. Rapid control of HWA can be achieved with a bark spray, soil drench, or soil injection containing dinotefuran which is sold by the trade name Transtect™70WSP. This treatment is well suited for heavy infestations that require immediate control, but it is only effective for one to two years. Treatment selections are made based on the site location and conditions. Staff can conduct this control activity, therefore treatment will be cost effective, as well as biologically effective. Staff continue to investigate other insecticide options that may provide better control for HWA while minimizing environmental impacts.

Chemical Treatments – In FY 2025, staff applied chemical treatments to 207 hemlock trees in three different parks (Hemlock Overlook Regional Park, Fountainhead Regional Park, and Sandy Run Regional Park). Treatments included dinotefuran soil injections and imidacloprid tablets. An important component of management is monitoring the health of hemlock trees post-treatment. Staff continued to evaluate hemlocks for the density of HWA egg sacs, presence of new twig growth, and other factors to determine the effectiveness of treatments.

Biological Control – In addition to chemical control, staff released 627 predator beetles at Bull Run Marina Regional Park in Clifton, Virginia in FY 2025. The beetles protect hemlock trees by feeding on HWA through the fall and winter. At Scott's Run Nature Preserve where predator beetles were released in FY 2023, staff performed a follow-up survey in FY 2025 for the predator beetle. Staff could not recover predator beetles from Scott's Run Nature Preserve in FY 2025. However, additional monitoring will be performed to assess the establishment of beetles at both release sites. A self-sustaining beetle population will hopefully establish a more balanced environment for the trees. These efforts are conducted in cooperation with the Virginia Department of Forestry and Virginia Tech. The possibility of releasing additional predators to more

sites in the future is being investigated. Staff will continue to conduct outreach to the public about the role of hemlocks in the ecosystem and the methods used to control HWA.

Monitoring – In FY 2025, staff implemented new monitoring methods for HWA. Traps for monitoring HWA crawlers were utilized in FY 2025 to track population trends. Staff deployed 10 traps and collected 50 samples for analysis. During FY 2025, staff also supported researchers at Grand Valley State University studying the genetics of HWA in Virginia. Staff collected 31 hemlock twigs from the County to send to the university for their genetic research.

Spongy Moth (SM)

SM, formerly known as gypsy moth, (*Lymantria dispar)* populations have remained low. Staff conducted 151 egg mass surveys countywide during FY 2026 and found only one egg mass. Staff identified no areas that will require treatment in 2026.

SM populations are monitored using egg mass surveys. Staff survey 1/40-acre plots and visually inspect oak trees and other objects near survey points to look for SM egg masses. According to VDACS guidelines, infestations eligible for treatment must meet a minimum of 250 egg masses per acre.

The leading edge of the SM's southward spread through the eastern United States hit the County hard in the late 1980s and early 1990s. Residents were alarmed by the intensity of the repeated defoliations, home and yard mess, and very real risk of extensive tree losses. The County drafted an Integrated Pest Management Plan and participated in VDACS Cooperative Suppression Program with the USDA Forest Service. Teamed with Virginia Cooperative Extension, County staff mobilized residents to kill SM caterpillars manually while discouraging the use of broad-spectrum insecticides. Thousands of acres of forested public and private land were treated from the ground and from the air with the safest, most selective products available. These combined actions prevented wide-spread tree mortality, provided residents with some relief from caterpillar nuisance, and reduced the unnecessary and improper use of broad-spectrum pesticides.

In the mid-1990s, SM populations crashed largely because of effective treatment programs and the appearance of a fungus, *Entomophaga maimaiga*, to which SM caterpillars are very susceptible. This fungus became well established throughout the County and has had a dramatic stabilizing effect on SM populations.

SM populations, like many insect populations, can be cyclical in nature. There are many factors which influence outbreaks and declines. For the last three years SM outbreaks in western Virginia, West Virginia, and some other locations in the eastern

United States have stripped oak trees of leaves and required aerial treatment. Staff will continue to monitor the SM population in 2026. Staff will continue to conduct a fall SM egg mass survey and reach out to the tree care industry and County residents for help monitoring SM populations.

Spotted Lanternfly (SLF)

SLF (*Lycorma delicatula*) is an insect native to Asia that was first detected in the United States in 2014. It was first detected in the County in 2022 and quickly spread to the entire County by the end of 2023. SLF are now found in every magisterial district. Increased numbers of insects and nuisance impacts should be anticipated for the next few years. Staff are using a combination of trapping, vacuuming, and egg scraping for SLF as management tools. The Virginia SLF quarantine, established in 2019 to slow the spread of SLF, was repealed in March 2025. Staff will utilize the County's SLF Management Plan (Attachment 1) to guide how to manage the spread of SLF as it moves across the area. The management plan will be reviewed and updated with any current/new methodology for managing SLF.

SLF has become a nuisance to residents by swarming in large numbers on certain trees and plants to suck sap from stems and branches. Like aphids, they excrete honeydew, which attracts flies, ants, bees, wasps, and other insects. Black mold can quickly grow on the honeydew, creating an unpleasant mess on and around the affected trees or plants. This insect feeds on a wide variety of trees and has a strong preference for the invasive species tree-of-heaven (*Ailanthus altissima*), its native host tree from Asia. SLF egg masses, nymph, and adult life stages have been found countywide through a combination of monitoring and resident reporting. Staff have determined that monitoring for SLF is no longer necessary as the County is generally infested. Staff encourage residents to utilize the iNaturalist app for any SLF reports.

The removal of tree-of-heaven will continue on County properties in 2026. County sites that have previously had tree-of-heaven removed will be surveyed to determine if follow up removal is required. Removal efforts will continue on County sites where tree-of-heaven has been confirmed but not previously removed. Surveying of County sites for tree-of-heaven will continue in 2026. Removal of tree-of-heaven includes an herbicidal application of JLB Oil Plus®, Garlon® 3A, Garlon® 4 Ultra, or Rodeo® to the tree stumps. Herbicides are essential for successful removal since cutting alone would result in vigorous resprouting. Remediation at sites where the tree-of-heaven is removed may be necessary to ensure the success of the effort. In FY 2026, $100,000 was allotted in service district funds for the removal and remediation of trees-of-heaven at various parks.

In limited circumstances that preclude tree-of-heaven removal, remaining tree-of-heaven may be targeted for insecticidal treatments. The goal of treatment efforts is to

reduce the presence of SLF and minimize nuisance impacts to County residents. A variety of effective options are available, including systemic insecticides Merit® 2F and Safari® 20 SG, that deliver immediate though short-term results.

EQUITY IMPACT:
There is no adverse equity impact. The Forest Health Branch is tasked by the Board to provide monitoring, treatment, and outreach on listed forest insect pests and diseases. The Service District includes the entire area of the County, excluding the area within the Lake Barcroft Watershed Improvement District. Monitoring, treatment, and outreach of listed forest pests have been identified as an important measure to protect the urban forest and environmental resources of the County.

Staff strive to be a useful resource for County residents and partner with many organizations to provide information and services. Staff engage with the community through a variety of outreach and education programs that target the residents of the County. In FY 2025, staff printed 1,700 Fairfax County Tree Basics booklets (Attachment 1) for distribution to all County libraries. The booklets are available in English, Arabic, Korean, Mandarin, Spanish, and Vietnamese. The booklets contain information on the benefits of trees; how to select, plant, and maintain trees; and additional information. Staff will continue to oversee the distribution of the booklet to County libraries, aiming for widespread coverage, and will continue to track any subsequent requests for additional copies. The booklets can also be downloaded from the County website. Additionally, information about tree identification, forest health, and forest pests is made available on the County website. The County website offers a translation service through “machine translation” powered by Google™ Translate. The translation service makes the content of the County website accessible to County residents who are not proficient in English.

Plastic Bag Tax Projects funding in Fund 30015, Environmental and Energy Program, was utilized in a new effort to share messages about proper tree care techniques with multilingual communities. In FY 2025, $10,000 in funds was allocated to provide 2,300 reusable shopping bags to locally owned grocery stores located in Culmore and other high Vulnerability Index areas. These bags shared the message of not topping trees in English and Spanish. An additional $50,000 in funds has been allocated for FY 2026, with plans to provide tree care-related messages in multiple languages to improve accessibility and outreach.

FISCAL IMPACT:
Currently, the Forest Health Program is funded through the Special Service District for the Control of Infestations that May Carry a Disease that is Dangerous to Humans,

Gypsy Moth, Fall Cankerworm, and Certain Identified Pests. The total amount budgeted for FY 2026 in Fund 40080, Integrated Pest Management, is sufficient for this program.

CREATION OF POSITIONS:
No positions will be created.

ENCLOSED DOCUMENTS:
Attachment 1 – Referenced Report and Document for Calendar Year 2026 Forest Health Program

STAFF:
Jennifer L. Miller, Deputy County Executive
Christopher Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eleanor Ku Codding, Deputy Director, Water Resources and Infrastructure, DPWES
Brian Keightley, Division Director, Urban and Community Forestry Division, DPWES

ASSIGNED COUNSEL:
John W. Burton, Senior Assistant County Attorney

Referenced Reports and Documents for Calendar Year 2026 Forest Health Program

The Forest Health Program annual plan is based on the three management plans hyperlinked below. The Fairfax County Tree Basics book is a key component to the outreach program, also linked below.

2017 iTree ECO results

HWA Management Plan

SLF Management Plan

Fairfax County Tree Basics booklets

The FY 2025 Forest Health Branch annual report linked below provides additional information.

Forest Health Branch FY 2025 Annual Report

Board Agenda Item
March 3, 2026

ACTION – 5

Approval of the Annual Head Start Transportation Waiver Request for the Continuation of Fairfax County Public Schools 2026-2027 Transportation Services and the Head Start Self-Assessment Report

ISSUE:
Board of Supervisors' approval is requested for the Head Start Transportation Waiver Request for the Continuation of Fairfax County Public Schools 2026-2027 Transportation Services and the Head Start/Early Head Start Self-Assessment Report.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors approve the Head Start Transportation Waiver Request for the Continuation of Fairfax County Public Schools 2026-2027 Transportation Services and the Head Start/Early Head Start Self-Assessment Report.

TIMING:
Board action is requested on March 3, 2026.

BACKGROUND:
Existing rules and regulations require that the Board of Supervisors, as the County's governing body, review and approve the Head Start Transportation Waiver Request for the Continuation of Fairfax County Public Schools Transportation Services and the Head Start program's annual self-assessment report, including actions that are being taken by the program as a result of the self-assessment review. The waiver is due to be renewed for the 2026-2027 school year. Board approval of the following attachments will satisfy these compliance requirements: 1) Head Start Transportation Waiver Request, and 2) Self-Assessment Report

1. **Head Start Transportation Waiver**

The Fairfax County Board of Supervisors, as the grantee, has received a waiver from the federal Office of Head Start for the continuation of Fairfax County Public School Transportation Services since the Head Start Transportation Regulations were enacted in 2006. The waiver is due to be renewed for the 2026-2027 school year.

The Fairfax County Head Start Program is requesting a waiver to Head Start Transportation Regulations 45 CFR 1303.72 (a)(1) Child Safety Restraint Systems Requirement and 45 CFR 1303.72 (a)(4) Bus Monitor Requirement, for the program year 2022-2023. This waiver request has been granted by OHS since 2006, based upon the exceptional safety record of the FCPS Transportation Services. The FCPS transportation fleet has 1,625 buses and provides transportation daily for over 140,000 children, including approximately 200 buses that transport 242 children in Head Start.

2. Self-Assessment Report

The Fairfax County Head Start/Early Head Start program conducts an annual self-assessment of its effectiveness and progress in meeting program goals and objectives and in implementing federal regulations every year, as required by federal Head Start Performance Standards. The results are included in the attached Self-Assessment

EQUITY IMPACT:
None.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1 – Fairfax County Head Start Transportation Wavier
Attachment 2 – Fairfax County Head Start Self-Assessment

STAFF:
Christopher Leonard, Deputy County Executive
Lloyd Tucker, Director, Department of Neighborhood and Community Services (NCS)
Keisha Dotson, Deputy Director, NCS
Flor Philips, Division Director, Early Childhood Programs and Services, NCS
Janet Stewart, Head Start Program Manager, NCS

Head Start Transportation Waiver Request

Grantees requesting a waiver of certain transportation service requirements for preschool children are asked to send the request through HSES Correspondence and use the subject line of "Transportation Waiver Request". Include the information below with a thorough rationale. Note that requests for Early Head Start / infants and toddlers will not be considered.

Grant Number 03CH012068

Agency Name County of Fairfax (VA)

Date February 2, 2026

Name, Title and Signature of Agency Official Requesting Waiver Janet Stewart, Fairfax County Head Start/Early Head Start Director

Waiver requested for:

X 1303.71(d) *Child restraint systems.* A program must ensure each vehicle used to transport children receiving such services is equipped for use of age-, height- and weight-appropriate child safety restraint systems as defined in part 1305 of this chapter.

1303.72(a)(1) Each child is seated in a child restraint system appropriate to the child's age, height, and weight;

X (4) With the exception of transportation services to children served under a home-based option, there is at least one bus monitor on board at all times, with additional bus monitors provided as necessary.

Waiver request applies to services offered by:

Grantee

X Delegate(s) (please list) Fairfax County Public Schools

Provide an explanation as to why adherence to a requirement in this part would create a safety hazard in the circumstances faced by the agency; and why compliance with requirements related to child restraint systems at* §§1303.71(d) and 1303.72(a)(1) or bus monitors at §1303.72(a)(4) will result in a significant disruption to the program. Demonstrate that waiving such requirements is in the best interest of the children involved.

Explanation Attached

Head Start Program Performance Standards References

1303.70 Purpose.

(c) *Waiver.* (1) A program that provides transportation services must comply with all provisions in this subpart. A Head Start program may request to waive a specific requirement in this part, in writing, to the responsible HHS official, as part of an agency's annual application for financial assistance or amendment and must submit any required documentation the responsible HHS official deems necessary to support the waiver. The responsible HHS official is not authorized to waive any requirements with regard to children enrolled in an Early Head Start program.

A program may request a waiver when:

(i) Adherence to a requirement in this part would create a safety hazard in the circumstances faced by the agency; and,

(ii) For preschool children, compliance with requirements related to child restraint systems at* §§1303.71(d) and 1303.72(a)(1) or bus monitors at §1303.72(a)(4) will result in a significant disruption to the program and the agency demonstrates that waiving such requirements is in the best interest of the children involved.

(2) The responsible HHS official is not authorized to waive any requirements of the Federal Motor Vehicle Safety Standards (FMVSS) made applicable to any class of vehicle under 49 CFR part 571.

1305.2 Terms

Child restraint system means any device designed to restrain, seat, or position children that meets the current requirements of Federal Motor Vehicle Safety Standard No. 213, Child Restraint Systems, 49 CFR 571.213, for children in the weight category established under the regulation, or any device designed to restrain, seat, or position children, other than a Type I seat belt as defined at 49 CFR 571.209, for children not in the weight category currently established by 49 CFR 571.213.

Transportation services means the planned transporting of children to and from sites where an agency provides services funded under the Head Start Act. Transportation services can involve the pick-up and discharge of children at regularly scheduled times and pre-arranged sites, including trips between children's homes and program settings. The term includes services provided directly by the Head Start and Early Head Start grantee or delegate agency and services which such agencies arrange to be provided by another organization or an individual. Incidental trips, such as transporting a sick child home before the end of the day, or such as might be required to transport small groups of children to and from necessary services, are not included under the term.

Request for Transportation Waiver for Delegate Fairfax County Public Schools

Birth-to-Five Head Start & Early Head Start Application - Fairfax County, VA

July 1, 2026 through June 30, 2027

The Fairfax County Head Start Program (Grant # 03CH012068) has had an approved waiver for delegate program Fairfax County Public Schools since the inception of the Head Start transportation regulations in 2006, as stated in the Head Start Program Performance Standards 1303.72(a)(1) Child Restraints and 1303.72(a)(4) Bus Monitors.

The Fairfax County Public School's transportation fleet includes more than 1,625 school buses that provide transportation daily for over 140,000 children, including approximately 200 buses that transport 242 children in Head Start. Transportation for children in Head Start is a coordinated system of transportation for all students and it allows family-friendly support to children in Head Start who may be riding with their older siblings to school and home.

The FCPS Office of Transportation Services has an outstanding safety record, meeting and/or exceeding National Highway Traffic Safety Administration (NHSTSA) standards and has been transporting children in Head Start for over 30 years with no report of a child in Head Start ever being injured. The Transportation Regulation requiring restraints and monitors for children in Fairfax County school buses continue to be problematic. There is no seat belt designed for all ages and sizes and to retrofit the current school buses invalidates the warranty under which they were originally purchased. The FCPS Office of Transportation Services does not have the capacity to provide the number of monitors for such a large fleet of buses; the cost of placing a monitor on each bus would be prohibitive. FCPS provides insurance for all the staff and children transported; therefore, volunteers cannot be placed on the buses as bus monitors because it presents a potential liability.

Without the support of the FCPS Office of Transportation Services, many families that depend on bus transportation would not be able to participate in the Head Start Program. Fairfax County public transportation is limited and not available in all areas, resulting in some families having to walk with their children long distances to reach their destinations. If transportation provided by FCPS was not available, enrollment in Head Start would decline, and families in need would be left without services.

HEAD START
SELF-ASSESSMENT HIGHLIGHTS
Program Year 2024-2025







Head Start Mission

The Head Start program promotes school readiness by enhancing the social and cognitive development of children through the provision of culturally inclusive educational, health, nutritional, social and other services to Head Start eligible children, their families and pregnant people.

Fairfax County Neighborhood and Community Services
Early Childhood Programs and Services

Fairfax County Neighborhood and Community Services: Early Childhood Programs and Services
Head Start Preschool and Early Head Start
Self-assessment Highlights PY 2024-2025

PURPOSE

The annual self-assessment of programs is a requirement of the Head Start Program Performance Standards (HSPPS) 45 CFR 1302.102(b)(2)(i). All Fairfax County Head Start Preschool/Early Head Start (HS/EHS) programs, including those operated directly by Fairfax County Neighborhood and Community Services (Greater Mount Vernon Community Head Start/Early Head Start centers); operated contractually by family child care program partners; operated by delegate agencies (Higher Horizons Day Care Center, Inc. and Fairfax County Public Schools (FCPS); and all options (center-based and family child care) are included. The self-assessment supports the continuous improvement of program plans and service delivery and provides an opportunity for engaging families.

PROTOCOL

The Fairfax County Head Start self-assessment protocol is locally designed and adapted from the Office of Head Start's FY 2025 Focus Area One Monitoring Protocol.

The reviewed systems are:

- Early Childhood Development and Disabilities.
- Health, Mental Health, and Nutrition.
- Family and Community Engagement.
- Fiscal Infrastructure.
- Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA).
- Program Design, Management, and Quality Improvement.
- Governance.

METHODOLOGY

The self-assessment process is coordinated by the Head Start Division Director, grant recipient management and fiscal team, and delegate staff. For each content area, specific performance measures and associated Federal regulations are addressed. Self-assessment teams review documents, child/eligibility files, and compile responses to Focus Area One questions to assess how effectively the grant recipient and delegates are implementing a high-quality program to promote school readiness for children and their families. The final report is shared with the governing body, Policy Council, families, and program stakeholders.

EARLY CHILDHOOD DEVELOPMENT AND DISABILITIES

Curricula and Assessment, Teaching Strategies and Learning Environments, and Disabilities Services

STRENGTHS

- Programs implement curricula that align with the Head Start Early Learning Outcomes Framework. Curricula have an ongoing assessment tool that is consistently used by educators to monitor children's development throughout the year.
- Programs utilize bilingual teachers and translation services when necessary to communicate with families and complete developmental screenings.
- A comprehensive approach is employed to develop a diverse range of professional development plans for educators. Data from CLASS observations, child outcomes, and learning domains are reviewed to identify strengths and areas of growth.

CONSIDERATIONS AND ACTIONS

- To further support effective teaching strategies, coaches will review data from CLASS observations, child outcomes reports, and the Curriculum Fidelity Tool to identify teachers who need intensive coaching. Additional actions include supporting curriculum implementation that is individualized for each child.

HEALTH, MENTAL HEALTH AND NUTRITION

Child Health Status and Care, Mental Health and Social-emotional Well-being, Nutrition Services, Safety Practices, and Services to Expectant Families.

STRENGTHS

- Programs conduct routine monitoring of health records to determine whether children are receiving preventative medical and oral health care, including whether children have a medical and dental home. Staff support families to bring children up to date as quickly as possible.
- The grant recipient established a mental health workgroup to address gaps in the mental health system implemented by grantee-operated programs. Actions included establishing relevant partnerships with mental health agencies and providers and identifying internal and external resources to bolster the skills and capabilities of educators and staff who regularly interact with children.
- Nutrition services are culturally and developmentally appropriate, meet the nutritional needs of and accommodate the feeding requirements of each child, including children with special dietary needs and children with disabilities. These services are supported by Registered Dietician Nutritionists (RDNs).

CONSIDERATIONS AND ACTIONS

- Programs identified that children becoming and remaining up to date on Early and Periodic Screening, Diagnostic and Treatment (EPSDT) and Head Start Program Performance Standards (HSPPS) health requirements within the compliance period remains a challenge. Programs seek to increase family engagement opportunities to promote health and safety.

FAMILY AND COMMUNITY ENGAGEMENT

Family Partnership and Engagement, Adult-child Relationships, and Community Partnerships

STRENGTHS

- The program utilizes researched-based parenting curricula to build on families' knowledge, empowering families and programs to improve student engagement, attendance, academics, and mental health.
- Community resources are provided to families to meet their basic needs, such as food, housing, clothing, etcetera. Some of these community partnerships included Brite Paths, The Financial Empowerment Center, A Place to Stand, Food for Others, Women Giving Back and Northern Virginia Project Give Back.
- The program partnered with the Financial Empowered Center (FEC) to provide financial literacy courses in response to parents expressing interest in learning more about managing finances, creating realistic budgets, and improving credit scores.

CONSIDERATIONS AND ACTIONS

- The program will continue to leverage county-wide father/male engagement initiatives to support ongoing male engagement. During workgroup meetings, staff will develop a plan to encourage and support males to be engaged in the program.

FISCAL INFRASTRUCTURE

Comprehensive Financial Management Systems and Budget Development, Implementation, and Oversight

STRENGTHS

- There are sound fiscal systems in place that meet or exceed federal standards for financial reporting, accounting records, internal control, budget control, compliance with cost principles, cash management and administrative cost.
- Fairfax County Government's ability to leverage several funding sources in addition to federal funding, in support of the Head Start Preschool/Early Head Start programs, continues to be a fiscal strength and highlight of the overall program.

CONSIDERATIONS AND ACTIONS

- The grant recipient will seek and recommend external training to support the delegate programs.

ERSEA

Eligibility, Recruitment, Selection, Enrollment and Attendance

STRENGTHS

- All programs utilize technology to assist families in applying for admission to the program, and to reduce the family's administrative and paperwork burden. Programs are accepting online applications, families can upload eligibility documents online, and most enrollment paperwork can be completed and signed via DocuSign.
- Programs use the community assessment to guide program operations and improvements. This process includes gathering information on the location and demographics of eligible families, assessing new or underserved neighborhoods within the service area, identifying community assets and resources, and determining service delivery priorities.

CONSIDERATIONS AND ACTIONS

- To promote regular attendance, programs will increase focus on analyzing the causes of absenteeism to identify children with patterns of absence and any systemic issues that contribute to the absentee rates.

PROGRAM DESIGN, MANAGEMENT AND IMPROVEMENT

Program Design and Strategic Planning, Governance, and Human Resources

STRENGTHS

- Programs are structured to be responsive to community needs, guided by community assessments, program data, and family input. Information gathered informs strategic planning and the development of program goals.
- To monitor performance and progress towards achieving goals, programs have systems in place to continually collect, aggregate and analyze various data sets.

CONSIDERATIONS AND ACTIONS

- The system for training new governing body members and sharing the required information outlined in the Head Start Act can be strengthened.


COUNTY OF FAIRFAX
1742
VIRGINIA

Board Agenda Item
March 3, 2026

ACTION – 6

Endorsement of Design Plans for the Route 29 Southbound Shared-Use Paths Project (Sully District)

ISSUE:
Board of Supervisors' (Board) endorsement of the Virginia Department of Transportation's (VDOT) design plans for the Route 29 Southbound Shared-Use Paths Project. The project will improve pedestrian and bicycle safety and mobility.

RECOMMENDATION:
The County Executive recommends that the Board endorse the design plans for the Route 29 Southbound Shared-Use Paths Project administered by VDOT. The design plans were made available as part of a Notice of Willingness (Attachment 1) to hold a Design Public Hearing that was posted on July 17, 2025. The County Executive also recommends that the Board authorize the Director of the Fairfax County Department of Transportation (FCDOT) to transmit the Board's endorsement to VDOT (Attachment 2).

TIMING:
Board approval is requested on March 3, 2026, to allow VDOT to proceed with final design as soon as possible.

BACKGROUND:
This project is proposing bicycle and pedestrian improvements along two segments of Route 29 in Centreville: between the entrance to Newgate Shopping Center and the Trinity Parkway/Machen Road intersection (Site1), and between O'Day Drive and Stone Road (Site 2). The Site 1 improvements include upgrading the existing sidewalk to a shared-use path (SUP) along southbound Route 29 from the Newgate Shopping Center to the Trinity Parkway/Centrewood Drive intersection. The existing channelized right-turn lanes from southbound Route 29 onto Trinity Parkway at both of the Trinity Parkway intersections will be modified to reflect an "Urban Smart Channel" configuration, which provides improved visibility between motorists and SUP users. Existing curb ramps, crosswalks, and connecting sidewalks will be modified to match the new configurations. The Site 2 improvements include upgrading the existing sidewalk to a SUP along southbound Route 29 from O'Day Drive to Stone Road, upgrading curb ramps and realigning crosswalks at the Stone Road intersection.

Public Comment Period
In accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Notice of Willingness to hold a Design Public Hearing was posted on July 17, 2025. The posting expired on August 13, 2025, and during that period there were no requests to hold a Public Hearing.

Project Schedule
Construction is tentatively anticipated to start in the spring of 2028.

EQUITY IMPACT:
This project has the potential to advance equity by expanding access to efficient and diverse transportation options. County residents will benefit from improved connections to key destinations, including employment centers, grocery stores, and medical facilities. By enhancing mobility and reducing barriers to essential services, the project supports the goals outlined in the One Fairfax policy – particularly those related to economic growth, public health, congestion mitigation, and equitable prosperity.

FCDOT and VDOT have prioritized inclusive engagement throughout the planning process. Staff have presented project information as part of a virtual Public Information Meeting held on May 22, 2024, as well as project briefings to the Centreville Task Force on June 12, 2024, and July 9, 2025.

FISCAL IMPACT:
There is no fiscal impact associated with this Board item. The project is currently fully funded. The project cost is estimated to be $1,118,280 for preliminary engineering, $3,190,219, for right-of-way and utilities and $4,664,279 for construction, for a total estimated cost of $8,972,778.

ENCLOSED DOCUMENTS:
Attachment 1: VDOT Public Notice Concerning Willingness to Hold a Public Hearing (July 17, 2025)
Attachment 2: Endorsement Letter for the Route 29 Southbound Shared-Use Paths Project Design Plans, UPC 121884 (March 3, 2026)
Attachment 3: VDOT Letter Requesting Board Approval of Route 29 Southbound Shared-Use Paths Project Design Plans, UPC 121884 (December 9, 2025)

Board Agenda Item
March 3, 2026

STAFF:
Jennifer Miller, Deputy County Executive
Gregg Steverson, Director, Fairfax County Department of Transportation (FCDOT)
Martha Coello, Deputy Director, FCDOT
Eric M. Teitelman, Chief, Active Transportation, Capital Projects and Traffic Engineering Division, FCDOT
Smitha Chellappa, Transportation Planner IV, CPS, FCDOT
Dan Stevens, Transportation Planner III, CPS, FCDOT

Attachment 1

VDOT Virginia Department of Transportation

Route 29 Southbound Shared-Use Paths
Fairfax County

Willingness to Hold a Public Hearing

Find out about planned bicycle and pedestrian improvements along two segments of Route 29 in Centreville: between the entrance to Newgate Shopping Center and the Trinity Parkway/Machen Road intersection (Site 1), and between O'Day Drive and Stone Road (Site 2). The Site 1 improvements include upgrading the existing sidewalk to a shared-use path (SUP) along southbound Route 29 from the Newgate Shopping Center to the Trinity Parkway/Centrewood Drive intersection. The existing channelized right-turn lanes from southbound Route 29 onto Trinity Parkway at both of the Trinity Parkway intersections will be modified to reflect an "Urban Smart Channel" configuration, which provides improved visibility between motorists and SUP users; existing curb ramps, crosswalks, and connecting sidewalks will be modified to match the new configurations. The Site 2 improvements include upgrading the existing sidewalk to a shared-use path along southbound Route 29 from O'Day Drive to Stone Road, upgrading curb ramps and realigning crosswalks at the Stone Road intersection.

Pursuant with the National Environmental Policy Act (NEPA) and 23 CFR 771, a Programmatic Categorical Exclusion (PCE) has been prepared under agreement with the Federal Highway Administration. In compliance with the National Historic Preservation Act, Section 106 and 36 CFR Part 800, information concerning the potential effects of the project on properties listed in or eligible for listing in the National Register of Historic Places is included with the PCE.

Review project information at **https://www.vdot.virginia.gov/29SUPs** or at VDOT's Northern Virginia District Office, 4975 Alliance Drive, Fairfax, VA 22030. Please call ahead at 703-259-1795 or TTY/TDD 711 to make an appointment with appropriate personnel.

If your concerns cannot be satisfied, VDOT is willing to hold a public hearing. You may request that a public hearing be held by sending a written request to Mr. Hamid Misaghian, P.E., Virginia Department of Transportation, 4975 Alliance Drive, Fairfax, VA 22030 on or prior to **August 13, 2025**. If upon receiving public comments it is deemed necessary to hold a public hearing, notice of date, time and place of the hearing will be posted.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964, as amended. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact VDOT Civil Rights at 703-259-1775 or TTY/TDD 711.

State Project: 0029-029-458, P101
UPC: 121884
Federal: STP-5B01 (336)

County of Fairfax, Virginia

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

March 3, 2026

Mr. William Cuttler, P.E., District Engineer
Virginia Department of Transportation
Northern Virginia District
4975 Alliance Drive
Fairfax, Virginia 22030

Subject: Board of Supervisors Endorsement of Route 29 Southbound Shared-Use Paths Project Design Plans, UPC 121884

Dear Mr. Cuttler:

On March 3, 2026, the Fairfax County Board of Supervisors endorsed the design plans for the Route 29 Southbound Shared-Use Paths Project. The design plans were made available as part of a Notice of Willingness to hold a Design Public Hearing that was posted on July 17, 2025, and a presentation detailing these plans can be found here (the full address to the presentation is provided at the end of this document).

This project involves planned bicycle and pedestrian improvements along two segments of Route 29 in Centreville: between the entrance to Newgate Shopping Center and the Trinity Parkway/Machen Road intersection (Site1), and between O'Day Drive and Stone Road (Site 2). The Site 1 improvements include upgrading the existing sidewalk to a shared-use path (SUP) along southbound Route 29 from the Newgate Shopping Center to the Trinity Parkway/Centrewood Drive intersection. The existing channelized right-turn lanes from southbound Route 29 onto Trinity Parkway at both of the Trinity Parkway intersections will be modified to reflect an "Urban Smart Channel" configuration, which provides improved visibility between motorists and SUP users. Existing curb ramps, crosswalks, and connecting sidewalks will also be modified to match the new configurations. The Site 2 improvements include upgrading the existing sidewalk to a SUP along southbound Route 29 from O'Day Drive to Stone Road, as well as upgrading curb ramps and realigning crosswalks at the Stone Road intersection. Improvements were coordinated in the field with the recent repaving of Route 29 in 2025. Minor coordination may be further required to align recent improvements on Route 29 with the design plans; however, these adjustments will not affect core project features, such as the SUP limits or the number of crosswalks and pedestrian refuge islands.

Please call Dan Stevens at (703) 877-5670, or me at (703) 877-5675, if you have any questions or need additional information. Thank you for your assistance with this important project.

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/transportation

Sincerely,

Gregg L. Steverson, P.E., PTOE
Director

cc: Martha Coello, Deputy Director, FCDOT
Eric M. Teitelman, Chief, Active Transportation, Capital Projects and Traffic Engineering Division, FCDOT

Presentation location:
https://www.vdot.virginia.gov/media/vdotvirginiagov/projects/northern-virginia/Presentation---Route-29-Southbound-Shared-Use-Paths-Willingness-July-August-2025_acc07152025_PM.pdf

Attachment 3

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
4975 Alliance Drive
Fairfax, VA 22030

Stephen C. Brich, P.E.
Commissioner

December 9, 2025

Mr. Daniel Stevens
Transportation Engineer
Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033

SUBJECT: Route 29 / Centreville Shared Use Paths
State Project: 0029-029-458
Federal Project: STP-5B01(336)
UPC No: 121884

Dear Mr. Stevens:

In accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a **Notice of Willingness to hold a Design Public Hearing** was posted on the above-mentioned project on July 17, 2025. The posting expired on August 13, 2025, **with no request to hold a Public Hearing**.

It should be noted that on May 30, 2025, prior to deciding to hold the Notice of Willingness, the project was presented to the Supervisor Kathy Smith, Sully District for input. Supervisor Smith agreed with VDOT's recommendation for Notice of Willingness.

The purpose of this project is to enhance pedestrian and bicyclist safety, mobility, and accessibility at key intersections along Route 29 within the limits of this project. As part of the improvements, the project will replace the existing sidewalk facility along the southbound side of Route 29 with a shared-use path beginning at the entrance of the Newgate Shopping Center and ending at the intersection of Route 29 with Trinity Parkway/Machen Road.

The existing lane widths on southbound Route 29 will be revised from 12 feet to 11 feet and the curb line is to be shifted south to accommodate the typical section required for the proposed shared-use path and modify the existing adjacent gas station entrance.

The existing channelized right-turn lanes from Route 29 onto Trinity Parkway at both Trinity Parkway intersections will be modified to reflect an 'Urban Smart Channel' configuration which provides improved visibility between motorists and shared-use path users, and existing curb ramps and connecting sidewalks will be modified to match the new configurations. The existing curb ramps and

connecting pedestrian facilities will be modified to accept this new configuration. Curb ramps will be reconstructed at the intersection of Route 29 and the Newgate Shopping Center and the southbound Route 28 On-Ramp to ensure they are compliant with the latest Americans with Disabilities Act (ADA) Accessibility Guidelines and Public Right-of-Way Accessibility Guidelines (PROWAG).

The project also includes the construction of a shared-use path along southbound Route 29 between O'Day Drive and Stone Road. The existing shared-use path in the area is to remain to the extent practical. If the existing pavement condition warrants, the existing shared-use path will be resurfaced. The existing sidewalk along this section of southbound Route 29 is to be replaced with a shared-use path along the alignment of the existing sidewalk and will tie into the intersection of Stone Road with a new concrete curb ramp.

The following design waivers are still in process:

- Shared Use Path Buffer Reduction (5-foot buffer provided) at Station 291+00.00 to Station 293+25.00 LT and Station 311+00.00 to Station 311+25.00 LT & RT

The following information was available for review at posting:

- The scope of this project meets the criteria for a Programmatic Categorical Exclusion (PCE) in accordance with the supporting document information.
- The existing typical section provides 12' travel lanes on Route 29 (SB).
- The proposed typical section will provide 11' travel lanes on Route 29 (SB).
- The 2023 average daily traffic (ADT) on Route 29 SB is 24,000 to 39,000 vehicles per day and this improvement will not have any impact on the current ADT.
- The construction of the project will not displace any families, businesses or non-profit organizations (see brochure for project specific information).
- The current project cost is estimated at $1,118,280 for preliminary engineering, $3,190,219, for right-of-way and utilities and $4,664,279 for construction. The total estimated cost is $8,972,778 based on the latest PH milestone estimate. Additional funding is needed.
- The tentative schedule for advertising for construction is projected at early 2028, utilizing 9.5% federal, and 90.5% County funds. This project is included in Northern Virginia MPO STIP Grouping: Construction: Safety/ITS/Operational Improvements

The project has been processed in accordance with current VDOT policies and procedures. A Programmatic Categorical Exclusion (PCE) NEPA environmental document was obtained for this project on July 9, 2025.

It is the staff's recommendation that the major design features of this project be approved as proposed and presented at the public hearing.

Sincerely,

Misaghian Hamid rvq85969

Digitally signed by Misaghian Hamid rvq85969
Date: 2025.12.09 08:15:19 -05'00'

Hamid Misaghian, P.E.
Project Manager
NOVA Location and Design
Virginia Department of Transportation
Tel: 703-259-1795
H.Misaghian@VDOT.Virginia.gov

cc: Robert Strevell, Program Specialist, Fairfax & Arlington Preliminary Engineering
Minwoo Ha, PE, Fairfax & Arlington Preliminary Engineering Manager
Dan Reinhard, PE, Assistant District L&D Engineer
William Dunn, PE, District Location & Design Engineer

Attachments

Board Agenda Item
March 3, 2026

ACTION – 7

Approval of the Disease Carrying Insects Program

ISSUE:
Board approval of the annual submission of the Disease Carrying Insects Program (DCIP).

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors direct staff to take the following actions concerning Fairfax County's Disease Carrying Insects Program:

Mosquitoes, West Nile virus, and Other Mosquito-borne Diseases

1. Continue to conduct a county-wide mosquito surveillance program.

2. Continue to test mosquitoes for West Nile virus and other pathogens, as necessary.

3. Continue inspections and larviciding of mosquito breeding areas in the County using appropriate and approved larvicides according to established criteria in as many rounds during the mosquito season, as necessary.

4. Continue to conduct a county-wide community outreach and education program to increase County residents' awareness of mosquitoes, West Nile virus, and other mosquito-borne diseases, as well as personal protection and prevention methods.

5. Continue to use adult mosquito control methods as necessary to protect public health.

Ticks, Lyme disease, and other Tick-borne Diseases

1. Continue to conduct tick surveillance activities.

2. Continue to test ticks for pathogens, including the bacteria that causes Lyme disease.

3. Continue to conduct a county-wide community outreach and education program to increase County residents' awareness of ticks, Lyme disease,

and other tick-borne diseases, as well as personal protection and prevention methods.

Other Disease-transmitting Insects of Public Health Importance

1. Continue to work with Environmental Health staff to provide information on other disease-transmitting insects of public health importance.

Board action on this item will cover all Disease Carrying Insects Program activities carried out through June 30, 2027.

TIMING:
Board approval is requested on March 3, 2026, in order to (1) continue mosquito suppression strategies (e.g., surveillance, larviciding mosquito breeding areas, and public outreach), (2) continue tick surveillance program and public outreach, and (3) continue outreach and education efforts for other disease-transmitting insects.

BACKGROUND:
The *Code of the County of Fairfax, Virginia* (Appendix I, Section 7) requires the submission of the annual Disease Carrying Insects Program for Board of Supervisors' approval. The Annual Report for the program (Attachment I) provides an overview of many program activities and highlights the importance of vector-borne disease prevention and control.

West Nile Virus and Other Mosquito-borne Diseases
West Nile virus (WNV) continues to be an important public health concern in the continental United States. Fairfax County WNV surveillance activities indicated that the virus was present throughout the County in 2025. By the end of the 2025 WNV season, the virus had been detected in mosquitoes collected at most of the surveillance sites in the County. Nine human cases of WNV were reported in the County in 2025, one human case in 2024, and three human cases in 2023. Seven fatal cases in the County since 2002 underlie the potential severity of this disease. A total of 30 WNV cases were reported in Virginia in 2025, 10 WNV cases in 2024, and 12 WNV cases in 2023. No WNV-related deaths were reported in Virginia in 2023, 2024 or 2025. Factors that may impact the presence and reporting of WNV include the following:

1. Viral activity in the mosquito vectors;
2. Presumed feeding habits of *Culex pipiens;*
3. Birds acting as natural amplifiers of the virus;
4. Ambient temperatures which influence the development of the virus within the mosquito;

5. Level of public awareness of WNV; and
6. Proactive larvicide and adulticide treatments to help control *Culex* mosquitoes.

Based on past surveillance information, DCIP will continue mosquito inspection and larviciding activities in stormwater facilities that are identified as a result of the immature mosquito surveillance activities, as was done in the 2025 mosquito season. The program will perform larval inspection activities year-round while larval control activities will begin in the spring and continue through November. In 2026, staff will continue to use mobile GIS technology to efficiently perform these activities.

As in previous seasons, DCIP staff will continue to carry out adult mosquito surveillance activities from May to early November. The Fairfax County Health Department's Division of Epidemiology and Population Health (DEPH) will continue to carry out human case surveillance for locally acquired or travel-associated mosquito-borne diseases. Environmental Health and DEPH staff will continue to work together to monitor and respond to vector-borne disease activity in the County.

All mosquito testing and tick testing will be performed by the Health Department Laboratory where they use molecular diagnostics to identify pathogens. The laboratory currently offers WNV, chikungunya virus, dengue virus, Jamestown Canyon virus, La Crosse Encephalitis virus, St. Louis Encephalitis virus and Zika virus testing for mosquito samples and Lyme disease and Babesia testing for tick samples. DCIP will continue to work with the laboratory to expand pathogen testing for vector-borne pathogens in the future.

All insecticides used in this program are registered with the U.S. Environmental Protection Agency (EPA) and sanctioned for use by the Commonwealth of Virginia. The principal active ingredients that the County will use as larvicides are spinosad, *Bacillus thuringiensis* var. *israelensis*, *Bacillus sphaericus*, or methoprene (Attachments II, III, IV, V, VI, VII and VIII). Some scenarios may require a mineral oil-based pupicide to control immature mosquitoes (Attachment IX). The Health Department has the ability to apply pesticides for adult mosquitoes should the public health need arise; however, this type of control is not routinely performed by the Health Department. The Health Department may apply insecticides to control adult mosquitoes, and in these instances, the application will target those mosquitoes which potentially transmit disease to humans. The following indicators may trigger adult mosquito spraying by the Health Department:

- Results of mosquito surveillance and testing,
- Environmental factors that impact mosquito or disease cycles,
- Detection of medically important invasive species, or
- Reported cases of human disease.

Synthetic pyrethroids (Attachments X and XI) or other insecticides may be used to control adult mosquitoes. All applications of pesticides will be performed by applicators who have been certified to apply pesticides in Virginia. Pesticide applications will be made according to the label directions. Insecticide resistance testing is performed on medically important mosquito species found in the County. This will continue in 2026. The Health Department does not spray for nuisance mosquitoes.

DCIP will continue to utilize an active and engaging outreach and education strategy. The program will also focus messaging to address at-risk groups, such as residents over 60 years of age who are at greater risk of developing a more severe form of the West Nile virus. Because the Zika virus has the potential to cause birth defects, specific messaging has also been developed for pregnant women and their partners to help minimize exposure. The program will again work with the Health Department's Community Outreach team and other partners to deliver its public health messages to the County's diverse population while continuing to seek out new ways to provide prevention messaging to the community. In 2025, DCIP staff participated in a variety of events. The program produced the 21st Fight the Bite calendar and updated other educational materials and made more material available in Spanish.

The Disease Carrying Insects Program Annual Report (Attachment I) highlights the 2025 season activities and presents wide-ranging plans for minimizing the impact and risk of mosquito-borne diseases through:

1. Countywide monitoring of WNV activity including mosquito and human surveillance;
2. An integrated approach to mosquito management and control practices, which will primarily target those mosquito species that have been shown to be the most probable WNV vectors in the County;
3. An intensive community outreach and education program to increase awareness of mosquitoes and WNV and other mosquito-borne diseases in County residents; and
4. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of WNV transmission.

The Chikungunya virus (CHIKV) and the Zika virus (ZIKAV), which are transmitted by *Aedes* mosquitoes, began circulating in the Americas in 2013 and 2015, respectively. Locally-acquired cases of both viruses have been reported in many countries in the Americas. In Virginia, cases have been reported in returning travelers; however, mosquito-borne transmission of ZIKAV and CHIKV in the continental United States has been reported in Florida and Texas. Cases of dengue, which has been endemic in the Americas for many years, has also been reported in returning travelers. Many countries were reporting higher than average numbers of dengue in 2024 and 2025 and

outbreaks of dengue were reported from the United States in Puerto Rico and the U.S. Virgin Islands. Local transmission of dengue was reported in the continental U.S. in 2025 in Arizona, California, and Florida. Outbreaks of Oropouche virus, an emerging virus in the Americas, were reported in South America and the Caribbean in 2024. Travel-associated cases were reported in the U.S., but local transmission has not been detected. Deaths have been reported in people with Oropouche. Infection during pregnancy has been associated with poor pregnancy outcomes including fetal death, stillbirths, and possible birth defects. Malaria cases are also reported in returning travelers. Local transmission of malaria occurred in 2023 in Florida, Maryland, Texas, and Arkansas. These were the first reports of local malaria transmission in the U.S. since 2003. Local transmission of malaria has occurred in Virginia, most recently in 2002. Potential vectors of CHIKV, dengue, malaria, and ZIKAV are present in Fairfax County and the region. If locally acquired cases of CHIKV, dengue, malaria, Oropouche, or ZIKAV are identified in the County, the Health Department will utilize guidance from the U.S. Centers for Disease Control and Prevention and the Virginia Department of Health in their response activities, which would include case investigation, vector surveillance and control activities, and community education.

In 2025, Health Department staff monitored for reports of CHIKV, dengue, malaria, Oropouche, and ZIKAV. The Health Department will continue monitoring travel-associated cases and maintaining vigilance for locally transmitted dengue virus, CHIKV, malaria, Oropouche, and ZIKAV and will engage their partners and the community to protect County residents.

Tick-Borne Diseases
During 2025, Lyme disease continued to be a major concern for County residents, and it was the most frequently-reported vector-borne disease in the County. The Health Department recorded and reported at least 226 cases of Lyme disease in Fairfax County in 2025. Some of the factors that influence Lyme disease in the County include:

1. Presence of the Lyme disease-causing bacteria in the blacklegged tick vectors;
2. White-footed mice and other animals acting as natural amplifiers of the bacteria;
3. Large deer populations that act as a tick transport system, distributing the ticks throughout the County, as well as being a source of blood for the female ticks to develop their eggs; and
4. Increased public awareness resulting in increased use of personal protection measures.

Health Department staff plan to continue to perform tick surveillance, tick ID service, and human case surveillance in 2026.

The Health Department will continue to include tick prevention and personal protection from ticks in its outreach and education strategy. The Disease Carrying Insects Program Annual Report reviews the 2025 season activities and presents wide-ranging plans for minimizing the impact and risk of tick-borne diseases through:

1. Surveillance for the presence of Lyme disease and other tick-borne pathogens, including blacklegged tick and human case surveillance;
2. An intensive community outreach and education program to increase tick, Lyme disease, and tick-borne disease awareness in the County; and
3. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of Lyme disease transmission.

Other Disease-transmitting Insects of Public Health Importance
DCIP will also work with staff to minimize the impact and risk of other diseases transmitted by insects through:

1. A community outreach and education program to increase awareness of other insects that may transmit diseases of public health importance.

EQUITY IMPACT:
There is no adverse impact on equity. Mosquitoes and vector-borne diseases can impact residents at all socio-economic levels and in all parts of the county. Surveillance and control efforts occur throughout the community. Community education is a critical part of vector-borne disease prevention. The program has long partnered with the Health Department's Outreach Team to bring prevention messaging to the community. Live presentations have been provided in Chinese, Korean, Spanish, and Vietnamese. Additional materials are available on the County website in Arabic, Chinese, Korean, Spanish, and Vietnamese. Program staff have also worked with partners from the Health Department's Stronger^2 initiative which promotes health literacy in local communities of color.

In 2026, the program will continue to work with the Health Department's Division of Community Health Development to promote vector-borne disease prevention messaging in the community and to identify additional content for language translation. They will also continue to work with other partners to promote health literacy about vector-borne diseases in communities of color and encourage young people from diverse backgrounds to work in public health (Public Health Youth Ambassador Program).

Board Agenda Item
March 3, 2026

FISCAL IMPACT:
The Disease Carrying Insects Program is primarily funded by a Special Service District for the Control of Infestations that May Carry a Disease that is Dangerous to Humans, Gypsy Moth, Fall Cankerworm, and Certain Identified Pests in Fund 40080, Integrated Pest Management Program. No additional funding is required as the current funding level is sufficient to meet anticipated program needs.

ENCLOSED DOCUMENTS:
Attachment I - Disease Carrying Insects Program Annual Report
Attachment II - Natular G Label
Attachment III - Natular G30 Label
Attachment IV - VectoBac G Label
Attachment V - VectoLex WSP Label
Attachment VI - VectoLex FG Label
Attachment VII - VectoMax FG Label
Attachment VIII - Altosid XR Briquet Label
Attachment IX - Cocobear Label
Attachment X - Flit 10EC Label
Attachment XI - Aqua Anvil Label

STAFF:
Christopher Leonard, Deputy County Executive
Gloria Addo-Ayensu, MD, MPH, Director of Health, Health Department
Pieter A. Sheehan, Director of Division of Environmental Health, Health Department

ASSIGNED COUNSEL:
John W. Burton, Senior Assistant County Attorney

Disease Carrying Insects Program Annual Report

Presented by

Pieter A. Sheehan, REHS
Director of Environmental Health
Fairfax County Health Department

March 3, 2026

This information can be made available in an alternative format upon request. Please call 703-246-2300 / TTY 711. Allow seven working days for preparation of the material.

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Introduction



Mosquitoes, ticks and other vectors are responsible for transmitting pathogens that can result in life-changing illnesses such as West Nile virus, Lyme disease, and the Zika virus. The Health Department's Disease Carrying Insects Program was established in 2003 and works to protect county residents and visitors from vector-borne diseases. The program uses an integrated approach to monitor and manage vectors. The program continuously promotes personal protection and vector prevention methods in the community to raise awareness of these public health pests, the diseases they transmit, and what residents can do to protect themselves.

Health Department Vision, Mission and Values

As part of the Health Department, the Division of Environmental Health and the Disease Carrying Insects Program strive to help the agency meet its goals and embody the Vision, Mission, and Values of the agency.



West Nile Virus

The United States continued to experience the effects of West Nile virus (WNV) in 2025 with at least 2,076 cases reported from 46 states and the District of Columbia to the Centers for Disease Control and Prevention (CDC).[1] The most recent data for WNV-associated deaths in the U.S. on the CDC website is for 2024 when 164 deaths were reported. In 2025, CDC reported a

[1] 2025 provisional data obtained from CDC web site.

nationwide increase of WNV in the fall with 41% more severe cases and 32% more deaths than were typically reported at that time of year. From 1999, when the first locally acquired cases of WNV were reported in the U.S., through 2024, 60,992 cases and 3,134 deaths have been reported in the United States.

WNV has been routinely found in Fairfax County since its initial detection in a dead bird in 2000 and the first reports in humans and mosquitoes in 2002. Nine cases of WNV were reported in Fairfax County in 2025, compared to the 5-year average of one. An increase in cases was also seen across the Commonwealth with 30 reported cases in 2025 compared to a 5-year average of seven. From 2002 to 2024, there have been 264 human cases of WNV and 22 WNV-associated deaths in Virginia. During the same period, 67 human WNV cases, including seven deaths, were reported in Fairfax County.

The primary vectors of WNV in our area are *Culex pipiens* and *Culex restuans*. The virus is normally transmitted between these mosquito species and certain types of birds which also serve as the source of the virus for the mosquitoes. The virus is maintained in this cycle between birds and mosquitoes. Humans and horses can be infected with WNV. Although most people infected with WNV do not show symptoms, some infections may result in clinical illness or death. Mosquitoes cannot spread WNV from person to person.

Factors such as weather (precipitation, temperature, humidity) and other environmental conditions impact mosquito populations, but absolute high numbers of mosquitoes do not equal risk of disease transmission. These same weather and environmental factors can impact the natural transmission cycle of WNV. While it is difficult to pinpoint specific factors that impact reported cases of human WNV disease, increased awareness, testing, and reporting to public health may help us better understand disease trends in the future.

Other Mosquito-borne Conditions

Other mosquito-borne diseases can be found in Virginia. Some are considered locally acquired while others are travel associated. In addition to WNV, the Virginia Department of Health considers the following mosquito-borne diseases to be locally acquired in the state: Eastern Equine Encephalitis (EEE), Jamestown Canyon (JCV), La Crosse Encephalitis (LAC), and St. Louis Encephalitis (SLE). These viruses all have other animals as part of the regular transmission cycle with incidental infections in humans. The mosquitoes that are part of the transmission cycles of these viruses are regularly found in Fairfax County except for those in the EEE transmission cycle. One case of La Crosse virus was reported in Fairfax County in 2025.

Several travel associated mosquito-borne diseases are reported in Fairfax County every year (Table 1) including malaria, dengue, and chikungunya. Most cases of these diseases reported in the continental U.S. occur in travelers who were infected elsewhere.

Malaria is regularly the most reported mosquito-borne disease in Fairfax County. The most recent data for malaria cases in the U. S. is from 2022 when 1,999 confirmed cases and 10 deaths were reported to the CDC National Malaria Surveillance system. Malaria is usually a travel associated infection, but locally acquired cases occasionally occur in the U.S. In 2023, 10 locally acquired cases of malaria were reported in the United States (7 in Florida, 1 each in Arkansas, Maryland, and Texas). The most recent locally acquired cases of malaria in the U.S. before that were in 2003 in Florida. Local transmission of malaria has previously occurred in several locations in the U.S., including Virginia.

Dengue is common in many of the U.S. territories and freely associated states with outbreaks or high levels of transmission reported in Puerto Rico, the U.S. Virgin Islands, and American Samoa in 2025. High levels of dengue transmission were also reported from North, Central, and South America and the Caribbean in 2025. Since 2009, multiple locally acquired cases and sporadic DENV outbreaks have been identified in the U.S. with local spread reported in Florida, Hawaii, Texas, Arizona, and California. Over 4,900 cases of dengue were reported in the U.S. in 2025. There were at least 67 cases of locally acquired mosquito-transmitted dengue reported in the continental U.S. (Florida, California, Arizona) in 2025. [1]

The Chikungunya (CHIKV) and Zika viruses (ZIKAV) began circulating in the Americas in 2013 and 2015, respectively. Transmission of both viruses has been reported in many countries in the Americas. The only evidence of local mosquito transmission of the Zika virus in the continental United States to date has been in Florida and Texas in both 2016 and 2017. Cases of Zika have also been reported where the virus was acquired through other routes, primarily sexual transmission. Local mosquito-borne transmission of CHIKV in the continental U.S. has previously been documented in Florida and Texas. One locally acquired case of CHIKV was reported in a U.S. state in 2025.

Zika can also be passed from a pregnant woman to her fetus and infection during pregnancy can cause certain birth defects. About 5-10% of babies of women with confirmed Zika virus infection during pregnancy had Zika-associated birth defects. The highest risk of birth defects is from Zika virus infection during the first trimester of pregnancy. We continue to maintain vigilance due to the public health importance of this disease. Although the number of reported cases in the US has declined significantly since 2017, public health officials continue to monitor for travel-associated cases of these diseases.

In 2024, outbreaks of an emerging virus called Oropouche were reported in South America and the Caribbean. Travel associated cases were reported in the U.S., but no local transmission was detected. Poor pregnancy outcomes (fetal death, stillbirths, and birth defects) have been associated with Oropouche infection during pregnancy.

Chikungunya, dengue, and Zika are transmitted from person to person by *Aedes aegypti* (the primary vector) and can also be transmitted by *Aedes albopictus*, the tiger mosquito (a secondary vector). *Aedes albopictus* is widespread throughout the eastern U.S. and common in Fairfax County; although *Aedes aegypti* can be collected in Fairfax County, it is not a common mosquito. Zika virus can also be transmitted sexually. *Anopheles quadrimaculatus* (a malaria vector) is widespread throughout the eastern U.S. and is commonly collected in Fairfax County. Oropouche virus is maintained in forested areas between mosquitoes and non-human vertebrates. Biting midges and mosquitoes can transmit the Oropouche virus to people. *Culicoides paraensis*, the biting midge vector of Oropouche, is widespread throughout the Americas and has been reported in Virginia and Fairfax County in the past. Biting midge specimens were collected in mosquito traps in 2025 and 2025 and are being submitted to CDC for species identification. Research is being done on mosquito species in the continental U.S. to determine whether they can transmit the virus. The presence of potential vectors of these pathogens underlies the importance of the continued surveillance activities of the Health Department. If there are locally acquired cases of any of the travel associated diseases in the County, the Health Department will utilize guidance from the CDC and Virginia Department of Health (VDH).

Lyme Disease and Other Tick-borne Conditions

Tick-borne diseases are the most reported vector-borne diseases in the United States. Lyme disease, transmitted by the blacklegged tick, is common in many areas of the United States, including Virginia. Thousands of Lyme disease cases are reported in the U.S. each year, with over 89,000 cases reported in 2023. However, according to the CDC, this number is known to be an underestimate of the actual burden of disease nationally. Fairfax County began tick and Lyme disease surveillance in 2005 with a small pilot program.

Tick-borne diseases continue to impact public health causing serious acute illness, long-term effects and, sometimes, death. The recent and widespread encroachment of suburban sprawl into areas that were once undeveloped or farmland, and the large deer populations in these suburban communities, have increased the prevalence of disease-carrying ticks and the exposure of the human population to the disease pathogens they carry. Other tick-borne diseases, such as anaplasmosis, babesiosis, ehrlichiosis, and spotted-fever rickettsiosis are reported in the County and country annually. In 2025, alpha-gal syndrome (AGS), became a reportable condition in Virginia. AGS, sometimes called the “red meat allergy” is a potentially life-threatening allergic reaction that can develop in some people after a tick bite. Alpha-gal is a molecule found in most mammals, but not people. People with AGS can have an allergic reaction after consuming or being exposed to products that contain alpha-gal.

Other Disease Transmitting Insects of Public Health Importance

Other insects with the potential to transmit disease can be found in Fairfax County. These insects or the conditions that allow them to proliferate, could, at times, be considered public health or safety menaces.

Human Case Surveillance

West Nile virus, Lyme disease, and other vector-borne diseases are among the over 70 notifiable diseases and conditions in Virginia. By law, Virginia clinicians and laboratories must report these conditions. Like other reportable conditions, most reports are initially received by public health automatically when a laboratory result is positive. The Fairfax County Health Department (FCHD) uses enhanced passive surveillance to monitor physician and laboratory reporting of these diseases. The five-year average (Table 1) includes years 2019-2023 to reflect normal disease trends. Of the conditions listed below, Chagas disease is not reportable in Virginia. Most lab reports are from the Inova Cares Clinic for Women and Children which screens expectant mothers from high-risk countries for proper post-natal care. Service interruptions at CDC in 2025 resulted in fewer individuals being tested compared to 2024. Alpha-gal syndrome (not shown), an allergy to mammalian products that has been associated with tick bite exposure, was added to the list of reportable conditions in Virginia in September 2025.

Table 1 includes selected reported cases of vector-borne conditions. The Health Department encourages physicians and laboratories to report cases of these illnesses and conditions by educating medical practitioners about the importance of reporting vector-borne diseases and by contacting key medical staff at hospital centers to inquire about potential cases.

Condition	Number of Cases, Fairfax Health District		
	Average (2019-2023)	CY 2024	CY 2025*
Local Mosquito-borne Disease			
WNV (neuroinvasive and non-neuroinvasive)	1	1	9
Travel-related Mosquito-borne Disease			
Dengue	4	16	3
Chikungunya	1	5	1
Malaria	23	17	36
Zika virus disease / infection	4	0	0
Local Tick-borne Disease			
Lyme Disease	130	174	226
Ehrlichiosis/Anaplasmosis	10	12	30
Spotted Fever Rickettsiosis	4	1	5
Travel-related Tick-borne Disease			
Babesiosis	1	3	4
Other Travel-related Vector-borne Disease			
Chagas Disease	1	14	3

*2025 data are provisional and subject to change.

Table 1: Reported Human Cases of Vector-borne Disease, Fairfax Health District.

Integrated Mosquito Management

The Health Department uses Integrated Mosquito Management (IMM) principles to carry out its mosquito management activities. This approach utilizes three basic strategies: surveillance, control, and public education.

Integrated Mosquito Management is a comprehensive mosquito prevention/control strategy that utilizes a variety of mosquito control methods singly or in combination to exploit the known vulnerabilities of mosquitoes to reduce their numbers to tolerable levels while maintaining a quality environment. IMM does not emphasize mosquito elimination or eradication. Integrated mosquito management methods are specifically tailored to safely counter each stage of the mosquito life cycle. Prudent mosquito management practices for the control of immature mosquitoes include such methods as the use of biological controls, source reduction, water sanitation practices as well as the use of EPA-registered larvicides. When source elimination or larval control measures are not feasible or are clearly inadequate, or when faced with imminent mosquito-borne disease, application of EPA-registered adulticides by applicators trained in the special handling characteristics of these products may be needed. Considerations for adulticide products include their demonstrated efficacy against species targeted for control, resistance management concerns and minimization of potential environmental impact.

IMM requires a thorough understanding of mosquitoes and their bionomics by control personnel; careful inspection and monitoring for mosquito presence and conditions favoring their development; and prevention of oviposition and human/mosquito contact through effective public education, sanitation, and facility maintenance. FCHD strives to employ these IMM components to the extent possible, but resource availability may limit what the program will do.

All intervention measures will be driven by a demonstrated need based on surveillance data and action thresholds. IMM is knowledge-based and surveillance-driven, and when properly practiced is specifically designed to accomplish the following:

1. Protect human, animal and environmental health.
2. Promote a rational use of pesticides.
3. Reduce environmental contamination to soil, ground water, surface water, pollinators, wildlife and endangered species as a result of mosquito control activities.
4. Utilize biological controls (native, noninvasive predators) to conserve and augment other control methods.
5. Utilize source reduction (elimination, removal or reduction of larval mosquito habitats) where practical and prudent.
6. Use target-specific pesticides at the lowest effective rates to the extent possible.
7. Emphasize the proper timing of applications.
8. Minimize pesticide resistance problems.

Additionally, the National Association of County and City Health Officials, in partnership with the CDC and referencing the American Mosquito Control Association, has established 10 vector control capabilities describing the key activities to adequately assess, prepare for, and respond to vector-borne threats. There are five core capabilities and five supplemental capabilities:

- Core Capabilities
    - Routine vector surveillance through standardized trapping and species identification
    - Treatment decisions using surveillance data
    - Larviciding and/or adulticiding
    - Routine vector control activities (e.g., chemical, biological, source reduction, or environmental management)
    - Pesticide resistance testing
- Supplemental Capabilities
    - Licensed pesticide application
    - Vector control activities other than chemical control (e.g., biological, source reduction, or water management)
    - Community outreach and education campaigns regarding the spread of vector-borne diseases and how to prevent infection
    - Regular communication with local health departments regarding surveillance and epidemiology
    - Outreach (e.g., communication and/or cooperation) with nearby vector control programs

Vector Surveillance

Surveillance is essential to an integrated mosquito management program. DCIP conducts surveillance for different vectors and some of the diseases they may carry. Surveillance is done for both adult (terrestrial/flying) and immature (aquatic) mosquitoes. Adult *Culex pipiens* and *Culex restuans* mosquitoes are tested for both WNV and SLE. Adult *Aedes triseriatus* are tested for LAC. It is important to note that absolute high numbers of mosquitoes do not necessarily reflect high risk of human infection with WNV or other mosquito-borne disease. Surveillance for other vectors such as ticks is also performed.

Adult Mosquito Surveillance

Program operations are anchored by a strong adult mosquito surveillance component (Figure 1) that will monitor mosquito abundance and viral activity during the 2026 mosquito season. During the 2025 season, FCHD continued its comprehensive mosquito surveillance program at 75 fixed, weekly collection sites (Figure 2), setting traps for a total of 3,600 trapping periods. A trap period is defined as one mosquito trap at one location for 24 hours.



Figure 1. Staff setting a mosquito trap.

In 2025, one gravid and one host-seeking trap (BG Sentinel trap) were used at each site. Gravid traps were set weekly beginning in early May through late October. BG sentinel traps were set weekly beginning in early June through late October. In 2026, the program will use gravid traps and BG Sentinel traps for routine trapping efforts. The program switched to a single host-seeking trap type in 2024 to provide comparable data across all routine trap sites throughout the County, improve efficiency in the field, and potentially improve collections of human biting mosquitoes. Other host-seeking traps may be used in some scenarios (e.g., disease investigation) to supplement trapping efforts.

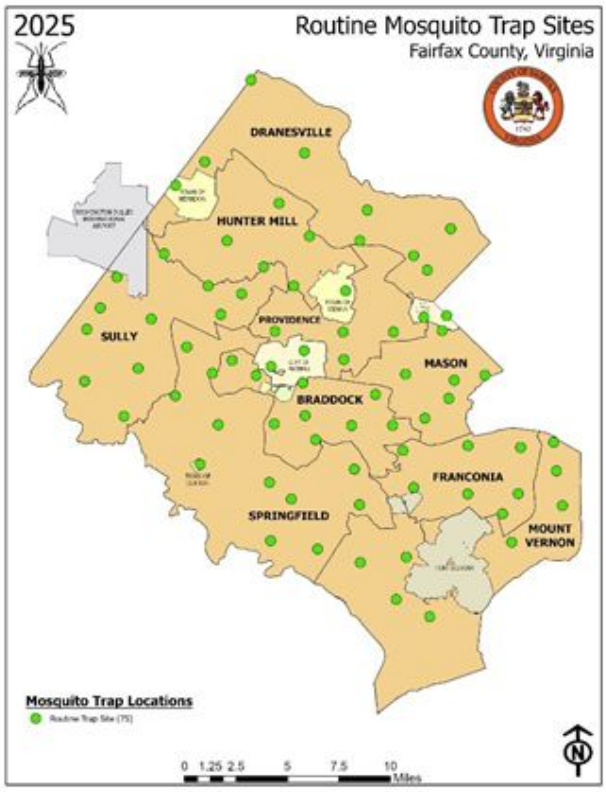

Figure 2: 2024 Routine Adult Mosquito Trap Locations

During the 2025 mosquito surveillance season, 199,511 mosquitoes were collected and identified (Figures 3 and 4) from routine trapping activities. The yellow fever mosquito *Aedes aegypti*, which has historically been rare in Virginia, has been found annually in the region since 2011 when an overwintering population was identified in Washington, D.C. It was detected as early as 2007 in Fairfax County and has been detected at routine trap sites annually since 2015. In 2025, 50 *Ae. aegypti* were collected in routine surveillance efforts, with 45 of those collected in the BG Sentinel trap. Although the numbers of this mosquito collected in the County remains relatively low (usually a single adult in a trap), adjustments to surveillance activities (i.e., expanded use of the BG Sentinel trap) and enhanced monitoring when it is collected are necessary to better understand the species' ability to establish here and to trigger control efforts when necessary. *Culex nigripalpus* mosquitoes were identified in routine collections in 2021 (two female mosquitoes) and 2024 (one female mosquito. This mosquito, which is not native to this region, is a potential vector of St. Louis Encephalitis virus and WNV.



Figures 3 and 4: Staff sorting and identifying mosquitoes (left) and contents of a mosquito trap being processed under a microscope (right).

Gravid Mosquito Trap

The **gravid trap** (Figure 5) is a trap that collects mosquitoes that are looking for a place to lay their eggs. This trap is baited with an infusion (water, grass, straw, brewer's yeast) that is attractive to the *Culex* mosquitoes that are the primary vectors of WNV. The overwhelming majority of mosquitoes collected in this trap are *Culex* species (*Culex pipiens* and *Culex restuans*) (Figure 6). In 2025, this trap was set for 1,950 trap periods and collected over 116,500 mosquitoes. Twenty-six different species of mosquitoes were collected in the trap in 2025, but more than 84% were *Culex* species (*Cx. pipiens* and *Cx. restuans*). In 2025, the number of *Culex* mosquitoes collected in the county at times varied widely from the average of the previous five years with the weather conditions and precipitation impacting collections throughout the season (Figure 7).



Figure 5: Gravid Mosquito Trap.

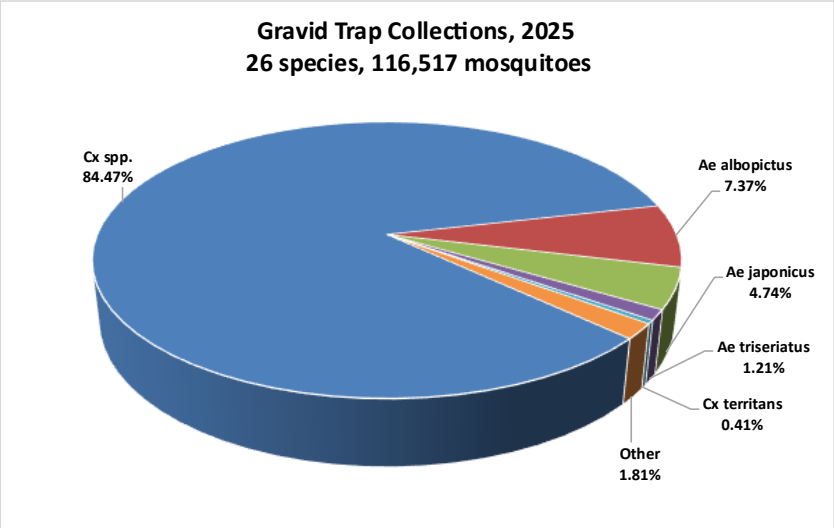

Figure 6: 2025 Gravid Trap Collections.

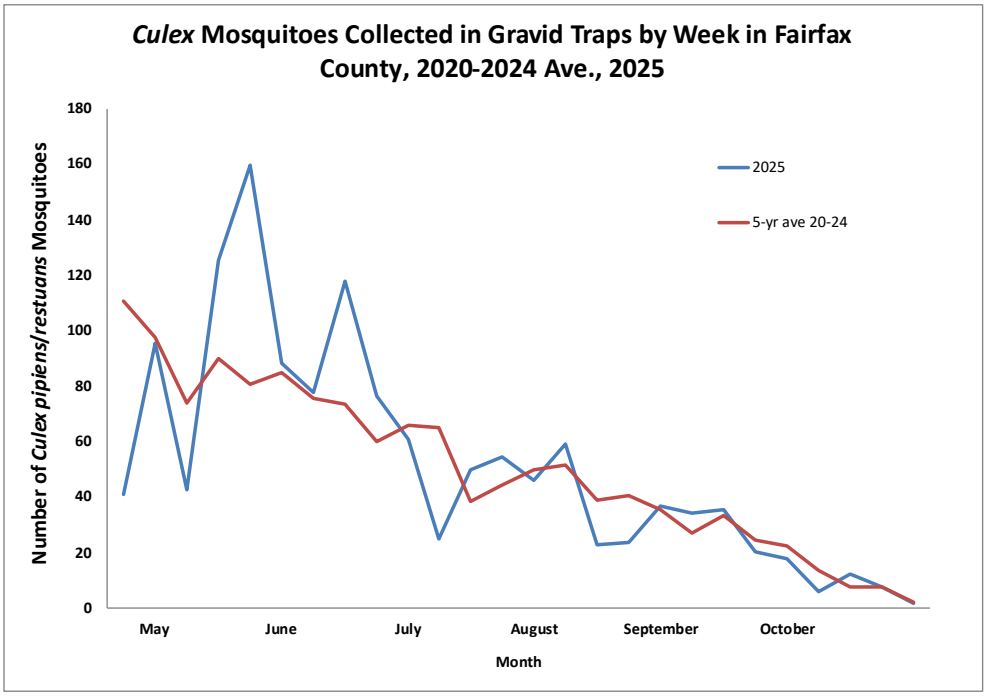

Figure 7: 2025 Average Culex *Mosquitoes collected in gravid traps by week and average 2020-24.*

BG Sentinel Trap



Figure 8: BG Sentinel Trap.

The **BG Sentinel trap** (Figure 8) is a trap that collects host-seeking mosquitoes or mosquitoes that are looking for an animal to bite. This trap is baited with carbon dioxide (dry ice) as well as a special lure that is based on the scent of human sweat. In 2025, this trap was set for 1,650 trap periods and collected over 83,000 mosquitoes. Thirty-three different species of mosquitoes were collected in the trap in 2024, but 35 percent were *Aedes albopictus* (Figure 9). Most of the 50 *Aedes aegypti* collected in 2025 were caught in this trap (n=45).

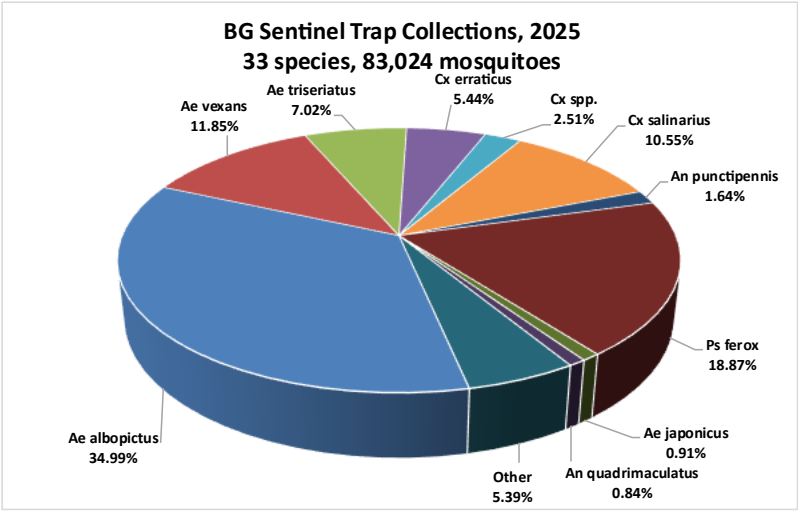

Figure 9: 2025 BG Sentinel Trap Collections.

Routine Immature mosquito surveillance

Since 2016, the program has routinely inspected county-maintained stormwater dry ponds for immature mosquitoes (Figure 10). In 2021, sites maintained by the Virginia Department of Transportation (VDOT) were added to the inspection program. From early April through November 2025, staff routinely checked over 1,400 individual storm water sites and over 200 VDOT ponds (Figure 11). Staff also performed 19 quality assurance inspections in 2025 to evaluate treatment efficacy. Other types of inspections performed during routine warm weather operations included complaint inspections, follow up inspections (typically for sites that were holding water due to rainfall but actively draining), training inspections, and



Figure 10: Immature mosquitoes from field collections).

treatment only inspections (typically larger sites requiring backpack application of granular larvicides).

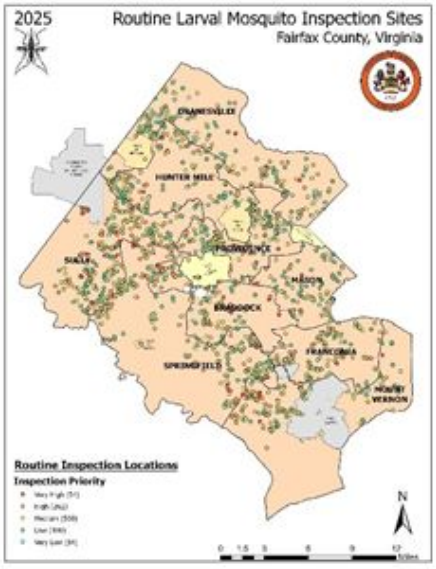

Figure 11: Routine immature mosquito inspection sites.

In 2025, sites were inspected (Figure 11) from early April through November for a total of 10,814 routine inspections. Of those inspections, 7,085 (65.5%) had water that could be sampled for mosquitoes. There were 3,045 wet inspections (43.0%) where immature mosquitoes were collected; 1,536 (50.4%) had enough immature mosquitoes to meet the treatment threshold (3 immature mosquitoes per dip or sample with a minimum of 3 dips). Two mobile applications available through the county's GIS software were customized to streamline field and laboratory data collection processes.



Figure 12: Staff inspecting a stormwater site.

Year-round immature mosquito surveillance

The program began performing immature mosquito inspections during the "off season" in 2023-24 (November through March) to better understand and try to define the seasonal limits of mosquito activity in the County. These inspections also help establish seasonal trends which will help us monitor the impacts of climate change on local mosquito fauna which could also affect pathogen transmission. Based on inspection results from November 2023, routine inspection and larviciding activities were extended through November 2024. The 2024-25 off season inspections (Figure 13) were performed from December 2024 into April 2025. These sites included 250 stormwater management facilities from the routine surveillance sites plus 77 exploratory sites. During this period, staff performed 2,440 inspections. 9,901 immature mosquitoes were collected from almost 400 of those inspections. Immature mosquitoes were collected each month (December through early April). *Aedes canadensis*, a species whose eggs hatch during the winter, is a vector of JCV and LAC. The adults of this species emerge in the spring, and it is potentially long-lived. Learning more about this mosquito in Fairfax County can help us better understand its potential role as a



Figure 13: Staff checking a site for immature mosquitoes.

vector. The "off season" inspections for 2025-26 began in December 2025 and will continue, weather permitting, until *Culex* mosquitoes are observed in early spring 2026.

Mosquito Testing

In the 2025 mosquito season, 96,409 adult mosquitoes were tested in 2,900 pools. A mosquito pool is a batch of 5 to 50 mosquitoes of the same species from the same trap, location, and trap period. In 2025, the mosquitoes tested for WNV were *Culex* species (*pipiens* and *restuans*) collected in gravid or BG Sentinel traps. Most of the mosquitoes tested (n=95,388) were from the gravid traps (2,804 pools). There were 603 positive WNV pools in 2025. As a comparison, during 2024, 102,034 mosquitoes were tested in 2,999 routine pools, of which 552 were positive. Positive mosquitoes were found throughout the county in 2025 (Figure 14). Most of the positive mosquitoes were collected in the gravid traps (593 positive pools). The first WNV-positive mosquitoes of 2025 were collected in a gravid trap in mid/late May. The infection rate of *Culex* species tested from gravid traps was calculated throughout the season. The peak infection rate (maximum likelihood estimate: MLE) in 2025 came in mid-August when the MLE was calculated at 49.17 mosquitoes per 1,000, which was

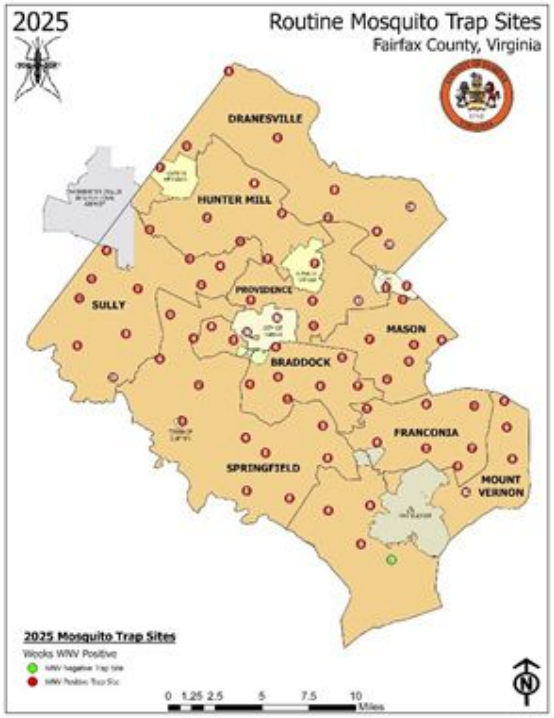

Figure 14: Map of WNV-positive Mosquito Trap Sites, 2025.

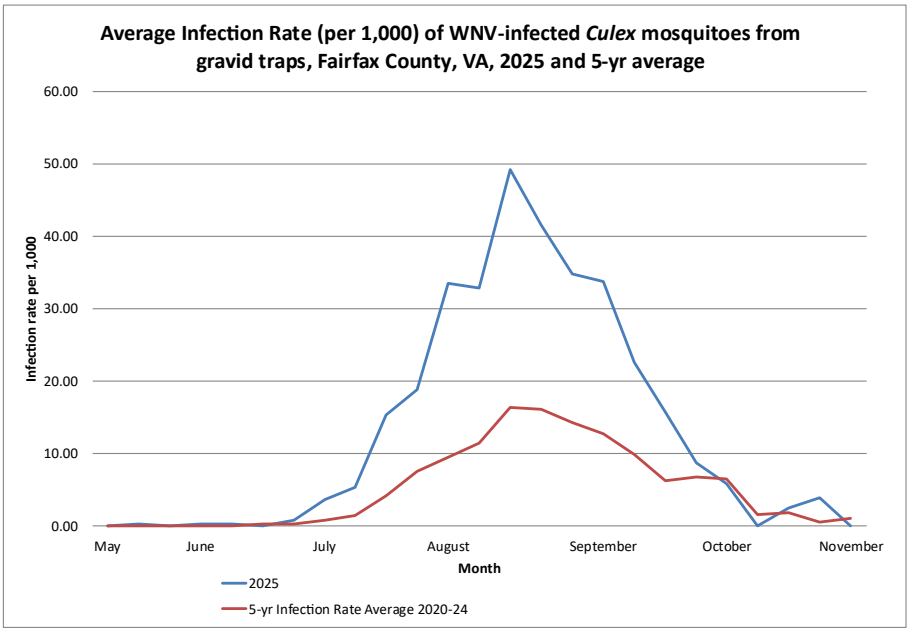

Figure 15: West Nile Virus Infection Rate (Maximum Likelihood Estimate) in Culex *species collected in Gravid Traps, 2025.*

higher than the 5-year average peak infection rate of 8.89 mosquitoes per 1,000. The last positive mosquitoes were collected in late October (Figure 15). All *Culex* species mosquito pools were tested for St. Louis Encephalitis virus in 2025 and all were negative.

In 2025, the Health Department began testing mosquitoes for La Crosse Encephalitis virus (LAC). The LAC vector *Aedes triseriatus*, the Eastern Treehole mosquito, is widespread throughout the county. Mosquitoes were pooled for testing from mid-June through October. A total of 338 pools comprised of 4,459 mosquitoes were tested. All samples tested for LAC were negative.

Tick Surveillance

17,864 ticks (including 2,131 *Ixodes scapularis* or blacklegged ticks) have been identified to date from various collection sources in 2025 including veterinary clinics and a collaboration with the County Wildlife Management Specialist's office to collect ticks from deer harvested as a part of deer management activities. Samples from deer and a deer hunt were still being processed at the time this report was created. All tick collections reported from 2025 were from harvested deer (n=17,153) or collections from veterinary clinics (n=711). The most abundant tick species collected and identified was the lone star tick (*Amblyomma americanum*) (n=12,731). The blacklegged tick can potentially transmit pathogens that cause Lyme disease, babesiosis, and anaplasmosis. The lone star tick (*Amblyomma americanum*) can potentially transmit the pathogen that causes ehrlichiosis. According to the CDC, evidence suggests that alpha-gal syndrome (also called alpha-gal allergy, red meat allergy, or tick bite meat allergy) is primarily associated with the bite of a lone star tick, although some cases could be associated with blacklegged tick bites.

An invasive tick species, *Haemaphysalis longicornis* or the longhorned tick has been found in at least 20 states, including Virginia. The tick has been reported in at least 38 localities in Virginia, including Fairfax County, since 2017. In 2025, specimens of this tick were again collected in the County. This tick transmits a variety of pathogens to humans and animals in other parts of the world; however, its medical importance in the western hemisphere is uncertain.

Tick Testing

The Health Department's Public Health Laboratory has provided tick testing for the Lyme disease bacteria since 2016. Ticks that have been feeding are not submitted for testing per protocol as the vertebrate blood in the ticks may interfere with the testing. Two hundred thirty-five (8.9%) of 2,563 blacklegged ticks collected in 2024 tested positive for the Lyme disease bacteria. In comparison, 142 (7.6%) of the 1,863 blacklegged ticks tested from 2023 collections tested positive for the Lyme disease bacteria. To date, 1,024 blacklegged ticks collected in 2025 have been submitted for Lyme disease bacteria testing. Ticks submitted for testing from 2025 will also be tested for *Babesia microti*, a parasite that is transmitted by the blacklegged tick. As in previous years, tick surveillance and the tick identification service (described below) will be conducted in 2026 by staff in the Division of Environmental Health and will follow previously established protocols.

Mosquito Management

Mosquito control is a component of an integrated management program. Routine and non-routine control decisions take a variety of factors into consideration including mosquito species, presence of mosquito-borne disease, proximity to people, mosquito tolerance, weather patterns, environment, non-target impacts, health and safety, mosquito habitat, and accessibility for surveillance and treatment. Pesticide applications are made according to the product label. Applicators adhere to federal and state regulatory guidance.

Immature Mosquito Control

During routine stormwater site inspections in 2025, immature mosquitoes were collected in 3,045 inspections. In 1,536 of those inspections, the number of immature mosquitoes collected exceeded the treatment threshold of three immature mosquitoes per dip or sample with a minimum of three dips. In those instances, pesticide applications were made to control immature mosquitoes. A total of 1,684 applications were made to control immature mosquitoes with either Natular G, VectoMaxFG and/or Cocobear as a part of routine operations. Pesticide applications (Figures 16 and 17) were only made between early April and late November. All applications were made by certified pesticide applicators or registered technicians and were made according to label guidelines. When possible, staff also use methods of source reduction to control immature mosquitoes.



Figures 16 and 17: Staff applying larvicides by hand (left) and by blower backpack (above) to control immature mosquitoes.

Staff analyze the data collected to identify ways to improve work efficiency. Their analysis allows the program to prioritize larval inspection sites based on historic mosquito presence. Staff increased the number of inspections at sites where mosquitoes had been previously collected while reducing the inspection frequency at sites where no mosquitoes had ever been collected. A quality assurance inspection process was established in 2023 which allowed staff to evaluate treatment effectiveness. These inspections were able to identify areas for process adjustments which could be implemented in real time to improve larval control efforts.

Adult Mosquito Control

While source reduction and the application of larvicides are the principal and most effective interventions to reduce mosquito populations, situations may arise in which infected adult mosquitoes are present in significant numbers and pose a threat to human health. In

these situations, judicious application of adulticides to control mosquito populations will be added to all other mosquito control activities as an additional measure to reduce vector populations.



Figure 18: Pesticide application for adult mosquitoes using a backpack sprayer.

Guidelines from CDC state that adulticiding based on surveillance data is an extremely important part of any integrated mosquito management program and should be used when there is significant risk of human illness. The Health Department may apply insecticides to control adult mosquitoes, and in these instances, the application(s) will target those mosquitoes which potentially transmit disease to humans. The following indicators may trigger adult mosquito spraying by the Health Department:

- Results of mosquito surveillance and testing,
- Environmental factors that impact mosquito or disease cycles,
- Detection of medically important invasive species, or
- Reported cases of human disease.

The Health Department is equipped to apply pesticides for adult mosquitoes should the public health need arise. The Health Department has increased its capacity to respond to mosquito-borne public health threats by purchasing additional equipment to include backpack sprayers (Figure 18), a truck-mounted ultra-low volume (ULV) sprayer (Figure 19), and a backpack ULV sprayer. Synthetic pyrethroids or other insecticides may be used to control adult mosquitoes. All applications of pesticides will be performed by certified applicators according to the label directions. Targeted mosquito spraying was done in 2005, 2006, 2007, 2016, 2017 and 2018. In 2025, no pesticide applications were made to control adult mosquitoes. Pesticides that may be used in adult mosquito control operations in Fairfax County include Flit 10EC and Aqua Anvil.

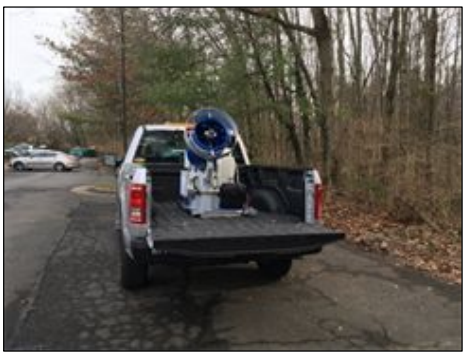

Figure 19: Ultra-low volume sprayer mounted in the back of a pick-up truck.

Pesticide Resistance Testing

Pesticide resistance testing is a key part of an integrated mosquito management program. This is performed to help ensure mosquito control efforts would be effective and help guide local mosquito control efforts. Resistance testing was conducted again in 2025. The current standard for resistance testing includes a bioassay to evaluate susceptibility/resistance to active ingredients used in pesticides. *Aedes albopictus*, *Culex pipiens*, and *Culex restuans* mosquitoes were submitted to the CDC-funded Northeast Center of Excellence for Vector-

Borne Diseases based at Cornell University for resistance testing. Mosquitoes are challenged against a variety of active ingredients used to control adult mosquitoes in laboratory-based assays. Evidence of resistance to active ingredients in commonly used pesticide classes was again seen in the assays for *Culex pipiens*. Results were received for *Culex restuans*, but diagnostic times used to evaluate susceptibility to active ingredients are not yet established for that species. Results for *Aedes albopictus* resistance assays have not been received. Continued monitoring, field-based trials and other resistance characterization assays will help the program identify underlying resistance mechanisms to help determine which insecticides will be effective in controlling local mosquito populations. A resistance management strategy will be developed as more information is gathered.

Outreach and Education

Fairfax County will continue to emphasize personal protection measures from mosquito bites, mosquito-borne disease, and mosquito prevention and control. This is done through distribution of informational materials, media interviews, advertising, web pages, social media, presentations, community events, and collaborations with community groups and homeowners associations. In 2026, the program will also continue its tick outreach activities as originally requested by the Board of Supervisors.

Educational Materials and Events

The 21st 18-month "Fight the Bite" calendar was produced in 2025. The calendar was provided to Fairfax County Public Schools for distribution to the 4th grade. (See Figure 20 for examples of outreach material.)



Figure 20: Examples of outreach material.

The demand for educational material and prevention information was steady in 2025. DCIP staff attended and participated in a variety of community-based events (17 in total) in 2025 (Figure 21). They also did an interview with local news on services offered to the community (yard inspections and tick identification) and co-wrote a blog post for the Office of Environmental and Energy Coordination on climate change and vector-borne diseases. DCIP hosted two Fairfax County Youth Leadership Program (FCYLP) interns in July, providing them, and two other Health Department FCYLP interns, an opportunity to gain practical experience and insight into integrated mosquito management and how the Health Department connects

with the community. Collaboration with FCHD Community Outreach staff provides additional avenues to get information to the community about vector-borne disease prevention. A third children's storybook on mosquito and WNV prevention was translated into Spanish and will be printed (Figure 22 and 23).



Figure 21: Explaining the mosquito life cycle at the Earth Day Festival at Sully Historic Site, 2025.

The program will continue to work with other Health Department staff in the Division of Environmental Health, the Health Department's Communications Office, the Division of Community Health Development, and the Division of Epidemiology and Population Health to develop messaging and provide messaging to the diverse communities within the County. The program also worked with partners from the Stronger[2] initiative which is a group that promotes health literacy in local communities of color. DCIP will continue to work with a variety partners to promote vector-borne disease prevention messages in the community. These partners include the Community Outreach team, Stable Families Thriving Futures, and the Public Health Youth Ambassador Program. New outreach materials in 2025 included a new 18-month calendar with several other items receiving updates during the year. A new calendar is being developed for 2026 along with other updated materials.

Staff engage with other vector control programs locally and regionally to stay aware of vector-borne disease trend in nearby jurisdictions.



Figures 22 and 23: "The Sinister Secret of the Stinky Storm Drain" and "El misterioso secreto de la Alcantarilla Apestosa".



Figure 24: Aedes albopictus*, the Tiger mosquito--the main nuisance mosquito in Fairfax County. Image courtesy CDC.*

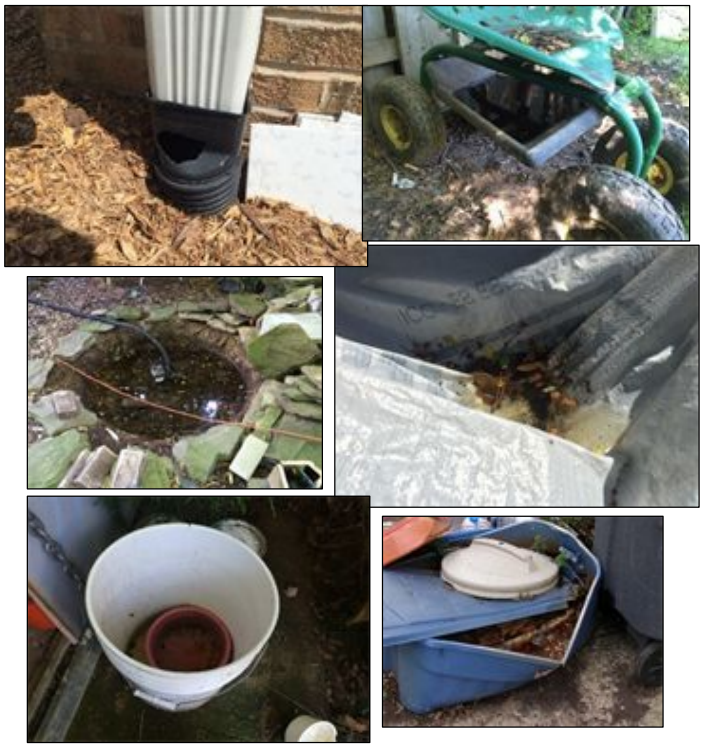

Figure 25: Some of the container breeding sites found on service requests.

Service Requests

The Health Department continued to promote source reduction in residential yards (elimination of mosquito breeding sites) in 2025 through the outreach campaign. The tiger mosquito (*Aedes albopictus*) (Figure 24) was the source of most mosquito-related complaints. This mosquito, which lays its eggs in and develops in containers (Figure 25), is an aggressive, persistent biter that can be found in large numbers around residences. The most common identified breeding sites contributing to the presence of *Aedes albopictus* around inspected homes include household containers, corrugated downspout extensions, gardening containers/flowerpots or saucers, trash/recycling containers, and tarps. Corrugated pipes/extensions at the end of the downspouts from the roof gutters, even when placed underground, continue to be a frequent source of mosquito problems. Many of these corrugated pipes do not drain adequately and they retain water, thus providing great mosquito breeding habitat. The tiger mosquito is a potential vector of the Chikungunya, dengue, and Zika viruses. During 210 site visits and inspections in 2025, staff educated property owners and managers about the benefits of eliminating breeding sites and/or provided Mosquito Dunks®. An online mosquito inspection request form was developed and launched in 2023 (Figure 26). This form is used by residents who are requesting assistance and guidance in managing mosquito problems on their

own property. Mosquito complaints are processed through PLUS (Planning and Land Use System). The requests for assistance and complaints are tracked in PLUS. The program is currently working with other EH staff to integrate the request form and inspection to PLUS.

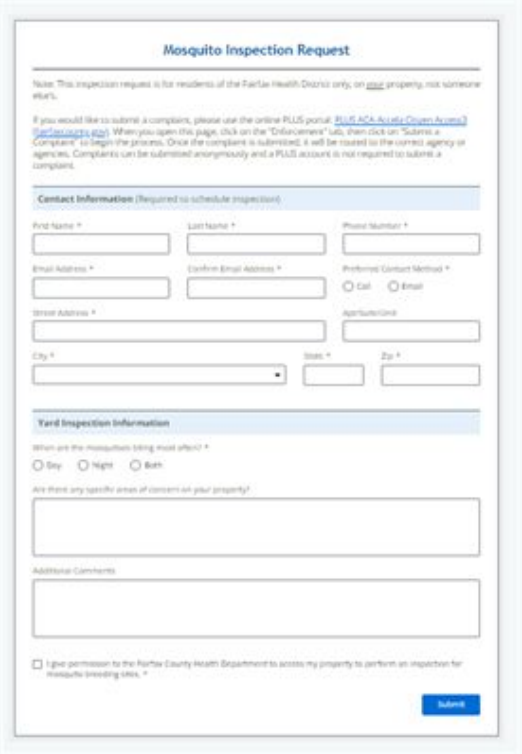

Figure 26: Online Mosquito Inspection Request Form.

Tick Identification Service

The Health Department's tick identification service encourages County residents to have their ticks identified by Health Department staff to help raise awareness of Lyme disease, other tick-borne conditions, and provide information on preventing tick bites. Residents can submit pictures of ticks online or bring them to the Health Department for identification. An online photo submission form (Figure 27) was developed to streamline the online submission process. In 2025, 243 pictures or specimens were submitted to the Health Department for identification. Over 68% of tick ID requests in 2025 were photos of ticks submitted via email or the online request form. From the 243 requests for identification, 223 ticks were identified (Figure 28): 139 Lone Star ticks (*Amblyomma americanum*), 2 Gulf Coast tick (*Amblyomma maculatum*), 35 American Dog ticks (*Dermacentor variabilis*), 1 Longhorned tick (*Haemaphysalis longicornis*), 39 blacklegged ticks (*Ixodes scapularis*), and 3 other tick species. The remaining submissions were not ticks or could not be identified from the photos submitted and were lost to follow-up. Residents using the tick ID service are provided information about the tick(s) they found, tips on tick bite prevention, and information about tick-borne disease symptoms. Although most of the ticks were

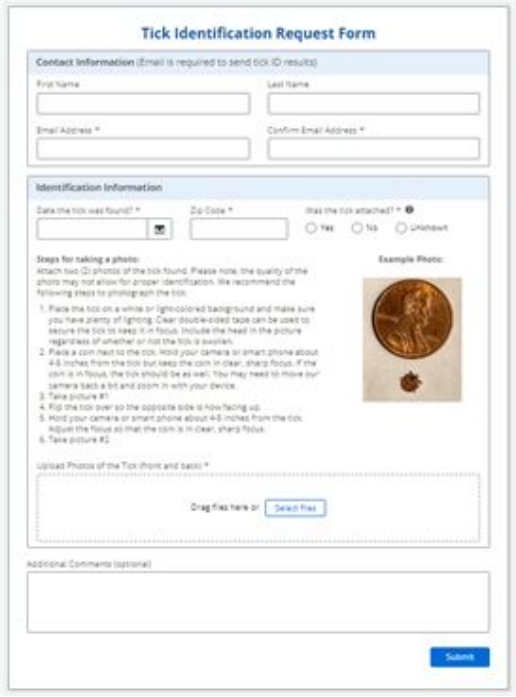

Figure 27: Online Tick Identification Request Form.

from people, some were removed from pets. Staff do not provide medical or veterinary advice and the service does not test ticks for pathogens.

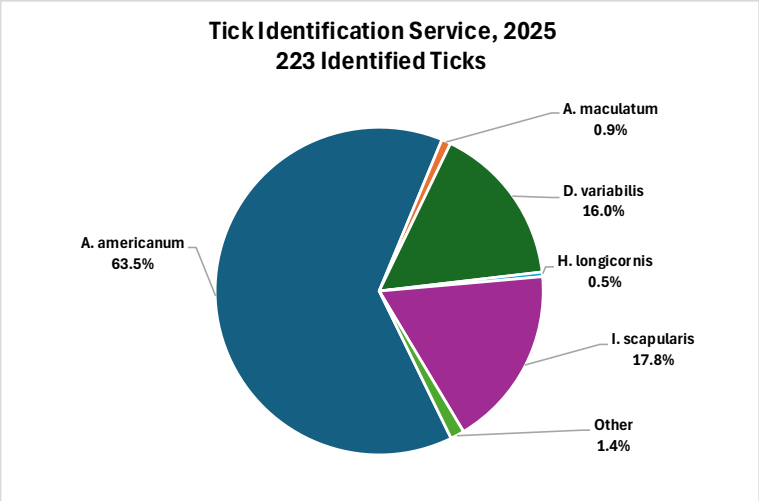

Figure 28: Ticks identified through Tick ID Service, 2025.

Preparedness and Response Activities

The DEH and the Division of Epidemiology and Population Health (DEPH) will continue to collaboratively respond to vector-borne disease issues that arise in the County. Staff from both divisions will continue working together to develop and revise response plans and incorporate communications strategies with the Health Department's Communications Office. Staff will stay abreast of current vector-borne disease issues and incorporate new knowledge and actions into response plans as appropriate.

The Division of Environmental Health has taken additional steps to increase preparedness and capacity within the agency by having Environmental Health professional staff become certified pesticide applicators. Currently, 28 merit Environmental Health staff (48%) have a Pesticide Applicator Certificate from the Virginia Department of Agriculture and Consumer Services. To help staff maintain this certification, an in-house recertification course is offered annually.

In the event of a mosquito-borne disease emergency, the DEPH would perform human case investigations and may coordinate human testing when needed. The Health Department Laboratory can help with human testing coordination. Environmental investigations and mosquito-related activities would be performed by DCIP staff and continue to be performed when cases are identified. These activities would include site visits, education and outreach, source reduction, vector surveillance and vector abatement activities. The Health Department Laboratory has taken steps to build capacity for testing mosquitoes for other mosquito-borne pathogens including chikungunya and dengue viruses and would perform testing as needed. Previous actions taken by FCHD during the Zika public health emergency of 2016 laid the foundation for how the agency may respond to mosquito-borne disease emergencies.

Climate change is expected to have an impact on vectors and vector-borne diseases over the next several years. Staff will continue to monitor for vector presence and abundance, will stay abreast of vector-borne disease trends, adjust program operations accordingly, and

take steps to prepare and respond as appropriate. They will work with the Health Department's lead on climate change in the Division of Emergency Preparedness and Response, county partners, and other external partners on climate change tracking and other initiatives.

***

In 2026, the program will continue to perform vector-borne disease prevention strategies as reported within this document, including vector surveillance, community outreach and public education, and mosquito control, primarily through proactive larviciding. We encourage the community to do their part by eliminating standing water to prevent mosquitoes and by preventing mosquito and tick bites. A healthier community begins with you!

NATULAR® G

Mosquito Larvicide Granule

Controls larvae of mosquitoes that may transmit West Nile Virus, Eastern Equine Encephalitis, St. Louis Encephalitis, Zika, Dengue, or Chikungunya.

To be used in governmental mosquito control programs, by professional pest control operators, or in other mosquito or midge control operations.

Active Ingredient:	
Spinosad (a mixture of Spinosyn A and Spinosyn D)	0.5%
Other Ingredients	99.5%
Total	100.0%

KEEP OUT OF REACH OF CHILDREN

Precautionary Statements

Environmental Hazards

This product is toxic to aquatic invertebrates. Non-target aquatic invertebrates may be killed in water where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Drift from treated areas may be hazardous to aquatic organisms in neighboring areas. Apply this product only as specified on the label.

Directions For Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Read all Directions for Use carefully before applying.

Product Information

NATULAR® G is a product for killing mosquito and midge larvae. This product's active ingredient, spinosad, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring soil organism. NATULAR® G may be applied with suitable ground or aerial application equipment.

Use Precautions

Integrated Pest Management (IPM) Programs

NATULAR® G is intended to kill mosquito and midge larvae. Mosquitoes are best controlled when an IPM program is followed. Larval control efforts should be managed through habitat mapping, active adult and larval surveillance, and integrated with other control strategies such as source reduction, public education programs, harborage or barrier adult mosquito control applications, and targeted adulticide applications.

Insecticide Resistance Management (IRM)

NATULAR® G contains a Group 5 insecticide. Insect biotypes with acquired resistance to Group 5 insecticides may eventually dominate the insect population if appropriate resistance management strategies are not followed. Currently, only spinetoram and spinosad active ingredients are classified as Group 5 insecticides. Resistance to other insecticide groups is not likely to impact the effectiveness of this product. Spinosad may be used in rotation with all other labeled products in a comprehensive IRM program.

To minimize the potential for resistance development, the following practices are recommended:

- Base insecticide use on comprehensive IPM and IRM programs.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or Clarke representative
- Rotate with other labeled effective mosquito larvicides that have a different mode of action.
- In dormant rice fields, standing water within agricultural/crop sites, and permanent marine and freshwater sites, do not make more than 20 applications per year.
- Use insecticides with a different mode of action (different insecticide group) on adult mosquitoes so that both larvae and adults are not exposed to products with the same mode of action.
- Contact your local extension specialist, technical advisor, and/or Clarke representative for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact your local Clarke representative by calling 800-323-5727.

Spray Drift Management

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making decisions. Where states have more stringent regulations, they should be observed.

Application

Proper application techniques help ensure adequate coverage and correct dosage necessary to obtain optimum kill of mosquito and midge larvae. Apply NATULAR® G prior to flooding as a prehatch application to areas that breed mosquitoes, or at any stage of larval development after flooding in listed sites. The following recommendations are provided for ground and aerial application of NATULAR® G.

Ground Application

Use conventional ground application equipment and apply NATULAR® G at the designated rate for the targeted site.

Spot Treatment

Apply NATULAR® G as a spot treatment to areas where mosquitoes are breeding at rates appropriate for the treatment site habitat and conditions.

Aerial Application

Equipment used in the application of NATULAR® G should be carefully calibrated before use and checked frequently during application to be sure it is working properly and delivering a uniform distribution pattern. Avoid overlaps that will increase NATULAR® G dosage above recommended limits.

Application Sites and Rates

The rates listed are typical for efficaciously killing mosquito and midge larvae in the listed habitat sites. Within this range, use lower rates when water is shallow, vegetation and/or pollution are minimal, and mosquito populations are low. Do not use less than labeled minimum rate. NATULAR® G may be applied at rates up to 20 lb per acre in waters high in organic content (such as polluted water, sewage lagoons, animal waste lagoons, and waters with high concentrations of leaf litter or other organic debris), deep-water mosquito habitats or those with dense surface cover, and where monitoring indicates a lack of kill at typical rates. Do not re-apply within 7 days of the initial application unless monitoring indicates that larval populations have reestablished or weather conditions have rendered initial treatments ineffective. Do not apply to water intended for irrigation.

For killing mosquito larvae species in the following non-crop sites:

Non-Crop Site	NATULAR® G lb/acre (lb ai/acre)
Temporary Standing Water: Woodland pools, snow pools, roadside ditches, retention ponds, freshwater dredge spoils, tire tracks and other natural or manmade depressions, rock holes, pot holes and similar areas subject to holding water **Other Freshwater Sites:** Natural and manmade aquatic sites, edges of lakes, ponds, canals, stream eddies, creek edges, detention ponds	3.5 - 6.5 (0.018 - 0.033)
Freshwater Swamps and Marshes: Mixed hardwood swamps, cattail marsh, common reed wetland, water hyacinth ponds, and similar freshwater areas with emergent vegetation **Marine/Coastal Areas:** Intertidal areas above the mean high water mark, mangroves, brackish water swamps and marshes, coastal impoundments and similar areas	9 (0.045)
Stormwater/Drainage Systems: Storm sewers, catch basins, drainage ditches, and similar areas **Wastewater:** Sewage effluent, sewers, sewage lagoons, cesspools, oxidation ponds, septic ditches and tanks, animal waste lagoons and settling ponds, livestock runoff lagoons, wastewater impoundments associated with fruit and vegetable processing, and similar areas	6.5 - 9 (0.033 - 0.045)
Dormant Rice Fields: Impounded water in dormant rice fields (for application only during the interval between harvest and preparation of the field for the next cropping cycle)	3.5 - 6.5 (0.0180 - 0.033)
Natural and Artificial Containers: Tree holes, bromeliads, leaf axils, and other similar natural water holding containers, cemetery urns, bird baths, flower pots, rain barrels, buckets, single tires, tires stockpiled in dumps, landfills, recycling plants and other similar areas, abandoned swimming pools, ornamental ponds, flooded roof tops and similar water holding sites. Landfill containers, salvage yards, abandoned vehicles Do not apply to natural or artificial containers of water intended for consumption by people, animals, or livestock.	3.5 - 9 (0.018 - 0.045) For small to medium size containers, apply 1/8 teaspoon (about 0.37 g) of Natular G per 10-20 gallons of water. For very small containers, apply a pinch of Natular G (0.02 g) per ½ - 1 gallon of water. This is approximately 7 - 9 granules per ½ - 1 gallon of water.

Agricultural/Crop Sites Where Mosquito Breeding Occurs:

Apply NATULAR® G at the rate of 3.5 to 9 lb per acre (0.018 - 0.045 lb ai/acre) in standing water within agricultural/crop sites where mosquito breeding occurs: pastures/hay fields, rangelands, orchards, vineyards, and citrus groves. Do not apply to waters intended for irrigation.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool dry place in original container only. Keep away from moisture.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site according to label use directions or at an approved waste disposal facility.

Container Handling for Non-Refillable Bag: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

Warranty

To the extent consistent with applicable law CLARKE MOSQUITO CONTROL PRODUCTS, INC. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

Natular® is a Registered Trademark of Clarke Mosquito Control Products, Inc.

IN CASE OF MEDICAL EMERGENCY, CALL THE INTERNATIONAL POISON CONTROL CENTER 1-800-214-7753

Manufactured By:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 North Garden Avenue
Roselle, IL 60172, U.S.A.
1-800-323-5727

EPA Reg. No.: 8329-80

EPA Est. No.: 8329-IL-03

Net Weight: _____

Lot: _____

AL0772

SAMPLE LABEL

NATULAR® G30

Mosquito Larvicide / Extended Release Granule

Controls larvae of mosquitoes which may transmit Dengue, Chikungunya, or Zika.

To be used in governmental mosquito control programs, by professional pest control operators, or in other mosquito or midge control operations.

Active Ingredient (dry weight basis):	
Spinosad (a mixture of Spinosyn A and Spinosyn D)	2.5%
Other Ingredients	97.5%
Total	100.0%

U.S. Patent No. 5,362,634 and 5,496,931
Natular® G30 is a 2.5% extended release granule.

KEEP OUT OF REACH OF CHILDREN

CAUTION

Precautionary Statements

Hazards to Humans and Domestic Animals
Harmful if swallowed. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid contact with eyes or clothing. Wear protective eyewear (such as goggles, face shield, or safety glasses).

First Aid	
If swallowed:	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything to an unconscious person.
If in eyes:	• Hold eye open and rinse slowly and gently with warm water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-214-7753 for emergency medical treatment information.	

Environmental Hazards
This product is toxic to aquatic organisms. Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

Directions For Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Read all Directions for Use carefully before applying.

Product Information
Natular® G30 is a product for killing mosquito and midge larvae. This product's active ingredient, spinosad, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring soil organism. Natular® G30 releases effective levels of spinosad for up to 30 days under typical environmental conditions. Natular® G30 may be applied with ground or aerial equipment.

Use Precautions

Integrated Pest Management (IPM) Programs
Natular® G30 is intended to kill mosquito and midge larvae. Mosquitoes are best controlled when an IPM program is followed. Larval control efforts should be managed through habitat mapping, active adult and larval surveillance, and integrated with other control strategies such as source reduction, public education programs, harborage or barrier adult mosquito control applications, and targeted adulticide applications.

Insecticide Resistance Management (IRM)
Natular® G30 contains a Group 5 insecticide. Insect biotypes with acquired resistance to Group 5 insecticides may eventually dominate the insect population if appropriate resistance management strategies are not followed. Currently, only spinetoram and spinosad active ingredients are classified as Group 5 insecticides. Resistance to other insecticides is not likely to impact the effectiveness of this product. Spinosad may be used in rotation with all other labeled products in a comprehensive IRM program.

To minimize the potential for resistance development, the following practices are recommended:

- Base insecticide use on comprehensive IPM and IRM programs.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or Clarke representative.
- Rotate with other labeled effective mosquito larvicides that have a different mode of action.
- In dormant rice fields, standing water within agricultural/crop sites, and permanent marine and freshwater sites, do not make more than 5 applications per year.
- Use insecticides with a different mode of action (different insecticide group) on adult mosquitoes so that both larvae and adults are not exposed to products with the same mode of action.
- Contact your local extension specialist, technical advisor, and/or Clarke representative for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact your local Clarke representative by calling 800-323-5727.

Application

Proper application techniques help ensure adequate coverage and correct dosage necessary to obtain optimum kill of mosquito and midge larvae. Apply Natular® G30 prior to flooding as a prehatch application to areas that breed mosquitoes, or at any stage of larval development after flooding in listed sites. Do not allow this product to drift onto neighboring crops or non-crop areas or use in a manner or at a time other than in accordance with label directions.

Ground Application
Use conventional ground application equipment that provides even coverage at labeled rates.

Aerial Application
Fixed wing aircraft or helicopters equipped with granular spreaders capable of applying rates from 5 to 20 lb per acre may be used to apply Natular® G30. Aerial application equipment should be carefully calibrated before use to be sure it is working properly and delivering a uniform distribution pattern. Avoid flight path overlaps while dispensing granules. Do not exceed labeled limits.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all these factors when making application decisions.

Application Sites and Rates
Apply Natular® G30 at rates (see table) for the targeted treatment site. Within these rate ranges apply at a rate appropriate to site habitat and conditions at the time of application. Use lower labeled rate when water is shallow, vegetation and/or pollution are minimal, and mosquito populations are low. Do not use less than labeled minimum rate. Within the labeled rate range, use higher rates when water is deep, vegetation and/or pollution are high, and mosquito populations are high in number.

Natular® G30 may be applied at rates up to 20 lb per acre in waters high in organic content, deep-water mosquito habitats or those with dense surface cover, and where monitoring indicates a lack of kill at typical rates.

Reapply after 30 days, if needed for extended control in continuously flooded habitat. More frequent applications may be made if monitoring indicates that larval populations have reestablished or weather conditions have rendered initial treatments ineffective.

AL0697

SAMPLE LABEL

Treatment Area	Natular® G30
Temporary Standing Water: Woodland pools, snow pools, roadside ditches, retention ponds, freshwater dredge spoils, tire tracks and other natural or manmade depressions, rock holes, pot holes and similar areas subject to holding water. **Other Freshwater Sites:** Natural and manmade aquatic sites; edges of lakes, ponds, canals, stream eddies, creek edges, and detention ponds. **Dormant Rice Fields:** Impounded water in dormant rice fields (for application only during the interval between harvest and preparation of the field for the next cropping cycle). **Freshwater Swamps and Marshes:** Mixed hardwood swamps, cattail marsh, common reed wetland, water hyacinth ponds, and similar freshwater areas with emergent vegetation. **Marine/Coastal Areas:** Intertidal areas above the mean high water mark, mangroves, brackish water swamps and marshes, coastal impoundments and similar areas.	Apply 5 to 12 lbs per acre (5.6 to 13.5 kg per hectare). Rate is equivalent to 5 to 12 g per 100 sq. ft. of water.
Stormwater/Drainage Systems: Storm sewers, catch basins, drainage ditches, and similar areas. **Wastewater:** Sewage effluent, sewers, sewage lagoons, cesspools, oxidation ponds, septic ditches and tanks, animal waste lagoons and settling ponds, livestock runoff lagoons, wastewater impoundments associated with fruit and vegetable processing, and similar areas.	Apply 5 to 20 lbs per acre (5.6 to 22.4 kg per hectare). Rate is equivalent to 5 to 20 g per 100 sq. ft. of water.
Natural and Artificial Containers: Tree holes, bromeliads, leaf axils, and other similar natural water holding containers; cemetery urns, bird baths, flower pots, rain barrels, buckets, single tires, tires stockpiled in dumps, landfills, recycling plants and other similar areas, abandoned swimming pools, ornamental ponds, flooded roof tops and similar water holding sites; landfill containers, salvage yards, abandoned vehicles. Do not apply to natural or artificial containers of water intended for consumption by people, animals, or livestock.	Apply 5 to 20 lbs per acre (5.6 to 22.4 kg per hectare). Rate is equivalent to 5 to 20 g per 100 sq. ft. of water. For small to medium size containers, apply 0.15 g of Natular G30 per 10-25 gallons of water. For very small containers, apply a pinch of Natular G30 (about 0.02 g) per 5 liters (1.3 gallons) of water. This is approximately 8-10 granules per 5 liters of water.
Agricultural/Crop Sites Where Mosquito Breeding Occurs Apply Natular® G30 to standing water within agricultural/crop sites where mosquito breeding occurs to kill mosquito larvae species, including: pastures/hay fields, rangeland, orchards, vineyards, and citrus groves. **Do not apply to waters intended for irrigation.**	Apply 5 to 20 lbs per acre (5.6 to 22.4 kg per hectare). Rate is equivalent to 5 to 20 g per 100 sq. ft. of water.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage: Store in a cool dry place in original container only. Keep away from moisture.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Handling for Non-Refillable Bag: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities.

Container Handling for Rigid Refillable Tote: Refillable container. Refill this container with granular spinosad pesticide formulation only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the re-filler. To clean the container before final disposal, empty the remaining contents from this container into application equipment. Use a sprayer with water to quickly and completely rinse the interior of the container. Ensure the top, bottom, and all sides are rinsed. A high pressure sprayer with a rinsing nozzle could provide a thorough rinse of the interior. Drain and collect rinsate from the container into a collection system for later disposal. Drain the container dry so no water remains. Return to point of sale. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by State and local authorities.

Warranty: To the extent consistent with applicable law, CLARKE MOSQUITO CONTROL PRODUCTS, INC. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

Natular® is a Trademark of Clarke Mosquito Control Products, Inc.

Manufactured For:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 North Garden Avenue
Roselle, IL 60172, U.S.A.
1-800-323-5727

EPA Reg. No.: 8329-83
EPA Est. No.: 8329-IL-03
Net Contents: _____
Lot: _____

SAMPLE LABEL

AL0697

VectoBac® G

BIOLOGICAL LARVICIDE

GRANULE

ACTIVE INGREDIENT:

Bacillus thuringiensis, subspecies *israelensis*, strain AM 65-52, fermentation solids, spores, and insecticidal toxins	2.80%
OTHER INGREDIENTS	97.20%
TOTAL	100.00%

Potency: 200 International Toxic Units (ITU) per mg
(Equivalent to 0.091 billion potency: ITU per pound)

The percent active ingredient does not indicate product performance and potency measurements are not Federally standardized.

EPA Reg. No. 73049-10
EPA Est. No. 33762-IA-001 List No. 05108

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2.0 Precautionary Statements
  2.1 Hazard to Humans (and Domestic Animals)
  2.2 Environmental Hazards
3.0 Directions for Use
4.0 Application Directions
5.0 Storage and Disposal
6.0 Notice to User

KEEP OUT OF REACH OF CHILDREN
CAUTION

1.0

FIRST AID	
If in Eyes	• Hold eyes open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. • Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

2.0 PRECAUTIONARY STATEMENTS

2.1 HAZARD TO HUMANS (AND DOMESTIC ANIMALS)

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

Mixers/loaders and applicators not in enclosed cabs or aircraft must wear a dust/mist respirator meeting NIOSH standards of at least N-95, R-95 or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

2.2 ENVIRONMENTAL HAZARDS

Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

4.0 APPLICATION DIRECTIONS

VectoBac G is an insecticide for use against mosquito larvae.

Mosquitoes Habitat (Such as the following examples):	Suggested Range Rate*
Irrigation ditches, roadside ditches, flood water, standing ponds, livestock watering ponds and troughs, woodland pools, snow melt pools, pastures, catch basins, storm water retention areas, tidal water, salt marshes and rice fields	2.5 - 10 lbs. / acre

In addition, standing water containing mosquito larvae, in fields growing crops such as alfalfa, almonds, asparagus, corn, cotton, dates, grapes, peaches, sugar cane and walnuts may be treated at the recommended rates.

* Use 10-20 lbs. / acre when late 3rd and early 4th instar larvae predominate, mosquito populations are high, water is heavily polluted (sewage lagoons, animal waste lagoons), and/or algae are abundant.

Apply uniformly by aerial or ground conventional equipment.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all of these factors when making decisions.

A 7 to 14 day interval between applications should be employed.

SPECIMEN

5.0 STORAGE AND DISPOSAL

Do not contaminate potable water, food or feed by storage or disposal.

Storage: Store in a cool [59-86°F (15-30°C)], dry place.

Pesticide Disposal: Completely empty bag into application equipment. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact Ag Container Recycling Council at 202-861-3144 or www.acrecycle.org. If recycling is not available dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

6.0 NOTICE TO USER

Seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with accompanying directions.

VectoBac is a registered trademark of Valent BioSciences Corporation.

VALENT BIOSCIENCES CORPORATION
870 TECHNOLOGY WAY
LIBERTYVILLE, IL 60048 USA
PH: 800-323-9597

04-6623/R6 ©Valent BioSciences Corporation, January 2012

VectoLex® WSP

BIOLOGICAL LARVICIDE

WATER SOLUBLE POUCH

ACTIVE INGREDIENT:

Bacillus sphaericus 2362, Serotype H5a5b, strain ABTS 1743 Technical Powder (670 BsITU/mg)	7.5%
OTHER INGREDIENTS	92.5%
TOTAL	100.0%

Potency: This product contains 50 BsITU/mg or 0.023 Billion BsITU/lb.

Expiration Date: (Two years from the date of manufacture).

The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No. 73049-20 List No. 05722
EPA Est. No. 33762-IA-001 (Lot No. Suffix 'N8')
EPA Est. No. 33967-NJ-1 (Lot No. Suffix 'Q5')

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KEEP OUT OF REACH OF CHILDREN

CAUTION

1.0

FIRST AID	
If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

2.0 PRECAUTIONARY STATEMENTS

2.1 HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

2.2 ENVIRONMENTAL HAZARDS

Do not contaminate water when disposing of equipment washwaters or rinsate. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

4.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Do not contaminate water when disposing of equipment washwaters.

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Non refillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. For Water Soluble Pouches, dispose of empty outer foil bag in trash.

Continued

SPECIMEN

5.0 DIRECTIONS FOR USE - VECTOLEX WATER SOLUBLE POUCHES (WSP)

Once the foil bag containing Water Soluble Pouches is opened, use pouches within one day.

5.1 APPLICATION DIRECTIONS

MOSQUITO CONTROL

VectoLex WSP is a selective microbial insecticide for use against mosquito larvae in a variety of habitats. VectoLex WSP can be applied to areas that contain fish, other aquatic life, and plants. VectoLex WSP can be applied to areas used by or in contact with humans, pets, horses, livestock, birds or wildlife.

I. For control of mosquito larvae species* in the following non-crop sites:

Habitat	Rate Range
Drainage/Drainage Systems:	
Storm drains, catch basins, retention, detention and seepage ponds.	1 pouch/50 sq.ft.(1)

Treatment Areas (For Use In)(1):

Ponds	Standing water	Unused swimming pools or spas
Lagoons	Storm water retention areas	Flooded basements
Water gardens	Catch basins	Pool covers
Hollow trees and tree holes	Birdbaths	Gutters and drains
Urns	Fountains	Wheelbarrows
Rain barrels	Flowerpots and planters	Garbage cans and covers
Livestock watering troughs/ponds/tanks	Snowmelt pools	Discarded tires
Irrigation ditches	Abandoned swimming pools	
Roadside ditches		
Flood water		

Any location where water accumulates and remains standing for periods of time, except treated, finished drinking water for human consumption.

(1)Treat on basis of surface area of potential mosquito breeding sites by placing one (1) VectoLex Soluble Pouch for up to 50 square feet of treatment area. Re-apply as needed after 1 to 4 weeks.

5.1 APPLICATION DIRECTIONS (cont'd)

Longer periods of mosquito population suppression may result where sufficient numbers of non-target aquatic invertebrate parasites and predators are present since these are not affected by the product and contribute to mosquito population reduction.

* Mosquito species effectively controlled by VectoLex WSP, including many of those known to carry/transmit West Nile Virus:

Culex spp.
Aedes vexans

Ochlerotatus melanimon	*(Aedes melanimon)*
Ochlerotatus stimulans	*(Aedes stimulans)*
Ochlerotatus nigromaculis	*(Aedes nigromaculis)*
Psorophora columbiae	
Psorophora ferox	
Ochlerotatus triseriatus	*(Aedes triseriatus)*
Ochlerotatus sollicitans	*(Aedes sollicitans)*
Anopheles quadrimaculatus	
Coquillettidia perturbans	

6.0 NOTICE TO USER

To the fullest extent permitted by law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with accompanying directions.

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04-7321/R6 ©Valent BioSciences Corporation, August 2012

VectoLex® FG

BIOLOGICAL LARVICIDE

FINE GRANULE

ACTIVE INGREDIENT:

Bacillus sphaericus 2362, Serotype H5a5b, strain ABTS 1743 fermentation solids, spores, and insecticidal toxins . . .	7.5%
OTHER INGREDIENTS	92.5%
TOTAL	100.0%

Potency: This product contains 50 BsITU/mg or 0.023 Billion BsITU/lb.
Expiration Date: (Two years from the date of manufacture).

The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No.73049-20
EPA Est. No. 33762-IA-001 List No. 05722

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KEEP OUT OF REACH OF CHILDREN
CAUTION

1.0 FIRST AID

If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.

2.0 PRECAUTIONARY STATEMENTS

2.1 HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Causes moderate eye irritation. Harmful if absorbed through the skin or inhaled. Avoid contact with skin, eyes or clothing. Wear protective eyewear. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Mixers/loaders and applicators not in enclosed cabs or aircraft, must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitizations.

2.2 Environmental Hazards

Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use only by federal, state, tribal or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform mosquito control applications, or by persons under their direct supervision. IN CALIFORNIA: This product is to be applied by County Health Department, State Department of Health Services, Mosquito and Vector Control or Mosquito Abatement District personnel, or persons under contract to these entities only.

4.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Do not contaminate water when disposing of equipment washwaters.

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

5.0 DIRECTIONS FOR USE - VECTOLEX FG

5.1 Application Directions

MOSQUITO CONTROL

VectoLex® FG Biological Larvicide Fine Granule (hereafter referred to as VectoLex FG) is a selective microbial insecticide for use against mosquito larvae in a variety of habitats. VectoLex FG can be applied to areas that contain fish, other aquatic life, and plants. VectoLex FG can be applied to areas used by or in contact with humans, pets, horses, livestock, birds, or wildlife.

CONTINUED

SPECIMEN

I. For control of mosquito larvae species* in the following non-crop sites:

Habitat	Rate Range
Wastewater: Sewage effluent, sewage lagoons, oxidation ponds, septic ditches, animal waste lagoons, impounded wastewater associated with fruit and vegetable processing.	5-20 lbs/acre**
Stormwater/Drainage Systems: Storm sewers, catch basins, drainage ditches, retention ponds, detention ponds and seepage ponds.	5-20 lbs/acre**
Marine/Coastal Areas: Salt marshes, mangroves, estuaries.	5-20 lbs/acre**
Water Bodies: Natural and manmade aquatic sites such as lakes, ponds, rivers, canals, streams and livestock watering ponds and troughs.	5-20 lbs/acre**
Dormant Rice Fields: Impounded water in dormant rice fields. (For application only during the interval between harvest and preparation of the field for the next cropping cycle.)	5-20 lbs/acre**
Waste Tires: Tires stockpiled in dumps, landfills, recycling plants, and other similar sites.	0.5-2 lbs/ 1000 sq. ft.

II. For the control of mosquito larvae species* in the following agricultural/crop sites where mosquito breeding occurs:

Habitats:	Rate Range
Rice, pastures/hay fields, orchards, citrus groves, irrigated crops.	5-20 lbs/acre**

Apply VectoLex FG uniformly by aerial or conventional ground equipment. Reapply VectoLex FG as needed after 1 to 4 weeks.

* Mosquito species effectively controlled by VectoLex FG, including many of those known to carry/transmit West Nile virus:

Culex spp.	
Aedes vexans	
Ochlerotatus melanimon	*(Aedes melanimon)*
Ochlerotatus stimulans	*(Aedes stimulans)*
Ochlerotatus nigromaculis	*(Aedes nigromaculis)*
Psorophora columbiae	
Psorophora ferox	
Ochlerotatus triseriatus	*(Aedes triseriatus)*
Ochlerotatus sollicitans	*(Aedes sollicitans)*
Anopheles quadrimaculatus	
Coquillettidia perturbans	

**Use higher rates (10 to 20 lbs/acre) in areas where extended residual control is necessary, or in habitats having deep water or dense surface cover.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all these factors when making decisions.

6.0 NOTICE TO USER

To the extent consistent with applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on this label. To the extent consistent with applicable law, user assumes all risks of use, storage or handling not in accordance with accompanying directions.

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04-8636/R2 ©Valent BioSciences Corporation, June 2015

VectoMax® FG

BIOLOGICAL LARVICIDE

FINE GRANULE

FOR ORGANIC PRODUCTION

MADE WITH BioFuse™ TECHNOLOGY

ACTIVE INGREDIENTS:

Bacillus sphaericus 2362, Serotype H5a5b, Strain ABTS 1743 Fermentation Solids, Spores, and Insecticidal Toxins	2.7%
Bacillus thuringiensis subsp. *israelensis* Serotype H-14, Strain AM65-52 Fermentation Solids, Spores, and Insecticidal Toxins	4.5%
OTHER INGREDIENTS	92.8%
TOTAL	100.0%

Potency: This product contains 50 BsITU/mg or 0.023 Billion BsITU/lb.

Expiration Date: (Two years from date of manufacture)

The percent active ingredient does not indicate product performance and potency measurements are not Federally standardized.

EPA Reg. No.73049-429
EPA Est. No. 33762-IA-001 List No. 05750
US Patent No. 7,989,180, US Patent No. 8,454,983

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KEEP OUT OF REACH OF CHILDREN
CAUTION

1.0

FIRST AID	
If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	• Move person to fresh air. • If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-315-9819 (24 hours) for emergency medical treatment and/or transport emergency information. For all other information, call 1-800-323-9597.	

2.0 PRECAUTIONARY STATEMENTS

2.1 Hazards To Humans and Domestic Animals

CAUTION

Causes moderate eye irritation. Harmful if absorbed through the skin or inhaled. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Mixers/loaders and applicators not in enclosed cabs or aircraft, must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

2.2 Environmental Hazards

Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

3.0 DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use only by federal, state, tribal or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform mosquito control applications, or by persons under their direct supervision.

IN CALIFORNIA: This product is to be applied by County Health Department, State Department of Health Services, Mosquito and Vector Control or Mosquito Abatement District personnel, or persons under contract to these entities only.

CONTINUED

SPECIMEN

4.0 APPLICATION DIRECTIONS

MOSQUITO CONTROL

VectoMax® FG Biological Larvicide Fine Granule (hereafter referred to as VectoMax FG) is a selective microbial insecticide for use against mosquito larvae in a variety of habitats. VectoMax FG can be applied to areas that contain fish, other aquatic life, and plants. VectoMax FG can be applied to areas used by or in contact with humans, pets, horses, livestock, birds, or wildlife.

I. For control of mosquito larvae in the following non-crop sites:

Habitat	Application Rate Range
Wastewater: Sewage effluent, sewage lagoons, oxidation ponds, septic ditches, animal waste lagoons, and impound wastewater associated with fruit and vegetable processing.	5-20 lbs/acre*
Storm Water/Drainage Systems: Drainage ditches, roadside ditches, retention ponds, detention ponds, and seepage ponds.	5-20 lbs/acre*
Marine/Coastal Areas: Tidal water, salt marshes, mangroves, and estuaries.	5-20 lbs/acre*
Water Bodies: Natural and manmade aquatic sites such as lakes, ponds, canals, rivers and streams (including river & stream edges), floodplains, swamps, marshes, irrigation ditches, flood water, woodland pools, snow melt pools and livestock watering ponds and troughs.	5-20 lbs/acre*
Waste Tires: Tires stockpiled in dumps, landfills, recycling plants, and other similar sites.	0.5-2 lbs/ 1000 sq. ft.

II. For control of mosquito larvae in agricultural/crop sites where mosquito breeding occurs.

Habitat	Application Rate Range
Rice fields, pastures/hay fields, orchards (including citrus groves, peaches, almonds, dates, and walnuts), asparagus fields, corn fields, cotton fields, alfalfa fields, and vineyards.	5-20 lbs/acre*

Apply VectoMax FG uniformly by aerial or conventional ground equipment. Reapply VectoMax FG as needed (after 1-4 weeks under typical environmental conditions).

*Use higher application rates (10-20 lbs/acre) in areas where 4th instar *Aedes* or *Ochlerotatus* spp. larvae predominate, or in areas where very high densities of late instar mosquito larvae are present, or under conditions where local experience indicates the need for higher application rates to achieve extended residual control.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the treatment coordinator are responsible for considering all these factors when making desicions.

5.0 STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration. Do not burn, unless allowed by State and local ordinances. If burned, stay out of smoke.

6.0 WARRANTY AND DISCLAIMER

To the extent consistent with applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on this label. To the extent consistent with applicable law, user assumes all risks of use, storage, or handling not in accordance with the accompanying directions.

VectoMax is a registered trademark and BioFuse is a trademark of Valent BioSciences Corporation.

VALENT BIOSCIENCES CORPORATION
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PH: 800-323-9597

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Altosid® XR
EXTENDED RESIDUAL BRIQUETS

ZOËCON®

A SUSTAINED RELEASE PRODUCT TO PREVENT ADULT MOSQUITO EMERGENCE
(INCLUDING THOSE WHICH MAY TRANSMIT WEST NILE VIRUS)

SPECIMEN LABEL

ACTIVE INGREDIENT:

(S)-Methoprene (CAS #65733-16-6)) (Dry Weight Basis):	2.1%
OTHER INGREDIENTS:	97.9%
Total	100.0%

EPA Reg. No. 2724-421
EPA Est. No. 2724-TX-1

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE ADDITIONAL PRECAUTIONARY STATEMENTS

INTRODUCTION

ALTOSID® XR BRIQUETS are designed to release effective levels of (S)-Methoprene insect growth regulator over a period up to 150 days in mosquito breeding sites. Release of (S)-Methoprene insect growth regulator occurs by dissolution of the briquet. Soft mud and loose sediment can cover the briquets and inhibit normal dispersion of the active ingredient. The product may not be effective in those situations where the briquet can be removed from the site by flushing action.

ALTOSID® XR BRIQUETS prevent the emergence of adult mosquitoes including: *Anopheles, Culex, Culiseta, Coquillettidia,* and *Mansonia* spp., as well as those of the floodwater mosquito complex (*Aedes, Ochlerotatus,* and *Psorophora* spp.) from treated water. Treated larvae continue to develop normally to the pupal stage where they die.

NOTE: (S)-Methoprene insect growth regulator has no effect on mosquitoes which have reached the pupal or adult stage prior to treatment.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS - CAUTION

Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

FIRST AID

Call a poison control center or doctor for treatment advice.

If in eyes	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
If on skin or clothing	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-248-7763 for emergency medical treatment information.

ENVIRONMENTAL HAZARDS

Do not contaminate water when disposing of unused product.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

APPLICATION TIME

Place **ALTOSID® XR BRIQUETS** at or before the beginning of the mosquito season. Apply **ALTOSID® XR BRIQUETS** prior to flooding when sites are dry, or on snow and ice in breeding sites prior to spring thaw. Under normal conditions, one application will last the entire mosquito season, or up to 150 days, whichever is shorter. Alternate wetting and drying will not reduce their effectiveness.

APPLICATION RATES

***Aedes, Ochlerotatus,* and *Psorophora* spp.:** For control in non-(or low-) flow shallow depressions (≤ 2 feet in depth), treat on the basis of surface area, placing one **ALTOSID® XR BRIQUET** per 200 ft^2. Place briquets in the lowest areas of mosquito breeding sites to maintain continuous control as the site alternately floods and dries up.

***Culex, Culiseta* and *Anopheles* spp.:** Place one **ALTOSID® XR BRIQUET** per 100 ft^2.

Coquillettidia and *Mansonia* spp.: For application to cattail marshes and water hyacinth beds. For control of these mosquitoes, place one **ALTOSID® XR BRIQUET** per 100 ft^2.

***Culex* sp. in storm water drainage areas, sewers, and catch basins:** For catch basins, place one **ALTOSID® XR BRIQUET** into each basin. In cases of large catch basins, follow the chart below to determine the number of briquets to use. For storm water drainage areas, place one briquet per 100 ft^2 of surface area up to two ft deep. In areas that are deeper than two feet, use one additional briquet per two feet of water depth.

Water flow pressure increases the potential dissolution of the briquet. Conduct regular inspections (visual or biological) in areas of water flow to determine if the briquet is still present. Adjust the retreatment interval based on the results of an inspection.

ALTOSID® XR BRIQUETS Application Chart

Number of Briquets	Catch Basin Size (Gallons)	Surface Area/ Water Depth (ft)
1	0 – 1500	0 – 2
2	1500 – 3000	2 – 4
3	3000 – 4500	4 – 6
4	4500 – 6000	6 – 8

APPLICATION SITES

ALTOSID® XR BRIQUETS are designed to control mosquitoes in treated areas. Examples of application sites are: storm drains, catch basins, roadside ditches, fish ponds, ornamental ponds and fountains, other artificial water-holding containers, animal watering troughs, cesspools and septic tanks, waste treatment and settling ponds, flooded crypts, transformer vaults, abandoned swimming pools, tires, construction and other manmade depressions, cattail marshes, water hyacinth beds, vegetation-choked phosphate pits, pastures, meadows, rice fields, freshwater swamps and marshes, salt and tidal marshes, treeholes, woodland pools, floodplains, and dredging spoil sites. For application sites connected by a water system, i.e., storm drains or catch basins, treat all of the water-holding sites in the system to maximize the efficiency of the treatment program.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

STORAGE: Store in a cool place. Do not reuse empty container.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling, if available, or dispose of empty container in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY AND CONDITIONS OF SALE

Seller makes no warranty, expressed or implied, concerning the use and handling of this product other than indicated on the label. To the extent permitted by law, Buyer assumes all risks of use and handling of this material when such use and handling are contrary to label instructions.

For information, or in case of an emergency, call 1-800-248-7763.

www.altosid.com

Wellmark International
1501 East Woodfield Road 200W
Schaumburg, Illinois 60173

ZOËCON® Professional Products

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Made in USA

300507286

May, 2010
Schaumburg, IL

COCOBEAR™
Mosquito Larvicide Oil

Kills larvae and pupa stages of mosquitoes. Physical control of mosquito broods: kills by suffocation - mosquitoes do not develop resistance. Prevents mosquito emergence.

Standing water treatment. Use on: ponds, pools, ditches, standing water within irrigated croplands and pastures, flood waters, and other listed areas where mosquitoes develop.

ACTIVE INGREDIENT	
Mineral Oil*	10.0%
OTHER INGREDIENTS	90.0%
TOTAL	100.0%

* Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-214-7753 for emergency medical treatment information.	
IF SWALLOWED:	Call a poison control center or doctor immediately for treatment advice. DO NOT induce vomiting unless told to do so by a poison control center or doctor. Do not give ANY liquid to the person. Do not give anything by mouth to an unconscious person.
NOTICE TO PHYSICIANS: This product contains petroleum distillate and may pose an aspiration pneumonia hazard.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment (PPE): Mixers, loaders, applicators, and other handlers must wear long-sleeved shirt and long pants, and shoes plus socks.

User Safety Requirements: Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

User Safety Recommendations: Users should wash hands before eating, drinking, chewing gum, tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, except as directed for use on this label. Aquatic organisms may be killed in waters where this pesticide is used. Consult with the State or tribal agency with primary authority for regulating pesticides before applying this product to public waters to determine if a permit is needed.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

This product may cause injury to plants in the treatment area. Stressed plants may be more susceptible.

COCOBEAR may only be used to control mosquito larvae and pupae. COCOBEAR leaves a thin film on the surface of treated, non-flowing water and kills mosquito larvae and pupae by suffocation. COCOBEAR kills immature mosquitoes where they develop.

This product may be used for surface applications to standing water within irrigated croplands and pastures, drainage areas, ditches, stagnant pools, swamps, marshes, temporary rain pools, sloughs, log ponds, open sewage basins, settling ponds, catch basins, waste tires and intermittently flooded areas.

Apply at uniform rates of 3 gallons per surface acre (for smaller areas, treat at 10 ounces per 1,000 sq. ft. or 1 1/2 quart per 5,000 sq. ft.). Where there is extremely dense vegetation or if the water to be treated is high in organic content, up to 5 gallons per acre (15 ounces per 1,000 sq. ft. or 2 quarts per 5,000 sq. ft.) may be used.

When applying by aerial application, adjust spray volume up to 5 gallons per acre dependent on vegetation and surface conditions. 3 gallons per acre (36 gallons per 100 ft swath mile) is likely to be sufficient for most conditions.

Spray Drift Management

A variety of factors including weather conditions (e.g. wind direction, wind speed, temperature, and relative humidity) and method of application (e.g. ground, aerial) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Wind Speed: Do not apply this product at wind speeds greater than 15 mph at the application site.

Droplet Size: Apply as a medium or coarser spray (ASABE Standard

SAMPLE LABEL

AL0337

572), and the minimum mean volume diameter (VMD) for spinning atomizer nozzles.

Temperature Inversions: Application is allowed under stable and/or temperature inversion conditions as long as application is done below the point in the atmosphere where the inversion begins and the droplet size meets the dimensions of very coarse or extremely coarse as defined in ASABE Standard 572 (VMD of 400-500 microns).

Release Height for Ground Applications: Apply using a nozzle height of no more than 4 feet above the surface.

Aerial Applications: Applications must conform to the requirements indicated above regarding wind speed, droplet size, and temperature inversions and to the additional requirements listed below.

Release Height: Aircraft altitude should be maintained at the lowest altitude necessary for aircraft safety in order to reduce the exposure of droplets to evaporation and wind.

Boom Length: The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter. Nozzle placement may be extended to 100% of rotor blade diameter when very coarse droplets of VMD 400-500 microns (ASABE Standard 572) are used. Orient nozzles to spray backward and parallel to the air stream.

Swath Adjustment: When applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the upwind and downwind edges of the application area by adjusting the path of the aircraft upwind.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Store upright at room temperature. In case of spill or leakage, soak up with absorbent material such as sand, sawdust, earth, fuller's earth, etc.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

(REFILLABLE DRUMS & TOTES): Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning the container before refilling is the responsibility of the refiller. To clean the container before disposal, drain the container until it is empty. Add a minimum amount of clean water to allow recirculation through the pump, meter and hoses. A commercial tank-cleaning detergent may be used, if desired. Thoroughly drench the interior sides, ceiling, and floor of the container. Using a steam-cleaning process or a high-pressure/low-water process, clean sides, ceiling, and floor of container. Recirculate wash water through the pump, meter and hoses. Drain the tank. Dispose of wash water or rinsate with pesticide waste. Offer cleaned container for recycling, if available, or puncture and dispose of it in a sanitary landfill, or by other procedures approved by State and local authorities.

(2.5 GALLON JUGS): Nonrefillable container. Do not reuse or refill this container. When container is empty, drain it completely, then puncture and dispose of it in a sanitary landfill or by other procedures approved by State and local authorities.

MANUFACTURED FOR:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 N. GARDEN AVENUE
ROSELLE, ILLINOIS 60172
For more information call: 1-800-323-5727

EPA REG. NO. 8329-93

EPA EST. NO._____

Available Packaging: 2.5 GAL, 30 GAL, 55 GAL, 275 GAL, BULK

LOT NO: Marked on Container Label

COCOBEAR™ is a trademark of Clarke Mosquito Control Products, Inc.

NOTICE: To the extent consistent with applicable law, Clarke Mosquito Control Products, Inc. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. To the extent consistent with applicable law, buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

AL0337

FLIT® 10EC

Broad Spectrum Multi-Use Insecticide

Quick Knockdown. For Use Outdoors and in Non-Food/Feed Areas of Commercial Buildings, Warehouses, and Food/Feed Processing Establishments. For Use on Livestock: Cattle (Beef and Dairy), Goats, Sheep, Swine, Horses, and Poultry.

Active Ingredient:	
Permethrin	10.00%
†**Other Ingredients:**	90.00%
	100.00%

†Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN

WARNING

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-214-7753 for emergency medical treatment information.	
IF ON SKIN OR CLOTHING	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing the eye. • Call a poison control center or doctor for treatment advice.
IF INHALED	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
IF SWALLOWED	• Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia. Do not administer or instill milk, cream or other substances containing vegetable or animal fats which enhance absorption of lipophilic substances.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING. Causes skin irritation. Do not get on skin, or on clothing. Harmful if inhaled. Avoid breathing vapor or spray mist. Causes moderate eye irritation. Avoid contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear Coveralls worn over long sleeved shirt and long pants, socks, chemical resistant footwear, and chemical resistant gloves (barrier laminate, nitrile rubber, neoprene, rubber, Viton, selection category F*).

Personal Protective Equipment (PPE): Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber greater or equal to 14 mils, and nitrile rubber greater or equal to 14 mils. If you want more options, follow the instructions for category F on an EPA chemical-resistance category selection chart.

Applicators using ULV cold foggers or fog/mist generators in indoor spaces must wear:

- Coveralls over long-sleeved shirt and long pants,
- Chemical resistant gloves,
- Chemical-resistant footwear plus socks, and
- Chemical resistant headgear, if overhead exposure.

Applicators using ULV cold foggers and/or fog/mist generators in outdoor spaces must wear:

- Long-sleeve shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves

All other mixers, loaders, applicators, and other handlers must wear:

- Long-sleeve shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves for all handlers except for applicators using motorized ground equipment, pilots, and flaggers.
- Chemical resistant apron for mixers/loaders, persons cleaning equipment, and persons exposed to the concentrate and for handlers performing animal dip.

See engineering controls for additional requirements.

User Safety Requirements: Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Entry Restrictions:

For space spray use:

Do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.

For surface spray use:

Except when applying to livestock, do not enter or allow others to enter treated area until sprays have dried.

ENVIRONMENTAL HAZARDS FOR TERRESTRIAL APPLICATIONS

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean water mark. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash waters. This pesticide is

SAMPLE LABEL

highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are foraging the treatment area.

ENVIRONMENTAL HAZARDS FOR WIDE AREA MOSQUITO ADULTICIDE APPLICATIONS

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. When applying as a wide area mosquito adulticide, before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

When applying as a wide area mosquito adulticide, do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body.

PHYSICAL & CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not use this product in or on electrical equipment due to the possibility of shock hazard.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

APPLICATION RESTRICTIONS

- Do not breathe vapors or spray mist.
- Do not use in aircraft cabins.
- Use in a handheld cold or thermal fogger is prohibited.
- Except when applying to livestock or as a wide area mosquito adulticide, do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Except when applying to livestock or as a wide area mosquito adulticide, only protected handlers may be in the area during application.
- Do not apply when food is present.

WIDE AREA MOSQUITO CONTROL

For use by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

APPLICATION INSTRUCTIONS

Do not exceed 25 applications at 0.007 lbs. of permethrin per acre or 0.18 lbs. of permethrin per acre in any given season. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne diseases in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort. Apply when wind speed is greater than 1 mph.

GENERAL

FLIT® 10EC Broad Spectrum Multi-Use Insecticide is designed for application as an Ultra-Low Volume (ULV) aerosol to control adult mosquitoes and flies in residential, industrial, urban, recreational and other areas where adult mosquitoes and flies are found. FLIT® 10EC is also recommended for application with mist-blowers, backpack sprayers, handheld sprayers, and low pressure hand sprayers for barrier or surface applications. FLIT® 10EC is used for control of annoyance flies and mosquitoes, mosquitoes and flies of public health or disease vector importance in areas such as but not limited to residential areas, industrial areas, urban areas, parks, campsites, woodlands, athletic fields, golf courses, playgrounds, recreational and overgrown waste areas, roadsides, and other areas where adult mosquitoes and flies occur. Apply at a rate not to exceed 0.007 pounds of permethrin per acre in any given 24 hour period.

In the treatment of corrals, feed lots, swine lots, poultry ranges and zoos cover any exposed drinking water, drinking fountains and animal feed before application.

FLIT® 10EC provides effective control of adult mosquitoes, black flies, gnats, biting and non-biting midges, stable flies, horse flies, deer flies, sheep flies, horn flies, and nuisance flying insects such as houseflies.

SPRAY DROPLET SIZE DETERMINATION

Ground Equipment: Spray equipment must be adjusted so that the volume median diameter is less than 30 microns (Dv 0.5 < 30 µm) and that 90% of the spray is contained in droplets smaller than 50 microns (Dv 0.9 < 50µm). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

GROUND APPLICATION

Vehicle-Mounted ULV Cold Aerosol Generators or Vehicle-Mounted Non-Thermal Aerosol (Cold Fog): Dilute 1 part concentrate with 1 part water or suitable oil solvent or at proportional oil dilutions calculated on the basis of vehicle speed and swath width to achieve the target dose. Apply through non-thermal ULV application equipment and base acreage calculations on the equipment manufacturer's recommended swath width. Apply at a rate not to exceed 0.007 pounds of permethrin per acre in any given 24 hour period. An optimum swath is created when FLIT® 10EC is applied from a truck that is being driven perpendicular to the wind direction. Direct the spray head of equipment to ensure even distribution of the spray cloud throughout the area. For best results, apply when insects are most active and meteorological conditions are conducive to keeping the spray cloud in the air column close to the ground. An inversion of air temperatures and a light breeze is preferable. Do not exceed 25 applications at 0.007 pounds of permethrin per acre (not to exceed a total of 0.18 pounds of permethrin per acre) in any given season. More frequent applications may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort. Application during the cooler hours of the night or early morning is recommended.

FLIT® 10EC may be applied through ULV Cold Aerosol Generators, or other equipment designed for non-thermal ULV aerosol applications. The desired application rate may be obtained under different conditions by altering the dilution rate of FLIT® 10EC, the flow rate of the insecticide from the application equipment and the vehicle speed. Where dense vegetation is present, the use of higher rates and/or slower speeds is recommended.

BARRIER APPLICATIONS

For control and exclusion of resting or flying adult mosquitoes in areas such as animal quarters, roadsides, urban areas, residential areas, industrial areas, golf courses, parks, recreational areas, tire piles and all public areas where adult mosquitoes may occur. May be used to treat aggregation and harborage areas such as the perimeter of residential buildings, storage buildings, empty rail cars, truck transport trailers, abandoned buildings and other areas where adult mosquitoes find harborage. For application to resting or aggregation surfaces using low pressure hand sprayers or other similar equipment which has demonstrated the capacity to deliver an even distribution of the labeled rate over the desired treatment area, mix 1 part concentrate with 1 part of water or suitable oil diluents and apply sufficient spray to dampen surface. For application using backpack or truck-mounted mist blower equipment, apply at a rate not to exceed 36.6 fl. oz. of diluted product per acre or diluted at a rate not to exceed 0.1 lbs. a.i. per acre.

SAMPLE LABEL

Direct spray onto foliage at the perimeter of areas from which mosquitoes or flies are to be excluded or direct spray into harborage areas or resting areas where adult mosquitoes or flies may be found. When this product is applied as a barrier application using low pressure hand sprayers, hydraulic sprayers, or ground ULV equipment, do not apply within 100 feet (30 meters) of lakes and streams.

Not for use in outdoor residential misting systems.

To prepare dilutions, the concentrate should first be stirred or agitated well. Add the required amount of concentrate to water or oil and blend thoroughly. Do not hold dilutions for more than 24 hours.

For maximum effectiveness, a combination of localized application and space treatment is recommended. Remove pets, birds, and cover fish aquaria before spraying.

USE RESTRICTIONS FOR WIDE AREA MOSQUITO USE

Do not allow spray treatment to contaminate cropland, poultry ranges or water supplies. Do not use on crops used for food or forage.

USE RESTRICTIONS FOR INDOOR USE

Except when making wide area mosquito adulticide applications or treating livestock, do not apply this product in a way that will contact workers or other persons, either directly or through drift.

Except when making wide area mosquito adulticide applications or treating livestock, only protected handlers may be in the area during application.

Do not breathe dusts, vapors, or spray mist.

For applications to food/feed handling and service areas:

Do not apply when food is present.

Do not use in food areas of food handling establishments, restaurants, or other areas where food is commercially prepared or processed.

Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served, such as dining rooms, but excluding areas where foods may be prepared or held. All food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.

Do not apply indoors at residential sites, including nurseries, day care centers, schools, hospitals, and nursing homes.

Not for broadcast use.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

USE RESTRICTIONS FOR OUTDOOR AND ANIMAL QUARTER USE

When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking.

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures;
(2) Applications to lawns, turf, and other vegetation;
(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches, and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

INDOOR USE AREAS

Bakeries, Flour Mills, Granaries, Meat Packing Plants, Truck Trailers, Beverage Plants, Food Processing Plants, Industrial Installations, Railroad Cars, Warehouses, Canneries, Grain Elevators, Kennels, Ships' Holds

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE AND SPILL PROCEDURES: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

Rigid, Non-refillable containers, small enough to shake (i.e., with capacities equal to or less than 5 gallons)

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

SAMPLE LABEL

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Clarke Mosquito Control Products, Inc. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CLARKE MOSQUITO CONTROL PRODUCTS, INC. MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Clarke Mosquito Control Products, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CLARKE MOSQUITO CONTROL PRODUCTS, INC. DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT CLARKE MOSQUITO CONTROL PRODUCTS, INC.'S ELECTION, THE REPLACEMENT OF PRODUCT.

FLIT® is a Registered Trademark of Clarke Mosquito Control Products, Inc.

In Case Of Medical Emergency, Call The International Poison Control Center 1-800-214-7753

In Case Of Transportation Emergency, Call Info-Trac 1-800-553-5053

For More Information Call: 1-800-323-5727

Application Sites	Pests Controlled	Use Directions	Diluent	Dilution Rate	Application Rate
LIVESTOCK SPRAY: Dairy & Beef Cattle, Sheep, Goats, Swine, Horses, and Poultry (For swine, do not ship animals for slaughter within 5 days of last treatment).	Horn Flies, House Flies, Mosquitoes, and Gnats	Apply to wet the hair thoroughly, with particular attention to topline, underline, flanks, withers, and other infested areas. Repeat treatment at intervals of 5 to 12 days for small insect populations or as needed when flies are emerging in large numbers.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Stable Flies, Horse Flies, and Deer Flies	Apply a quart per adult animal to wet the hair thoroughly with particular attention to the legs, flanks, barrel, topline, and other body areas commonly attacked by these flies. Repeat daily as needed.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Face Flies	Apply using spray which produces large wetting droplets. Apply to the face of the animal in the morning before release to pasture. Apply sufficiently to wet the face but not more than 1.5 ounces per animal. Repeat daily as needed.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Sheep "ticks" or keds	Thoroughly wet all portions of the body by dipping or by spraying with sufficient pressure and with a nozzle adjustment to give penetration of the wool. Treat at a rate sufficient to wet the animal.	Water	1 part concentrate in 100 parts water (1.3 fl ounces per gallon)	
	Fleas on Livestock (To kill and to protect against reinfestation)	Wet the animal by dipping or spraying	Water	1 part concentrate in 20 parts water (6.5 fl ounces per gallon)	
AS A SPACE SPRAY LIVESTOCK PREMISES: Barns, Milking Parlors, Milk Rooms, Dairies, Poultry Houses, Swine and Livestock Housing. Bakeries, Beverage Plants, Canneries, Flour Mills, Food Processing Plants, Granaries, Industrial Installations, Kennels, Meat Packaging Plants, Railroad Cars, Ships' Holds, Truck Trailers, Warehouses	Fleas, Mosquitoes, and Gnats	Apply as a fog or fine mist, directing the spray toward the ceiling and upper corners until the area is filled with mist, using about 2 ounces per 1000 cubic feet of space. For best results, close doors and windows before spraying and keep them closed for ten to fifteen minutes. Vacate the treated area and ventilate before reoccupying. Repeat treatment daily as needed.	Water	1 part concentrate in 20 parts water (6.5 fl ounces per gallon)	2 ounces per 1000 cubic feet
	House Flies, Fruit Flies, Gnats, Mosquitoes, Skipper Flies, Wasps, Hornets, Bees, Black Flies, Small Flying Moths.	Apply with mechanical or compressed air equipment (non-thermal) adjusted to deliver a fine mist. Close doors and windows and shut off ventilating systems. When using an oil dilution for space spraying extinguish all flames and pilot lights when applying. For rapid control of Houseflies, Fruit Flies, Gnats, Mosquitoes, Skipper Flies, Wasps, Hornets, Bees, Black flies, Small Flying Moths, direct spray at an upward angle distributing uniformly through the entire area at a rate of 1 ounce per 1000 cubic feet of space. Keep area closed for at least 10 minutes. Vacate areas after treatment and ventilate and sweep up dead insects before reoccupying. For rapid kill of exposed or accessible stages of other insects named on this label, apply using conventional mechanical or compressed air equipment (non-thermal) following directions for space spraying.	Oil or Water	1 part concentrate in 20 parts oil or water (6.5 fl ounces per gallon)	1 ounce per 1000 cubic feet

SAMPLE LABEL

MANUFACTURED BY:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 N. GARDEN AVENUE
ROSELLE, ILLINOIS 60172 U.S.A.

EPA Reg. No.: 8329-67
EPA Est. No.:

Lot No.: Marked On Container
Net Contents: Marked on Container

AquaANVIL™
Water-Based Adulticide

ACTIVE INGREDIENTS:	
Sumithrin®: 3-Phenoxybenzyl-(1RS, 3RS,1RS, 3SR)-2,2-dimethyl-3-(2-methylprop-1-enyl) cyclopropanecarboxylate	10.00%
*Piperonyl Butoxide	10.00%
OTHER INGREDIENTS	80.00%
	100.00%

Contains 0.847 pounds of Technical SUMITHRIN®/Gallon and 0.847 pounds of Piperonyl Butoxide (PBO)/Gallon

*(butylcarbityl)(6-propylpiperonyl) ether and related compounds

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta haya sido explicado ampliamente

FIRST AID	
IF IN EYES:	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information regarding medical emergencies or pesticide incidents, call 1-888-740-8712.	

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators, and other handlers must wear the following: -long-sleeved shirt, -long pants, -shoes and socks. See engineering controls for additional requirements.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of the gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENGINEERING CONTROLS

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(6)]. Human flagging is prohibited. Flagging to support aerial application is limited to use of the Global Positioning System (GPS) or mechanical flaggers.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms, including fish and aquatic invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate bodies of water when disposing of equipment rinsate or wash waters.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

USE RESTRICTIONS: For use by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

IN CALIFORNIA: This product is to be applied by County Health Department, State Department of Health Services, Mosquito and Vector Control or Mosquito Abatement District personnel only.

IN FLORIDA: Aerial applications of this product require trained personnel to perform industry accepted assays to monitor resistance formation in targeted mosquitoes.

Do not treat a site with more than 0.0036 lbs of Sumithrin® and Piperonyl Butoxide (PBO) per acre in a twenty-four hour period. Do not exceed 0.1 lb of Sumithrin® or PBO per acre in any site in one year. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal, or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

NOTE: When rotating products with other insecticides containing PBO, do not exceed 2 lbs PBO per acre per year.

Not for use in outdoor residential misting systems. AquaANVIL™ cannot be mixed with oil. Use only clean water. SHAKE OR AGITATE THOROUGHLY BEFORE DILUTING. Diluted product must be thoroughly agitated before use. Avoid storing excess formulation in equipment.

USE INFORMATION: For use in mosquito adulticiding programs involving outdoor residential and recreational areas where adult mosquitoes are present in annoying numbers, and in vegetation surrounding parks, woodlands, swamps, marshes, overgrown areas and golf courses. AquaANVIL™ may be applied over agricultural areas for the control of adult mosquitoes within or adjacent to these areas.

For best results, apply when mosquitoes are most active and meteorological conditions are conducive to keeping the spray cloud close to the ground. Application in calm air conditions is to be avoided. Apply only when wind speed is greater than or equal to 1 mph. Air temperature should be greater than 50 °F when conducting all types of applications.

SPRAY DROPLET SIZE DETERMINATION

Ground-Based, wide area mosquito abatement application: Spray equipment must be adjusted so that the volume median diameter (VMD) is less than 30 microns (Dv 0.5 < 30 um) and that 90% of the spray is contained in droplets smaller than 50 microns (Dv 0.9 < 50 um). Directions from the equipment manufacturer or vendor, pesticide registrant, or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Aerial wide area mosquito abatement application: Spray equipment must be adjusted so that the volume median diameter produced is less than 60 microns (Dv 0.5 < 60 um) and that 90% of the spray is contained in droplets smaller than 80 microns (Dv 0.9 < 80 um). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant, or a test facility using a wind tunnel and laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

GROUND U.L.V. APPLICATION

Apply AquaANVIL undiluted at a flow rate of 1.1 to 3.3 fluid ounces per minute at an average vehicle speed of 10 mph using a swath width of 300 feet for acreage calculations (see chart below). Under normal residential conditions a flow rate of 2.2 fluid ounces per minute is recommended. If a different vehicle speed is used, adjust rate accordingly. These rates are equivalent to 0.0012 to 0.0036 pounds of Sumithrin® and Piperonyl butoxide per acre. Vary flow rate according to vegetation density and mosquito population. Use high flow rate in heavy vegetation or when populations are high.

AquaANVIL™ may also be diluted with water and applied so as not to exceed the 0.0036 lbs of each a.i., Sumithrin® and PBO per acre as shown in the dilutions tables on this label. If an alternative dilution rate is used, adjust the flow rate accordingly, provided the droplet size and spectrum remains within label specifications.

AL0399

SAMPLE LABEL

Rates to use AquaANVIL™ Undiluted for Mosquito Control:

Pounds a.i./Acre		AquaANVIL™ Fl.oz./Acre	Flow Rates in fluid oz./minute at truck speeds of:			
Sumithrin®	PBO		5 MPH	10 MPH	15 MPH	20 MPH
0.0036	0.0036	0.54	1.6	3.3	4.9	6.6
0.0024	0.0024	0.36	1.1	2.2	3.3	4.4
0.0012	0.0012	0.18	0.5	1.1	1.6	2.2

AquaANVIL may also be applied with non-thermal, portable, motorized backpack equipment adjusted to deliver ULV particles of less than 100 microns VMD. Use 0.18 to 0.54 fl.oz. of the undiluted spray per acre (equal to 0.0012 to 0.0036 lb a.i./acre) as a 50 ft (15.2 m) swath while walking at a speed of 2 mph (3.2 kph). Dilute only with water if dilution is preferred. Do not exceed 0.54 fl.oz. of the undiluted spray per acre. Do NOT use portable backpack equipment for application in enclosed spaces.

AERIAL APPLICATION

AquaANVIL™ may be applied at rates of 0.18 to 0.54 fluid ounces of AquaANVIL™ per acre by fixed wing or rotary aircraft equipped with suitable ULV application equipment. AquaANVIL™ may also be diluted with water and applied by aerial ULV equipment so long as 0.54 fluid ounces per acre of AquaANVIL™ is not exceeded.

RELEASE HEIGHT FOR AERIAL: Fixed Wing: Apply using a nozzle height of no less than 100 feet above the ground or canopy. Rotary Wing: Apply using a nozzle height of no less than 75 feet above the ground or canopy.

Reference the dilution charts on this label. If an alternative dilution is used, adjust the flow rate accordingly, provided the droplet size and spectrum remains within label specifications.

Rates to use diluted (1 to 1 dilution ratio) AquaANVIL™ (Finished spray is a 5% by weight Sumithrin, and contains 0.424 lbs of each a.i., Sumithrin and PBO per gallon)

Pounds a.i./Acre		Finished Spray Fluid oz./Acre	Flow Rates in fluid oz./minute at truck speeds of:			
Sumithrin®	PBO		5 MPH	10 MPH	15 MPH	20 MPH
0.0036	0.0036	1.09	3.3	6.6	9.9	13.2
0.0024	0.0024	0.73	2.2	4.4	6.6	8.8
0.0012	0.0012	0.36	1.1	2.2	3.3	4.4

Rates to use diluted (1 to 2 dilution ratio) AquaANVIL™ (Finished spray is a 3.3% by weight Sumithrin, and contains 0.282 lbs of each a.i., Sumithrin and PBO per gallon)

Pounds a.i./Acre		Finished Spray Fluid oz./Acre	Flow Rates in fluid oz./minute at truck speeds of:			
Sumithrin®	PBO		5 MPH	10 MPH	15 MPH	20 MPH
0.0036	0.0036	1.63	4.9	9.9	14.8	19.8
0.0024	0.0024	1.09	3.3	6.6	9.9	13.2
0.0012	0.0012	0.54	1.6	3.3	4.9	6.6

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Store in a cool, dry place. Keep container closed.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

[For 2.5-gallon Jugs]: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a rinse tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

[For refillable drums & totes]: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into rinsate collection system. Repeat this rinsing procedure two more times. Offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

FOR MORE INFORMATION CALL 1-800-323-5727

NOTICE: To the extent provided by law, Seller makes no warranty, expressed or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use and/or handling of this material when use and/or handling is contrary to label instructions.

AquaANVIL™ - Trademark of Clarke Mosquito Control Products, Inc.

Sumithrin® - Trademark of Sumitomo Chemical Co., Ltd.

Manufactured For:
CLARKE MOSQUITO CONTROL PRODUCTS, INC.
159 N. GARDEN AVENUE
ROSELLE, ILLINOIS 60172

AVAILABLE PACKAGING: 2.5 GAL, 30 GAL, 55 GAL, 275 GAL, TOTE

Lot No.: Marked on Container Label

EPA Reg. No.: 1021-1807-8329

EPA Est. No.: _____

AL0399

Board Agenda Item
March 3, 2026

CLOSED SESSION:

(a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).

(b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).

(c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, as identified below, where discussion in an open session would adversely affect the negotiating or litigating posture of the public body, as well as consultation with legal counsel regarding specific legal matters listed below requiring the provision of legal advice by such counsel, all as permitted by Virginia Code § 2.2-3711(A) (7) and (8).

1. *In Re: PVC Pipe Antitrust Litigation*, Case No. 1:24-cv-07639 (N.D.Ill)

2. *Harry DaCosta, Timmy Briggs, David Lyons, and the Fairfax Workers' Coalition v. Fairfax County Government et. al.,* Case No. CL-2025-0015655 (Fx. Co. Cir. Ct.)

3. *Anthony Terel La'Fond and Ron La'Fond and Michaela La'Fond v. Fairfax County Virginia and Zoha Sultan,* Case No. CL-2025-0014433 (Fx. Co. Cir. Ct.)

4. *Paula Calderon, by GEICO Secure Insurance Company, subrogee v. John Doe,* Case No. GV26-01104 (Fx. Co. Gen. Dist. Ct.)

5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Peggy Shannon Bryant Starke, Trust, et al.* Case No. CL-2025-0016470 (Fx. Co. Cir. Ct.) (Braddock District)

6. *Jay Riat, Building Official for Fairfax County, Virginia v. Magaly Del Carmen Copia as Trustee of the Copia Living Trust,* Case No. GV25-24294 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

7. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County v. William Green, et al*, Case No. GV25-25670 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Shoshana Carroll,* Case No. GV26-00355 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hugh L. Agnew, et al,* Case No. GV26-00388 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

10. *Jay Riat, Building Official for Fairfax County, Virginia, Virginia v. Khorsandi's LLC,* Case No. GV25-26485 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

11. *Jay Riat, Building Official for Fairfax County, Virginia v. Charles K. Fincher, et. al.,* Case No. GV25-28439 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Shaik Samdani, et al.,* Case No. GV25-29607 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

13. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County v. Anastacia A. Terao.,* Case No. GV25-30828 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

14. *Jay Riat, Building Official for Fairfax County v. Thomas K. Hayes, et al.,* Case No. GV26-03518 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

15. *Jay Riat, Building Official for Fairfax County, Virginia v. Deepak Kakar,* Case No. GV26-03519 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

16. *Jay Riat, Building Official for Fairfax County, Virginia v. Hometown Audubon LLC,* Case No. GV24-14363 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

17. *Jay Riat, Building Official for Fairfax County, Virginia v. Oakwood LLC,* Case No. GV25-19225 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Young Kyu Kim, et al.,* Case No. GV25-22690 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. SK Enterprises 1, LLC, et. al.,* Case No. GV25-31790 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

20. *Jay Riat, Building Official for Fairfax County, Virginia v. Ioannis Kyriakos Kozakos,* Case No. GV26-03520 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mohammad Khairul Alam, et. al.,* Case No. GV26-03522 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

22. *Jay Riat, Building Official for Fairfax County, Virginia v. Stephen Hood, et. al.,* Case No. GV25-30816 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

23. *Jay Riat, Building Official for Fairfax County, Virginia v. Joseph Barletta,* Case No. GV26-03156 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

24. *Jay Riat, Building Official for Fairfax County, Virginia v. Amilcar Antonio Coreas, et. al.,* Case No. CL-2026-0000210 (Fx. Co. Cir. Ct.) (Mason District)

25. *Leslie B. Johson, Fairfax County Zoning Administrator and Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Sleepy Hollow Properties, LLC,* Case No. CL-2026-0002297 (Fx. Co. Cir. Ct.) (Mason District)

26. *Jay Riat, Building Official for Fairfax County, Virginia v. Marco Mendoza, et al.,* Case No. GV25-28441 (Fx. Co. Gen. Dist. Ct.) (Mason District)

27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Roberto E. Ortez,* Case No. GV26-00389 (Fx. Co. Gen. Dist. Ct.) (Mason District)

28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marlowe K. Dixon,* Case No. GV26-02754 (Fx. Co. Gen. Dist. Ct.) (Mason District)

29. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Jane R. Baldinger,* Case No. GV26-02756 (Fx. Co. Gen. Dist. Ct.) (Mason District)

30. *Jay Riat, Building Official for Fairfax County, Virginia v. Cristina I. Gonzalez, et al., Case No. GV26-03106 (Fx. Co. Gen. Dist. Ct.) (Mason District)*

31. *Jay Riat, Building Official for Fairfax County, Virginia v. Sandra Enoch,* Case No. GV25-17870 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

32. *Jay Riat, Building Official for Fairfax County, Virginia v. Robert Zaman,* Case No. GV26-03104 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

33. *Jay Riat, Building Official for Fairfax County, Virginia v. Sayed Osman Nasafi, et al.* Case No. GV26-03105 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

34. *Jay Riat, Building Official for Fairfax County, Virginia v. Stephanie D. Rydland,* Case No. GV26-03107 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

35. *Jay Riat, Building Official for Fairfax County, Virginia v. Jenny M. Lobo, et al.,* Case No. CL-2025-0019116 (Fx. Co. Cir. Ct.) (Providence District)

36. *Jay Riat, Building Official for Fairfax County, Virginia v. Fayad E. Kazan,* Case No. GV25-31786 (Fx. Co. Gen. Dist. Ct.) (Providence District)

37. *Jay Riat, Building Official for Fairfax County, Virginia v. Agatha V. Williams,* Case No. CL-2022-0000143 (Fx. Co. Cir. Ct.) (Springfield District)

38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Derek W. Murray, et. al.,* Case No. CL-2025-0011483 (Fx. Co. Cir. Ct.) (Springfield District)

39. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nicole A. Rhea, et al.,* Case No. CL-2026-0001425 (Fx. Co. Cir. Ct.) (Springfield District)

40. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Leo S. Morrison, Jr., et al.,* Case No. GV26-30915 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

41. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. K. Dian Green,* Case No. CL-2026-0001824 (Fx. Co. Cir. Ct.) (Sully District)

42. *Jay Riat, Building Official for Fairfax County, Virginia v. MHC Meadows of Chantilly, LLC, et al.,* Case No. GV24-28841 (Fx. Co. Gen. Dist. Ct.) (Sully District)

43. *Jay Riat, Building Official for Fairfax County, Virginia v. Hoang Minh Le, et al.,* Case No. GV25-30831 (Fx. Co. Gen. Dist. Ct.) (Sully District)

44. *Jay Riat, Building Official for Fairfax County, Virginia v. Bhuller Enterprises, Inc.,* Case No. GV25-30922 (Fx. Co. Gen. Dist. Ct.) (Sully District)

45. *Jay Riat, Building Official for Fairfax County, Virginia v. Janelle Gross,* Case No. GV26-00379 (Fx. Co. Gen. Dist. Ct.) (Sully District)

REVISED

Board Agenda Item
March 3, 2026

3:30 p.m.

Public Hearing on RZ-2025-SP-00003 (High Ridge TEI Equities LLC) to Rezone from C-3 and HC to PRM and HC to Permit Mixed-Use Development Consisting of a Multifamily Residential Building with a Maximum of 400 Units and up to 5,500 Sq. Ft. of Community-Serving Commercial Uses at an Overall Floor Area Ratio (FAR) of 1.52 and Approval of the Conceptual Development Plan, Located on Approximately 6.2 Acres of Land (Springfield District)

This property is located at S. W. of the intersection of Waples Mill Rd. and Fairfax Ridge Rd.. Tax Map 46-4 ((1)) 15B, 56-2 ((1)) 15C and 15D.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission's meeting will be held on February 25, 2026. The Planning's Commission Recommendation will be forwarded upon decision.

On February 25, 2026, the Planning Commission voted 11-0 (Commissioner Hancock was absent from the meeting) to recommend to the Board of Supervisors approval of the following actions:

- **RZ-2025-SP-00003 and its associated Conceptual Development Plan, subject to proffers consistent with those dated February 24, 2026; and**

- **Waiver of the interior parking lot landscaping requirement for the above-grade parking structure in favor of landscaping as shown on CDP/FDP.**

In a related action, the Planning Commission voted 11-0 (Commissioner Hancock was absent from the meeting) to approve FDP-2025-SP-00003, subject to the Board of Supervisors' approval of the concurrent rezoning application.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

REVISED

Board Agenda Item
March 3, 2026

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Nick Cicero, Planner, ZED, DPD

REVISED

Board Agenda Item
March 3, 2026

3:30 p.m.

Public Hearing on SE-2025-HM-00001 (Comstock Reston Station Holdings LC) to Permit Sign Modifications, Located on Approximately 17.55 Acres of Land Zoned PDC (Hunter Mill District)

This property is located in the Hunter Mill District. Tax Map 17-4 ((1)) 17L1-L7; 17-4 ((1)) 17E; 17-4 ((20)) 1-8; 17-4 ((24)) 3; and 17-4 ((41)) A-C.

By Supervisor motion at the December 9, 2025, meeting, the public hearing was deferred to February 3, 2026, at 3:30 pm. By Supervisor motion at the February 3, 2026, meeting, the public hearing was deferred to March 3, 2026, at 3:30p.m.

PLANNING COMMISSION RECOMMENDATION:
On January 14, 2026, the Planning Commission voted 12-0 to defer the decision only for SE-2025-HM-00001 to January 28, 2026, or the next appropriate date, with the record remaining open for comments.

On January 28, 2026, the Planning Commission voted 12-0 to defer the decision only for SE-2025-HM-00001 to February 25, 2026, with the record remaining open for comments. The Planning's Commission Recommendation will be forwarded upon decision.

On February 25, 2026, the Planning Commission voted 11-0 (Commissioner Hancock was absent from the meeting) to recommend to the Board of Supervisors approval of SE-2025-HM-00001, subject to the development conditions dated February 23, 2026.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

REVISED

Board Agenda Item
March 3, 2026

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Katie Quinn, Planner, ZED, DPD

Board Agenda Item
March 3, 2026

3:30 p.m.

Public Hearing on SEA-95-M-077-02 (5722 General Washington Dr LLC) to Amend SE-95-M-077 Previously Approved for Industrial and Warehouse Uses with Retail to Permit Modifications to the Development Conditions, Located on Approximately 2.36 Acres of Land Zoned I-5 (Mason District)

This property is located in the Mason District. Tax Map 80-2 ((15)) 1 and 2.

PLANNING COMMISSION RECOMMENDATION:
On February 11, 2026, the Planning Commission voted 11-0 (Commissioner Cortina was absent from the meeting) to recommend to the Board of Supervisors approval of the following actions:

- SEA-95-M-077-02 subject to the development conditions consistent with those dated January 28, 2026;
- Modification of Sect. 5100.3.B, the open space requirement;
- Modification of the peripheral parking lot landscaping requirement;
- Modification of the 10-year tree canopy requirements;
- Modification of Sect. 6100.2.A, the off-street parking setback; and

Modification of Sect. 5108.4, the interior parking lot landscaping requirement in favor of the existing open space, landscaping and setbacks shown on the SEA Plat.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Ciarra Downing, Planner, ZED, DPD

Intent to Defer to 03/17/2026 at 3:30p.m.

Board Agenda Item
March 3, 2026

3:30 p.m.

Public Hearing on RZ-2025-FR-00005 (Franconia Development Partners, LLC) to Rezone from R-2 and HC to PDH-40 and HC to Permit 120 Multifamily Units with an Overall Density of 36.14 Dwelling Units per Acre (DU/AC) and Approval of the Conceptual Development Plan, Located on Approximately 3.32 Acres of Land (Franconia District)

This property is located on the S. side of Franconia Rd., E. of Grovedale Dr. and W. of Beulah St. Tax Map 81-3 ((5)) 3A, 2A, 2B, 2C1 and 83-3 ((8)) 503.

By Supervisor motion at the February 17, 2026, meeting, the public hearing was deferred to March 3, 2026, at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:
On February 4, 2026, the Planning Commission voted 9-0 (Commissioners Thomas and Wang were absent from the meeting. Commissioner Bennett recused herself from the discussion and vote.) to recommend to the Board of Supervisors approval of the following actions:

- RZ-2025-FR-00005 and its associated Conceptual Development Plan, subject to execution of the proffers dated January 20, 2026; and

- Waiver of the barrier requirement along the southern property line.

In a related action, the Planning Commission voted 9-0 (Commissioners Thomas and Wang were absent from the meeting. Commissioner Bennett recused herself from the discussion and vote.) to approve FDP-2025-FR-00005, subject to the Board of Supervisors' approval of the concurrent rezoning application.

ENCLOSED DOCUMENTS:
Additional information available online at:
https://www.fairfaxcounty.gov/planning-development/board-packages

Planning Commission Meetings Video Archive available online at:
https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives

Intent to Defer to 03/17/2026 at 3:30p.m.

Board Agenda Item
March 3, 2026

STAFF:
Suzanne L. Wright, Director, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
Nick Cicero, Planner, ZED, DPD