

## Resolution on Parking Restrictions

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

**Parking commercial vehicles in residential districts.**

(a) No person shall park any motor vehicle, trailer or semitrailer on or adjacent to the highways of the County when such person parks any such motor vehicle, trailer or semitrailer for commercial purposes. The provisions of this subsection shall not apply to motor vehicle carriers when picking up or discharging passengers.

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

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

**Regulation or prohibition of parking of certain vehicles in certain counties.**

A. Any county operating under the urban county executive form of government or the county manager plan of government, any adjacent county operating under the county executive form of government, and any town within any county operating under the urban county executive form of government may by ordinance regulate or prohibit the parking on any public highway in such county or town of any or all of the following: (i) watercraft; (ii) boat trailers; (iii) motor homes, as defined in § 46.2-100; and (iv) camping trailers, as defined in § 46.2-100.

B. In addition to commercial vehicles defined in § 46.2-1224, any such county or town may also, by ordinance, regulate or prohibit the parking on any public highway in any residence district as defined in § 46.2-100 any or all of the following: (i) any trailer or semitrailer, regardless of whether such trailer or semitrailer is attached to another vehicle; (ii) any vehicle with three or more axles; (iii) any vehicle that has a gross vehicle weight rating of 12,000 or more pounds; (iv) any vehicle designed to transport 16 or more passengers including the driver; and (v) any vehicle of any size that is being used in the transportation of hazardous materials as defined in § 46.2-341.4. The provisions of any such ordinance shall not apply to (i) any commercial vehicle when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power., and

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

**WHEREAS,** the creation of a Community Parking District requires a community to solicit support from individual home owners, seek monetary contributions to pay for District administration costs including costs to procure/emplace prescribed signage, exceeds small community funds and foments intra-community friction, and

**WHEREAS,** all Fairfax County communities should receive similar protection from parked recognized safety hazards regardless of their size, organization or financial resources, and

**WHEREAS,** the police would be welcome a countywide standard to simplify and improve enforcement, and

**WHEREAS,** the Board of Supervisors is authorized by Article 46.2-1222.to adopt a countywide ordinance which would prohibit the parking of recreational vehicles such as watercraft trailers, motor homes countywide and eliminate the need for erecting sign on all streets in Community Parking Districts, and

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

**THEREFORE BE IT RESOLVED THAT,** the Board of Supervisors adopt Statute 46.2-1222.1 as a stand-alone Ordinance and thereby eliminate the burdensome requirement of creating Community Parking Districts and achieve equal protection for communities countywide from additional large hazardous commerical and recreational vehicles parked on streets in residential zones.