

**MARICOPA COUNTY ORDINANCE**

**P-27**

**VEHICLE PARKING AND USE ON UNSTABILIZED VACANT LOTS**

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**VEHICLE PARKING AND USE ON UNSTABILIZED VACANT LOTS**

**SECTION 1 – GENERAL**

- A. PURPOSE:** This ordinance limits particulate matter (PM<sub>10</sub>) emissions into the ambient air from unrestricted vehicle parking and use on unstabilized vacant lots.
- B. APPLICABILITY:** This ordinance applies to vehicle parking and use in the unincorporated sections of Area A that are within Maricopa County.

**SECTION 2 – DEFINITIONS:** For the purpose of this ordinance, the following definitions shall apply:

- A. AREA A** – The part of the greater Phoenix metropolitan area where specific pollution control programs are in place for ozone, carbon monoxide, and particulate matter. As defined in Arizona Revised Statutes (A.R.S. § 49-541(1)), the area in Maricopa County delineated as follows:

Township 8 North, Range 2 East and Range 3 East  
Township 7 North, Range 2 West through Range 5 East  
Township 6 North, Range 5 West through Range 6 East  
Township 5 North, Range 5 West through Range 7 East  
Township 4 North, Range 5 West through Range 8 East  
Township 3 North, Range 5 West through Range 8 East  
Township 2 North, Range 5 West through Range 8 East  
Township 1 North, Range 5 West through Range 7 East  
Township 1 South, Range 5 West through Range 7 East  
Township 2 South, Range 5 West through Range 7 East  
Township 3 South, Range 5 West through Range 1 East  
Township 4 South, Range 5 West through Range 1 East

- B. DESIGNATED, MANAGED, OR OPENED TRAIL SYSTEM** – Roads, highways, multiple-use corridors, trails, or routes that are part of a system of trails and routes that are designated, managed, or opened to public motor vehicle travel by a government land management agency by rule, order, travel management plan, sign, and/or map approved by such agency.

- C. ENFORCEMENT OFFICER** – A person who enforces rules, ordinances, codes or regulations including, but not limited to, Maricopa County Air Quality Department Inspectors, Building and Zoning Code Enforcement, Certified Peace Officers including, but not limited to, Maricopa County Sheriff Deputies.
- D. ROAD OR HIGHWAY** – The entire width between the boundary lines of every way publicly maintained by the federal government, a city, state agency, town, or county if any part of the way is generally open to the use of the public for purposes of vehicular travel. For the purpose of this ordinance, the term “road or highway” also includes designated, managed, or opened trail systems; service roads regardless of surface composition; and any private property dedicated or otherwise reserved for public or private street uses, as evidenced by a recorded document providing vehicular access to more than one property or having thereon a public easement for such use.
- E. VACANT LOTS** – Any of the following described in Section 2(E)(1) through Section 2(E)(4) of this ordinance:
1. An unsubdivided or undeveloped tract of land.
  2. A subdivided residential, industrial, institutional, governmental, or commercial lot that contains no approved or permitted buildings, structures, or uses of a temporary or permanent nature.
  3. A partially developed residential, industrial, institutional, governmental, or commercial lot.
  4. For the purpose of this ordinance, a vacant lot is not a road or highway.
- F. VEHICLE** – A self-propelled device and its appurtenances, excluding devices moved by human power or used exclusively on stationary rails or tracks.

### **SECTION 3 – REQUIREMENTS**

- A. RESTRICTED VEHICLE PARKING AND USE:** A person shall not park or use a vehicle on an unstabilized vacant lot within the unincorporated sections of Area A in Maricopa County.

### **SECTION 4 – PENALTIES AND NOTICES**

- A. VIOLATIONS:** A person who violates this ordinance is subject to a civil penalty of \$50. A second violation of this ordinance within three years is subject to a civil penalty of \$100 and a third or any subsequent violation within a three-year period is subject to a civil penalty of \$250.

- B. NOTICES:** For violations of this ordinance, the Enforcement Officer shall use a uniform traffic ticket and complaint prescribed by the rules of procedure in civil traffic cases adopted by the Supreme Court. The Enforcement Officer may issue a citation to persons in violation of this ordinance.

#### **SECTION 5 – EXEMPTIONS**

- A.** The property owner, person entitled to immediate possession of the property, or invitee who has permission from the land owner, may operate such vehicles if such use does not violate any other applicable laws.
- B.** Any site that has been issued a permit by the Control Officer for the control of fugitive dust from dust-generating operations.