

Article 4 Nonattainment Area Rules; Dustproofing for Commercial Parking, Drives and Yards

4-4-110. Definitions

As used in this Article:

A. Hierarchy of definitions

For purposes of this Article definitions shall be based on the following order of precedence:

1. Enumerated definitions under this rule;
2. Definitions in §4-7-210;
3. Definitions set forth elsewhere in these rules; and
4. The common and ordinary meaning of the term.

B. Lot - A parcel of land identified on a final or parcel map recorded in the office of the Pinal County recorder with a separate and distinct number or letter.

C. Low use unpaved parking lot - A lot on which vehicles are parked no more than thirty-five (35) days during a calendar year.

D. Motor vehicle - A self-propelled vehicle for use on the public roads and highways of the State of Arizona and required to be registered under the Arizona State Uniform Motor Vehicle Act, including any non-motorized attachments, such as, but not limited to, trailers or other conveyances which are connected to or propelled by the actual motorized portion of the vehicle.

E. Owner and/or operator - Any person who owns, leases, operates, controls, maintains or supervises an unpaved parking lot surface subject to the requirements of this Article.

F. Pavement - A traffic-bearing surface consisting of any of:

1. asphalt,
2. recycled asphalt,
3. concrete,
4. Penetration treatment of bituminous material and a seal coat of bituminous binder and mineral aggregate, commonly known as "double chip seal" or "asphalt rock dust palliative" ("ARDP"),

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5. asphaltic concrete,
6. rubberized asphalt, or
7. other similar material.

G. Property line - The boundaries of an area in which either a person causing the emission or a person allowing the emission has the legal use or possession of the property. Where such property is divided into one or more sub-tenancies, the property line (s) shall refer to the boundaries dividing the areas of all sub-tenancies.

H. Unpaved commercial parking lot - Any area that is not paved and that is used for parking, maneuvering, material handling, or storing motor vehicles and equipment. An unpaved commercial parking lot includes, but is not limited to, automobile impound yards, wrecking yards, automobile dismantling yards, salvage yards, material handling yards, and storage yards. For the purpose of this definition, maneuvering shall not include military maneuvers or exercises conducted on federal facilities. For purposes of Article 4, an unpaved commercial parking lot does not include parking, maneuvering, ingress and egress areas at residential buildings with four or fewer units, which residential parking lots separately regulated under Article 5.