



TO: ACC-OC Membership

FROM: ACC-OC Staff

DATE: March 30, 2017

SUBJECT: Final Drone Model Ordinance.

Ordinance No _____

Section 1.0 Purpose and Findings

The operation of unmanned aircraft (UA), commonly known as drones, can at times pose a hazard to full-scale aircraft in flight and to persons and property on the ground. Imposing community-based safety requirements and restrictions on the operation of UA that do not preempt federal aviation rules or authority, or state law, is necessary to mitigate such risks and to protect the public from the hazards associated with the operation of UA.

Section 2.0 Definitions

For the purposes of this Ordinance the following words and phrases shall have the meaning set forth, unless another or different meaning is clearly intended from the context in which the phrase or words are used.

“Unmanned Aircraft System (UAS)” means an aircraft without a human pilot onboard, that is controlled from an operator on the ground, and operates without the possibility of direct human intervention from within or on the aircraft.

“Drone” refers to any UAS.

“FAA” means the Federal Aviation Administration.

“Person” means any individual, partnership, corporation, or joint venture.

“Visual Line of Sight” means that the operator has an unobstructed view of the UAS. The operator must use his or her own natural vision (which includes vision corrected by standard eyeglasses or contact lenses) to observe the UAS. People other than the operator may not be used in lieu of the operator for maintaining visual line of sight. The use of vision-enhancing devices, such as binoculars, night vision goggles,

powered vision magnifying devices, and goggles or other devices designed to provide a “first-person view” from the UAS do not constitute visual line of sight of the operator.”

“Public UAS” means a UAS that is used or operated on behalf of any government agency that meets the qualifications as defined in Section 40102 of Title 49 of the United States Code to operate a public aircraft.

Section 3.0 Local Regulations of UAS

- A. No person shall takeoff or land a UAS outside of the person’s visual line of sight.
- B. No person shall takeoff or land a UAS within 25 feet of another individual, except the operator or the operator’s designee
- C. No person shall takeoff or land a UAS on private property without the consent of the property owner.
- D. No person shall takeoff or land a UAS during permitted public events unless granted written or electronic permission by the City.
- E. No person shall takeoff or land a UAS within one thousand five hundred (1500) horizontal feet of any aircraft.
- F. No person shall takeoff or land a UAS that has any type of weapon attached to it.

Section 4.0 No Reckless Endangerment

No person shall takeoff or land a UAS in a reckless manner so as to create a substantial risk of serious physical injury to any person or substantial risk of damage to the property of another.

Section 5.0 Time, Place, and Manner Restrictions

- A. No person shall takeoff or land a UAS within five hundred (500) feet of any emergency vehicle that is operating with lights and/or sirens.
- B. No person shall takeoff or land a UAS within five hundred (500) feet of any active law enforcement or emergency response incident.
- C. No person shall takeoff or land a UAS in violation of any Temporary Flight Restriction or Notice to Airmen issued by the FAA.
- D. No person shall takeoff or land a UAS within one hundred (100) feet of a school facility without prior notification and authorization of school officials.
- E. No person shall takeoff or land a UAS within five hundred (500) feet of any county or city owned jails, holding facilities, law enforcement facility, or within one hundred (100) feet of any designated publicly owned building chosen by the city.

Section 6.0 Exemption

- A. This Ordinance shall not apply to any Public UAS
- B. This Ordinance shall not apply to any UAS weighing less than 0.55 lbs