

ARTICLE VII - Regulation of Unmanned Aircraft Systems

Sec. 7-7-10. - Purpose and intent.

The purpose of this Article is to establish a registration system for hobby operators and regulations pertaining to any unmanned aircraft system operating within the jurisdictional borders of the City. It is the intent of this Article to be interpreted in conformance with any existing or future federal or state laws or regulations that address the operation of unmanned aircraft systems.

(Ord. 13 §1, 2015)

Sec. 7-7-20. - Definitions.

As used in this Article, the following terms shall have the meanings indicated:

Aircraft means any contrivance invented, used, or designed to navigate or fly in the air.

City airspace means and includes all airspace above the jurisdictional boundaries of the City, to the full extent such airspace can legally be regulated by the City.

Domestic animal shall have the same meaning as set forth in Article V of Chapter 7 of this Code.

Livestock shall have the same meaning as set forth in Article V of Chapter 7 of this Code.

Model aircraft means an unmanned aircraft that is:

- (1) capable of sustained flight in the atmosphere;
- (2) flown within visual line of sight of the person operating the aircraft; and
- (3) flown for hobby or recreational purposes.

Navigable airspace means airspace above the minimum altitudes of flight prescribed by FAA regulations, including airspace needed to ensure safety in takeoff and landing of aircraft.

Operate means to fly, use, launch, land, employ or navigate an unmanned aircraft system through the air.

Hobby operator means an individual or entity operating an unmanned aircraft system for strictly recreational or hobby use.

Person shall have the same meaning as set forth in Section 1-2-10 of Chapter 1 of this Code.

Unmanned aircraft system or *UAS* means an aircraft, powered aerial vehicle, or other device without a human pilot on board, the flight of which is controlled either autonomously by on board computers or by remote control of a pilot operator on the ground or in another vehicle or aircraft, and all associated equipment and apparatus. It includes model aircrafts and drones.

(Ord. 13 §1, 2015)

Sec. 7-7-30. - Exemption from registration.

The following operations of unmanned aircraft systems are exempt from the registration requirements of this Article:

- (1) Any local, state or federal government agency lawfully operating unmanned aircraft systems for a government purpose or function.
- (2) Any commercial operator authorized by the FAA to operate a UAS, as evidenced by a valid certificate of authorization or exemption issued by the FAA.

(Ord. 13, §1, 2015)

Sec. 7-7-40. - General requirements for hobby operators.

- (a) Registration required. Registration of UAS is required for all hobby operators operating a UAS within City airspace.
 - (1) Registration. A hobby operator of an unmanned aircraft system shall register the UAS as provided in this Section prior to operating an unmanned aircraft system within City airspace. The City may accept a federal registration in lieu of City registration of a specific UAS only if the federal registration program enables the City to confirm a registration number for such UAS and to obtain substantially the same application information as required by the City in subsection (2) below. The City Council may establish other registration requirements by resolution.
 - (2) Application form. Application for registration of an unmanned aircraft system shall be made on a form provided by the City Clerk, which form shall include but not be limited to the following: (i) name, address and telephone number of owner of UAS; (ii) type, model of UAS; and (iii) weight of UAS.
 - (3) Registration fee. The registration fee shall be ten dollars (\$10.00) for each UAS, which fee must be paid to the City at the time of submission of the registration form. The City Council may increase or decrease the registration fee by resolution as codified in the City's comprehensive fee schedule.
 - (4) Registration identification. Upon receipt of a completed application, and required registration fee, the City will issue a registration number for each UAS properly registered by the City. The designated City or federal registration number shall be prominently displayed on the UAS before and as a condition of its operation within the City or City airspace.
- (b) Operating requirements. Except as otherwise provided in this Article, persons operating a UAS in City airspace shall comply with the following operating regulations:
 - (1) UAS operated by hobby operators must weigh no more than fifty-five (55) pounds at the time of operation, inclusive of equipment, payload and fuel.
 - (2) Hobby operators must have a visual line of sight of the UAS at all times. Visual line of sight means the UAS must be visible at all times to the operator, using his or her own natural vision to observe the UAS, including the use of standard eyeglasses or contact lenses.
 - (3) Without express prior written authorization from the City Manager, no person may operate a UAS on or over any City property inclusive of public streets, alleys, bridle paths, trails, playgrounds, parks, open space, parking lots, and public buildings.
 - (4) No person shall enter, hover, launch, or land an unmanned aircraft system on or over another person's property without the prior consent of the property owner. Such unauthorized entry onto another's property shall be deemed a trespass.
 - (5)

No person shall operate a UAS in a reckless or careless manner so as to endanger or cause reasonable risk of harm or actual harm to persons, property, or any domestic animal or livestock.

(Ord. 13 §1, 2015)

Sec. 7-7-50. - Enforcement and penalties.

It shall be unlawful to violate any provision of this Article. Any person who is convicted of a violation of any provision of this Article shall be punished in accordance with Section 1-4-20 of this Code. In addition, any UAS operated in violation of this Article may be immediately impounded in the interest of public safety. Law enforcement officers are authorized to disable any UAS operating within the City airspace that poses an imminent threat to public safety.

(Ord. 13 §1, 2015)