

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 16, OFFENSES - MISCELLANEOUS, ARTICLE I - IN GENERAL; SECTION 16-27 UNMANNED AIRCRAFT SYSTEM (UAS)/DRONES, CREATED, OF THE BROKEN ARROW CODE OF ORDINANCES; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. That Chapter 16, Article I, Unmanned Aircraft System (UAS)/ Drones, is hereby amended to read as follows:

Sec. 16-27. - Unmanned Aircraft System (UAS)/Drones.

- A. This ordinance provides for the safe and reasonable usage of drones within City boundaries. It shall be unlawful and a Class A offense to operate a drone:
1. For audio and/or visual recording (including video-recording, live-streaming and photos) where there is a reasonable expectation of privacy;
 2. To harass, intimidate, disturb, annoy, threaten, frighten, vex, injure, or victimize a person;
 3. Outside of daylight hours (between official local times from sunrise to sunset);
 4. More than 400 feet above ground level;
 5. Faster than 20 mph;
 6. Beyond the visual line of sight of the person operating the drone;
 7. Closer than 25 feet to any human being;
 8. While under the influence of alcohol or drugs;
 9. In a careless or reckless manner that would jeopardize the public;
 10. Equipped with hazardous materials or any weapons or items that may be considered to be weapons;
 11. In a manner that is prohibited by any federal statute or regulation;
 12. In violation of any temporary flight restrictions or "Notice to Airmen" issued by the FAA;
 13. In the path of any manned aircraft;
 14. In a manner that directly interferes with police, firefighting, or emergency response activities that would jeopardize the integrity of such public safety activities.
- B. This Ordinance does not prohibit the use of any model aircraft as described in Section 336 of the FAS Modernization and Reform Act of 2002 which does not transmit or record visual images or audio recordings of any person or real property located in the City.

C. This ordinance does not apply to the use of drones by law enforcement or public safety agencies.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

PASSED and APPROVED and the emergency clause ruled upon separately this 15th day of January, 2019.

MAYOR

ATTEST:

(Seal) CITY CLERK

ASSISTANT CITY ATTORNEY