

ORDINANCE of the City (Town, Village, County)  
of \_\_\_\_\_

PROTECTION OF THE PUBLIC AGAINST USE OF UNMANNED AERIAL  
VEHICLES (DRONES)

Whereas:

1. United States airspace is the busiest in the world, with up to 87,000 flights per day, including commercial airliners and freight haulers, air taxis and private and military aircraft.
2. Unmanned aerial vehicles (referred to in the remainder of this ordinance as drones) are not now allowed in United States general airspace because of the threat they present to other aircraft. Under the Federal Aviation Administration (FAA) Modernization and Reform Act of 2012 the FAA is directed to create regulations that will enable drones to fly throughout US airspace by September 2015.
3. Small drones, 25 pounds or under, are now permitted to fly in general airspace below 400 feet for the use of police and first responders, with FAA permission.
4. Drones have limitations in "vision" compared to the vision of human pilots, do not have the same capability to avoid other aircraft as aircraft piloted by humans, and there has been at least one instance outside the United States of a drone collision with an aircraft with a human pilot on board and as well as a near miss. These instances occurred in airspace much less crowded than that of the United States.
5. Drones have at times gotten out of human control, in at least one instance having to be shot down, and drones are susceptible to having control seized electronically by unauthorized operators.
6. Drones have the capability of carrying a variety of weapons, including 12-gauge shot guns, tear gas, rubber bullet guns, bombs and missiles, but drones have significant limitations in identifying specific individuals and groups.
7. Unmanned aerial vehicles have the capability to watch individuals, groups and populations on a 24-hour basis, following and recording their movements for days and weeks in an unprecedented way.
8. Unmanned aerial vehicles have the capability to continuously monitor cell-phone and text messaging of individuals, groups and populations.

9. Drones are being developed that will use computerized facial images to target individuals and, once launched, to operate, autonomously, without further human involvement, to locate and kill those individuals.

We find therefore that:

Drones present an unreasonable and unacceptable threat to public safety in the air and to persons and property on the ground in the City of \_\_\_\_\_ due to limitations in drone "vision", capability to avoid other aircraft and adequate control,

and

Armed drones and surveillance drones present an unreasonable and unacceptable threat to the rights of individual privacy, freedom of association and assembly, equal protection and judicial due process in the City of \_\_\_\_\_.

Therefore:

1. Drones are hereby banned from airspace over the City of \_\_\_\_\_, including drones in transit. Flying of a drone within the airspace of the City of \_\_\_\_\_ shall be considered a gross misdemeanor carrying a penalty of up to one year in jail and a fine not to exceed \$5,000. More than one offense of flying a drone within said airspace will be considered felonies, with jail time and fines based on the number of violations. (Specifics on misdemeanor and felony classifications and penalties will vary by locality.)

2. Drones will not be purchased, leased, borrowed, tested or otherwise used by any agency of the City of \_\_\_\_\_.

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