

Introduced by:

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 9.45 OF THE PASADENA MUNICIPAL CODE ENTITLED “UNMANNED AIRCRAFT SYSTEMS”

WHEREAS, the operation of drones can, at times, pose a significant threat to public safety;

WHEREAS, imposing community-based safety requirements consistent with Federal Aviation Administration (“FAA”) rules regarding drones is necessary to mitigate such public safety risks;

WHEREAS, this ordinance is intended to operate in conjunction with FAA rules to promote public safety while recognizing the limitations in the FAA’s enforcement capabilities; and

WHEREAS, the public health, safety, and welfare justify this ordinance.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code, Title 9 (Public Peace, Morals, and Welfare), is amended to add a new Chapter 9.45 as follows:

“Chapter 9.45 Unmanned Aircraft Systems

Sections

- 9.45.010** - **Short title**
- 9.45.020** - **Definitions**
- 9.45.030** - **Prohibitions**
- 9.45.040** - **Exemptions**
- 9.45.050** - **Violation – Penalty**

9.45.010 - Short title

This chapter shall be known as “the drone ordinance” and serves as the City’s regulation over unmanned aircraft systems.

9.45.020 – Definitions

For the purpose of this chapter, certain words and phrases are defined in this section, unless it is apparent from the context that a different meaning is intended:

- A. “Drone” means any unmanned aircraft or unmanned aircraft system that can fly under the control of a remote pilot or by global positioning system guided autopilot mechanism.
- B. “Filming permit” shall mean a filming permit issued through section 17.61.090 of this code.
- C. “Person” shall mean any individual, partnership, corporation, or joint venture.
- D. “Special event” shall mean any of the following: (1) any event, parade, exposition, fair or procession staged in or upon public places or sidewalks for which city services are required because of interference with normal vehicular traffic, pedestrian traffic or which will reasonably be expected to generate an extraordinary need for sanitation or other city services; (2) any event which has received a permit pursuant to Chapter 3.20 of this code; or (3) any sporting contest, any theatrical or musical performance or any exhibition held in any stadium, auditorium, sports area, playing field, theater, amphitheater, race track, skating rink or similar place pursuant to a valid license agreement, contract or permit which reserves said place for the event.

9.45.030 – Prohibitions

Unless otherwise permitted under this chapter, persons are prohibited from taking off, operating, or landing a drone in any airspace or area within or over the following areas of the City:

A. Flights over public streets and sidewalks, where a drone is operated in a careless or reckless manner so as to endanger the life or property of another, as these terms may be used by applicable Federal Aviation Administration regulations, including, but not limited to, 14 CFR Sections 91.13 and/or 107.23;

B. Special event or filming permit locations (during the time period of the special event or filming permit), unless the property owner, event/permit applicant, and Police Department Air Operations Section have all provided their approval to the Special Events Office, in writing; or

C. Glenarm Power Plant, police and fire stations, City Hall, the City Yards, water storage and electric transmission facilities, transit operations facilities, and light rail lines, facilities, and stations.

9.45.040 – Exemptions

This chapter shall not apply to the use of a drone as follows:

A. By any law enforcement agency for lawful purposes and in a lawful manner.

B. By the city or city-contracted agent/agency engaging in city business, including, but not limited to, surveying and mapping property, inspecting infrastructure, monitoring traffic, and recording local events.

9.45.050 – Violation – Penalty

It is unlawful for any person to violate or fail to comply with this chapter. Any person violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Chapter 1.24 of this code.”

SECTION 2. The City Council hereby declares that, should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to

be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 4. This ordinance shall take effect 30 days from its publication.

Signed and approved this ____ day of _____, 2017.

Terry Tornek
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this ____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

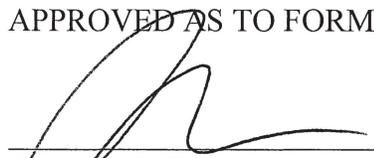
ABSTAIN:

Date:

Published:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Javan N. Rad
Chief Assistant City Attorney