

Chapter 9.34

UNMANNED AIRCRAFT SYSTEMS

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9.34.010 Definitions.

A. **"Unmanned Aircraft"** shall mean an aircraft, including, but not limited to, an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft.

B. **"Unmanned Aircraft System"** shall mean the elements associated with a Unmanned Aircraft, including, but not limited to, any communication links and components that control the Unmanned Aircraft.

C. **"Model Aircraft"** shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any person strictly for hobby or recreational purposes.

D. **"Civil UAS"** shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any person for any purposes other than strictly hobby or recreational purposes, including, but not limited to, commercial purposes or in furtherance of, or incidental to, any business or media service or agency.

E. **"Public UAS"** shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any public agency for government related purposes.

9.34.020 Public UAS.

The restrictions set forth in this Chapter shall not apply to any Public UAS operated pursuant to, and in compliance

with, the terms and conditions of any current and enforceable authorization granted by the Federal Aviation Administration.

9.34.030 UAS Operation and Restrictions.

The following shall apply to the operation of any Model Aircraft or Civil UAS within the City of Ripon:

A. All Model Aircraft or Civil UAS shall be labeled with the owner's name, address and telephone number.

B. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that interferes with manned aircraft or any Public UAS, and shall always give way to any and all manned aircraft and Public UAS.

C. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon other than during daylight hours, which is defined for purposes of this Section as between official sunrise and official sunset for local time.

D. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that is dangerous, negligent, careless, reckless or that otherwise poses a risk of harm, danger or injury to life or property. The standards set forth in all federal laws, statutes, regulations, standards and requirements governing aeronautics, including, but not limited to those set forth in Federal Aviation Rule 91.13, shall apply to this Section.

E. No person shall operate any Model Aircraft or Civil UAS within the City of in a manner that interferes, or which may interfere, in any way, with another person or entity's right to privacy, right to quiet enjoyment of his/her property, business operations or recreational activities.

F. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that violates any civil or

criminal restraining order, judgment or other court order.

G. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that interferes, or which may interfere, in any way, with safe operation of motor vehicles or other lawful use of public streets, property or right of ways.

H. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that results in the unauthorized photographing or recording of any other person, entity or property.

I. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon above or within 500 feet of any organized event including, but not limited to, any sporting event, festival, fair or otherwise.

J. Persons operating any Model Aircraft or Civil UAS within the City of Ripon shall, at all times, comply with all local, state and federal laws, statutes, regulations, standards and requirements, including, but not limited to, those related to use, reporting, registration, licensing and safety standards and the Academy of Model Aeronautics National Model Aircraft Safety Code.

K. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in a manner that is prohibited by any local, state or federal law, statute, regulation, standard or regulation governing aeronautics.

L. No person shall operate any Model Aircraft or Civil UAS within the City of Ripon in violation of any temporary flight restriction (“TFR”) or notice to airmen (“NOTAM”) issued by the Federal Aviation Administration.

M. In the interest of public safety, upon the request or order of any City official, persons operating any Model Aircraft or Civil UAS within the City of Ripon shall immediately

cease flight operations and immediately land the Model Aircraft or Civil UAS.

9.34.040 Violation.

A. A violation of any of the provisions of this Chapter shall constitute a misdemeanor and the City Attorney and/or District Attorney may, in the exercise of their discretion, in addition to or in lieu of taking any other action permitted by this Chapter, prosecute the violation as a misdemeanor in the Superior Court of San Joaquin County or any other Court having jurisdiction over the matter. Misdemeanors under this Chapter shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) per violation, or by imprisonment in the County Jail for a period of not more than six (6) months per violation, or by both fine and imprisonment.

B. It shall be unlawful and a public nuisance for a Model Aircraft or Civil UAS to be operated within the City of Ripon in violation of any provision of this Chapter or any other applicable local, state or federal law, statute, regulation, standard or requirement as currently drafted or as may be amended. The City Attorney and/or District Attorney may, in the exercise of their discretion, in addition to or in lieu of taking any other action permitted by this Chapter or any other applicable law, commence proceedings in the Superior Court of San Joaquin County or any other Court having jurisdiction over the matter, to abate and/or enjoin the public nuisance and to recover damages.

C. All remedies provided for in this Chapter are cumulative and are not intended to limit the City’s available remedies as provided in this Code or elsewhere.