



Agenda Item Summary Sheet

Item No: F-6
Meeting Date: September 5, 2018

Item Title: Consideration of amendment to Town Code Sec 26-14 Unmanned Aircraft Systems

Item Summary:

Attached for your review is an amendment to Town Code Sec. 26-14. Unmanned Aircraft Systems. This ordinance has been reviewed by the Federal Aviation Administration (FAA) and has been updated to better reflect FAA guidance and regulations.

Following is a summary of the changes:

- Definitions modified to match FAA definitions; deleted those already defined under FAA rules
- Deleted the regulation requiring operation of small unmanned aircraft by government agencies as the town cannot regulate flights as they fall under FAA jurisdiction
- Clarified operation of small unmanned aircrafts (SUA's) around the Outer Banks Hospital
- Only FAA can restrict airspace; therefore we removed language that prohibited operation between dusk and dawn and added language that operation must be in accordance with FAA/State laws
- Deleted language prohibiting use on the public beach because only the FAA can regulate airspace.
- Modified language regarding flying near public safety incidents from being prohibited - to not interfering with an incident
- Items covered by the FAA (such as SUA's powered by rocket, missile, etc.) were deleted
- Deleted operating requirements for SUA's as that information is covered by the FAA and the State and those requirements are referenced in the proposed ordinance
- Deleted reference that prohibited the use of any powered unmanned aircraft

Also attached is the original unmanned aircraft ordinance adopted March 2, 2016 for your information.

Number of Attachments: 2

Specific Action Requested:

Request Board consideration of attached revised Town Code Sec. 26-14. Unmanned Aircraft Systems.

Submitted By: Administration

Date: August 29, 2018

Finance Officer Comment:

No known fiscal impact.

Signature: Amy Miller

Date: August 29, 2018

Town Attorney Comment:

Town Attorney comments have been incorporated into the draft ordinance.

Signature: John Leidy

Date: August 29, 2018

Town Manager Comment and/or Recommendation:

I concur with the proposed ordinance. This recommendation is largely due to our inability to restrict use over open waters.

Signature: Cliff Ogburn

Date: August 29, 2018