Drones were once either homemade or very expensive to purchase, this limited the amount that were in circulation.

In the early 2010’s, major manufacturing companies entered the drone market and the price of drones dropped dramatically, making them affordable to the general population.

Explosion of drones into the market and a major increase of drones being purchased.

During the 2015 holiday season alone, 2.1 million drones were purchased.
Drone Dilemma

• What once was a “niche” or self regulating community, has become an area of consideration for regulation by local government.

• Currently, UAS or drones under 55 pounds may be operated for recreational purposes under specific safety guidelines established by Congress. However, these guidelines are advisory and not criminally enforceable.

• California has considered creating laws that regulate the mis-use of recreational drones. However, to date, no laws have been passed.

• Throughout the United States as well as the State of California, municipalities have successfully enacted ordinances to regulate drones.
FAA Drone Safety Guidelines

- Drone under 55 pounds
- Fly within visual line of sight (unassisted)
- Fly below 400 feet
- Fly only during daylight or civil twilight
- Don’t fly near other aircraft or over people
- Don’t fly within controlled airspace near airports without FAA permission
- If flying within 5 miles of an airport, notify the airport and traffic control tower prior to flying
- Never fly near emergency response efforts
- Never fly under the influence of drugs or alcohol
Sausalito Drone Incidents

- Drones flying over residences
- Drones flying over vehicles and pedestrians along Bridgeway
- Drone flying into a residence
Ordinance Research

- Relevant FAA regulations and guidelines
- Recent case law regarding drones
- Inquires through the California Police Chiefs Association and the International Association of Chiefs of Police regarding what type of drone ordinances other communities had enacted
- Carefully reviewed drone ordinances from:
  - Richmond, CA
  - Hermosa Beach, CA
  - Laguna Beach, CA
  - Speedway, IN
- Discussed drone related regulations that the National Park Service have implemented during Golden Gate Bridge Security Coalition meetings
Ordinance

• The proposed ordinance provides for the safe and reasonable usage of drones within City boundaries. The draft ordinance specifically prohibits the use/operation of a drone:
  • For audio and/or visual recording (including video-recording, live-streaming and photos) where there is a reasonable expectation of privacy
  • To harass, intimidate, disturb, annoy, threaten, frighten, vex, injure, or victimize a person
  • Outside of daylight hours (between official local times from sunrise to sunset)
  • More than 400 feet above ground level
  • Faster than 20 MPH
  • Beyond the visual line of sight of the person operating the drone
  • Closer than 25 feet to any human being
Ordinance - Continued

• While under the influence of alcohol or drugs
• In a careless or reckless manner that would jeopardize the public
• Equipped with hazardous materials or any weapons or items that may be considered to be weapons
• In a manner that is prohibited by any federal statute or regulation
• In violation of any temporary flight restrictions or “Notice to Airmen” issued by the FAA.
• In the path of any manned aircraft
• In a manner that directly interferes with police, firefighting, or emergency response activities that would jeopardize the integrity of such public safety activities
Penalty

- Anyone who violates the provisions of the proposed ordinance is subject to fines and confiscation of the drone by the Sausalito Police Department or other local, state, or federal law enforcement agency operating on their behalf.

- The proposed ordinance does not prohibit the use of any model aircraft as described in Section 336 of the FASS Modernization and Reform Act of 2012 which does not transmit or record visual images or audio recordings of any person or real property located in the City.

- Does not apply to the use of drones by law enforcement or public safety agencies.
Committee Review

- The Legislative Committee has reviewed the proposed ordinance and recommends its approval.
Fiscal Impact

• Minimal, if any, fiscal impact is expected from implementing the recreational drone ordinances
Staff Recommendation

• Waive First Reading, Read by Title Only and Introduce an Ordinance of the City Council of the City of Sausalito Adding Chapter 12.40 “Regulation of Unmanned Aircraft” to Title 12 of the Sausalito Municipal Code