

CITY OF BEDFORD, OHIO

ORDINANCE NO. 9403-16
AMENDED

AN ORDINANCE ENACTING SECTION **549.20** ENTITLED
“**FLYING MODEL AIRCRAFT, UNMANNED AIRCRAFT
SYSTEMS AND DRONES**” OF THE CODIFIED ORDINANCES OF
THE CITY OF BEDFORD AND DECLARING AN EMERGENCY

WHEREAS, the Chief of Police has recommended that the City regulate the use of Flying Unmanned Aircraft, including drones, due to their rising popularity among consumers given the obvious safety issues to the citizens, and

WHEREAS, Council for the City of Bedford agrees with the recommendation of the Chief of Police.

NOW, THEREFORE,

BE IT ORDAINED by the Council of the City of Bedford, County of Cuyahoga and State of Ohio:

Section 1. The Council of the City of Bedford enacts Section 549.20 “Flying Model Aircraft, Unmanned Aircraft Systems and Drones” which shall read as follows:

549.20 FLYING MODEL AIRCRAFT, UNMANNED AIRCRAFT SYSTEMS AND DRONES

(a) No person shall operate, within the city limits of Bedford, any model aircraft, unmanned aircraft system (UAS), or drone as defined by Federal or State law which is controlled by radio, electronic, or similar free flight operation, by a person on the ground or otherwise, in a manner that the aircraft flies over or within 400 feet of any of the following without first obtaining express written consent or being an agent, employee or contractor operating in the course of their duty:

(1) Public or private school property, without written expressed consent, such as athletic facilities, school buildings, and transportation facilities;

(2) All city owned buildings and property, without the express written consent of the Safety Director;

(3) Any public utility location such as water, sewer, electric, phone, or gas;

(4) Active crime scenes;

(5) Active fire or accident scenes; and

(6) Communications towers.

(b) Sustained operation above any roadway is prohibited where such operation could impair a driver’s line of sight, distract drivers, or come into contact with motor vehicles operating within said roadways.

(c) Operation to view or capture images of people on private property or to view or capture images of private property that would otherwise not be visible without the use of any model aircraft, unmanned aircraft system (UAS), or drone is prohibited. Operation of any model aircraft, unmanned aircraft system (UAS), or drone that causes a property owner to believe they or their property is being viewed or imaged or is harassing in nature is prohibited.

(d) Operation before sunrise and after sunset is prohibited.

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- (e) No person shall equip any model aircraft, unmanned aircraft system (UAS), or drone with any weapon such as a firearm, explosive device, incendiary device, ballistic knife, knife, zip gun or any other dangerous ordinance as described in sections 2923.11 or 2923.24 of the Ohio Revised Code or any device that is expressly excepted from the definition of a destructive device pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations issued under this act.
- (f) Law enforcement officers, including police and fire officers, are exempt as permitted by law when operated in the course of their duty and in emergency situations.
- (g) No person shall fly any model aircraft, unmanned aircraft system (UAS), or drone which is controlled by radio, electronic, or similar free flight operation, within the city limits of Bedford, without first registering the device with the Federal Aviation Administration (FAA) as required by FAA guidelines. Any person operating any model aircraft, unmanned aircraft system (UAS), or drone must have in their possession any required FAA registration certificate for the specific model aircraft, unmanned aircraft system (UAS), or drone being operated.
- (h) Whoever violates this section is guilty of a misdemeanor of the first degree.

Section 2. That Chapter 549 as it formally existed is amended accordingly.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the public peace, health, safety and welfare of the City of Bedford given the increased use of such aircraft.

WHEREAS, this Ordinance shall be in full force and effect immediately upon its passage.

1st Rdg: 7/5/16
Table: 8/1/16
Table: 9/6/16
2nd Rdg: 9/19/16
Amended: 10/3/16

Mayor – President of Council

Clerk of Council

Prepared and approved as to legal content by:

John J. Montello, Law Director

PASSED: October 3, 2016