

**ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WARNER ROBINS, GEORGIA, ADOPTING REGULATIONS OF UNMANNED AERIAL VEHICLES, AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council deem it appropriate, necessary, and proper for good government, order, the protection of persons and property, and for the preservation of the public health, welfare, and safety of the City and its inhabitants to adopt certain regulations pertaining to the use of drone technology and unmanned aircraft in the City;

WHEREAS, drone technology includes “drones, which are unmanned aircraft that can fly under the control of a remote pilot or via GPS guided autopilot mode, can fly at altitudes below the navigable airspace controlled by the FAA, and are equipped with surveillance technologies; and

WHEREAS, FAA regulations preempt the authority of local governments to impose regulations with certain proximities of “airports” (as defined under said regulations); and

WHEREAS, certain areas of the City are exempt from the FAA preemption, and the Mayor and Council deem it appropriate to adopt these restrictions and regulations to apply in those non-preempted areas.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council that the following ordinance is adopted:

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Sec. 1. Definitions

“Drone” means an unmanned aircraft that can fly under the control of a remote pilot of by a GPS guided mechanism, and that is equipped with any sensing device or capable of any data collection.

“Sensing device” means a device capable of acquiring data from its surroundings. Sensing devices include, but are not limited to, cameras, microphones, thermal detectors, chemical detectors, radiation gauges, and wireless receivers in any frequency (including cellular, WiFi, or other data frequencies).

“Unmanned aircraft” means an unmanned vehicle or device of any size that is capable of remote-control flight by any means and that does not possess any sensing device and is not capable of any data collection.

## Sec. 2. Exceptions.

- (a) This Chapter shall not prohibit the Constitutional use of drones and unmanned aircraft by any law enforcement agency or emergency services organization or servicing the City of Warner Robins, the Counties of Houston and Peach, the State of Georgia, or the United States Government for lawful purposes and in a lawful manner.
- (b) This Chapter shall not prohibit any state or federal agencies from the use of drones and unmanned aircraft for any lawful and authorized purpose pursuant to federal and state regulations.
- (c) This Chapter shall not prohibit the use of unmanned aircraft by:
  - 1. Any federal, state, and local agencies, including, but not limited to, law enforcement and emergency services agencies, for lawful purposes and in a lawful manner; or
  - 2. An owner of private property in the City in the airspace within the boundary lines of that property or in the airspace within the boundary lines of private property in the City of Warner Robins with that property owner’s consent.

## Sec. 3. Prohibitions

The use of drones and unmanned aircraft in any airspace below 400 feet within the City is prohibited:

- (a) within and above the rights-of-way of Watson Boulevard (Ga. Hwy. 247C), Richard B. Russell Parkway, Houston Lake Road, Ga. Hwy. 96, Moody Road and Davis Drive;
- (b) at the site of any incident at which public safety personnel are present; and
- (c) above any privately-owned residential property unless with the express permission of the property owner.; and
- (d) the airspace over any government or public buildings, property, or parks.

If any ordinance, or part thereof, of the City of Warner Robins is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

The provisions of this ordinance shall become effective upon adoption this 20<sup>th</sup> day of March, 2017.

**CITY OF WARNER ROBINS, GEORGIA**

By: \_\_\_\_\_  
Randy Toms, Mayor

Attest:

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William G. Harte, City Clerk