

**DRAFT ST. MARYS KINGS BAY JLUS DRONE ORDINANCE**  
**ORDINANCE NO. \_\_\_\_\_**

An ordinance adding **Chapter 40: Drone Operations** to the St. Marys Municipal Code to impose community-based safety requirements on the operation of Model Aircraft and to impose restrictions consistent with certain **Federal Aviation Administration (FAA) Rules and the nationwide Community-Based Organization (CBO) Academy of Modeler Aeronautics (AMA)** on the operation of both Model Aircraft and Civil Unmanned Aircraft Systems (UASs), commonly known as drones.

**WHEREAS**, the statutory parameters of model aircraft operation are outlined in Section 336 of Public Law 112-95 (the FAA Modernization and Reform Act of 2012). Individuals who fly within the scope of these parameters do not require permission to operate their UAS; any flight outside these parameters (including any non-hobby, non-recreational operation) requires FAA authorization. (For example, using a UAS to take photos for your personal use is recreational; using the same device to take photographs or videos for compensation or sale to another individual would be considered a non-recreational operation).

**WHEREAS**, it is highly recommended that anyone who is currently flying or is interested in flying a UAS (Radio Control Plane or Drone) visit the following websites for federal regulations and best practices: FAA ( <http://www.faa.gov/usa/> ), Know Before You Fly ( <http://www.knowbeforeyoufly.org/> ), and AMA ( <http://www.modelaircraft.org/> )

**WHEREAS**, the operation of Unmanned Aircraft such as Model Aircraft and Civil UASs can at times pose a hazard to full-scale aircraft in flight and to persons and property on the ground; and

**WHEREAS**, imposing community-based safety requirements on the operation of Model Aircraft and imposing restrictions on the operation of both Model Aircraft and Civil UASs consistent with Federal Aviation Rules is necessary to mitigate such risks and to protect the public from the hazards associated with the operation of Unmanned Aircraft; and

**WHEREAS**, the City of St. Marys is neighbor to Kings Bay Submarine Base, and respects the sensitive national security needs of their area of operation and demands vigilance on behalf of their community partners with respect to their mission; and

**WHEREAS**, Kings Bay Submarine Base is marked as a “No Drone Zone”, considered a Prohibited Area, and Special Flight Rule Area as defined on charts available from the FAA; and

**WHEREAS**, the Kings Bay Submarine Base serves as a vital economic resource of the region and any encroachment represents a threat to regional stability and the welfare of St. Marys citizens.

**NOW, THEREFORE,**

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**ST. MARYS CITY COUNCIL**  
**ST. MARYS, GEORGIA**

At the regular meeting of the St. Marys City Council, held in the St. Marys City Hall, St. Marys, Georgia:

Present:

John F. Morrissey, Mayor  
Robert L. Nutter, Councilman, Post 1  
Elaine Powierski, Councilwoman, Post 2  
Jim Gant, Councilman, Post 3  
David Reilly, Councilman, Post 4  
Sam L. Colville, Councilman, Post 5  
Linda P. Williams, Councilwoman, Post 6

On motion of \_\_\_\_\_, which carried \_\_\_\_\_, the following Ordinance amendment was adopted:

**AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA, INTRODUCING CHAPTER 40 DRONE OPERATIONS TO DEFINE THE OPERATION OF UNMANNED AIRCRAFT SYSTEMS IN THE CITY OF ST. MARYS, OUTLINING SPECIFIC REGULATIONS WITH REGARD TO THE MILITARY LAND USE NOTIFICATION AREA SURROUNDING THE NAVAL KINGS BAY SUBMARINE BASE, FEDERAL REGULATIONS AND PROVIDING FOR CIVIL AND PUBLIC USE WITHIN CITY BOUNDARIES.**

30 Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this \_\_\_\_ day of  
31 \_\_\_\_\_, 2016 that Chapter 40 of the Code of Ordinances, City of St. Marys, Georgia is  
32 hereby amended to read as follows:

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34 **Section 1.** A new Chapter 40: Drone Operations is added to the St. Marys Municipal Code to read as  
35 follows:

36  
37 **Chapter 40 – DRONE OPERATIONS**

38  
39 **SEC. 40.1. UNMANNED AIRCRAFT SYSTEMS.**

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41 **(a)** For purposes of this section:

42  
43 **1.** **“Unmanned Aircraft”** shall mean an aircraft, including, but not limited to, an aircraft commonly  
44 known as a drone, that is operated without the possibility of direct human intervention from within or  
45 on the aircraft.  
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1   **2**        “Unmanned Aircraft System” shall mean an Unmanned Aircraft and associated elements,  
2 including, but not limited to, any communication links and components that control the Unmanned  
3 Aircraft.  
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5   **3.**        “Model Aircraft” shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by  
6 any Person strictly for hobby or recreational purposes.  
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8   **4**        “Civil UAS” shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any  
9 Person for any purposes other than strictly hobby or recreational purposes, including, but not limited to,  
10 commercial purposes or in furtherance of, or incidental to, any business or media service or agency.  
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12   **5.**        “Public UAS” shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any  
13 public agency for government related purposes.  
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15   **6.**        “Military Land Use Notification Area” shall mean the 3000 foot buffer area measured from the  
16 property boundary of the Kings Bay Submarine Base, as shown on Exhibit A.  
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18   **(b)**       The following shall apply to the operation of any Model Aircraft within the City of St. Marys:  
19

20   **1.**        No Person shall operate any Model Aircraft within the Military Land Use Notification Area  
21 surrounding Kings Bay Submarine Base.  
22

23   **2.**        No Person shall operate any Model Aircraft within the City of St. Marys in a manner that  
24 interferes with manned aircraft, and shall always give way to any manned aircraft.  
25

26   **3.**        No Person shall operate any Model Aircraft within the City of St. Marys beyond the visual line of  
27 sight of the person operating the Model Aircraft. The operator must use his or her own natural vision  
28 (which includes vision corrected by standard eyeglasses or contact lenses) to observe the Model  
29 Aircraft. People other than the operator may not be used in lieu of the operator for maintaining visual  
30 line of sight. Visual line of sight means that the operator has an unobstructed view of the Model Aircraft.  
31 The use of vision-enhancing devices, such as binoculars, night vision goggles, powered vision magnifying  
32 devices, and goggles or other devices designed to provide a “first-person view” from the model, do not  
33 constitute the visual line of sight of the person operating the Model Aircraft.  
34

35   **4.**        No Person shall operate any Model Aircraft within the City of St. Marys other than during  
36 daylight hours defined as between official sunrise and official sunset for local time.  
37

38   **5.**        No Person shall operate any Model Aircraft within the City of St. Marys more than 400 feet  
39 above the earth’s surface.  
40

41   **6.**        Excluding takeoff and landing, no Person shall operate any Model Aircraft within the City of St.  
42 Marys over unprotected persons or moving vehicles, closer than 25 feet away from individuals and  
43 vulnerable property, except the operator or the operator’s helper(s).  
44

45   **7.**        No person shall operate any Model Aircraft within the City of St. Marys under the influence of  
46 drugs or alcohol.  
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2 8. No person shall operate a Model Aircraft weighing over 55 pounds within the City of St. Marys.  
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4 9. No person shall operate a Model Aircraft that has not been registered with the FAA. As of Dec  
5 21, 2015, the Federal Aviation Administration (FAA) requires all owners of small unmanned aircraft, or  
6 drones, between .55 pounds and 55 pounds, be registered with the FAA . The aircraft being flown will  
7 be clearly marked with the owners FAA registration number.  
8

9 **(c)** The following shall apply to the operation of any Model Aircraft or Civil UAS within the City of St.  
10 Marys:  
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12 **1.** No Person shall operate any Model Aircraft or Civil UAS within the City of St. Marys in a manner  
13 that is prohibited by any federal statute or regulation governing aeronautics.  
14

15 **2.** No Person shall operate any Model Aircraft or Civil UAS within the City of St. Marys in violation  
16 of any temporary flight restriction (TFR) or notice to airmen (NOTAM) issued by the Federal Aviation  
17 Administration.  
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19 **3.** No Person shall operate any Model Aircraft or Civil UAS within the City of St. Marys in a careless  
20 or reckless manner so as to endanger the life or property of another. The standard for what constitutes  
21 careless and reckless operation under this section shall be the same as the standard set forth in any  
22 federal statutes or regulations governing aeronautics including but not limited to Federal Aviation Rule  
23 91.13.  
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25 **(d)** It shall be unlawful for any Person to violate or fail to comply with this section. Any Person  
26 violating the provisions of this section shall be guilty of a misdemeanor and subject to the provisions of  
27 Subsection 1-12 – General Penalty of this Code.  
28

29 **(e)** This section shall not apply to any Public UAS operated pursuant to, and in compliance with, the  
30 terms and conditions of any current and enforceable authorization granted by the Federal Aviation  
31 Administration.  
32

33 **Sec. 2.** The City Clerk shall certify to the passage of this ordinance and have it published in accordance  
34 with Council policy, either in a daily newspaper circulated in the City of St. Marys or by posting for ten  
35 days in three public places in the City of St. Marys: one copy on the bulletin board located at the  
36 Osborne Street entrance to the St. Marys City Hall; one copy on the bulletin board located at the St.  
37 Marys Public Library; and one copy on the bulletin board located at the Camden County Court House.  
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39 This Amendment shall become effective upon passage.  
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1 EXPLANATION OF CHANGES

2 NOTE: Deletions are ~~stricken through~~, additions are underlined.

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16 **on the aircraft.**

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18 **2 “Unmanned Aircraft System” shall mean an Unmanned Aircraft and associated elements,**  
19 **including, but not limited to, any communication links and components that control the Unmanned**  
20 **Aircraft.**

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22 **3. “Model Aircraft” shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by**  
23 **any Person strictly for hobby or recreational purposes.**

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25 **4 “Civil UAS” shall mean an Unmanned Aircraft or Unmanned Aircraft System operated by any**  
26 **Person for any purposes other than strictly hobby or recreational purposes, including, but not limited to,**  
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38 **surrounding Kings Bay Submarine Base.**

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44 **sight of the person operating the Model Aircraft. The operator must use his or her own natural vision**  
45 **(which includes vision corrected by standard eyeglasses or contact lenses) to observe the Model**  
46 **Aircraft. People other than the operator may not be used in lieu of the operator for maintaining visual**

1 line of sight. Visual line of sight means that the operator has an unobstructed view of the Model Aircraft.  
2 The use of vision-enhancing devices, such as binoculars, night vision goggles, powered vision magnifying  
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This Amendment shall become effective upon passage.

**ST. MARYS CITY COUNCIL  
ST. MARYS, GEORGIA**

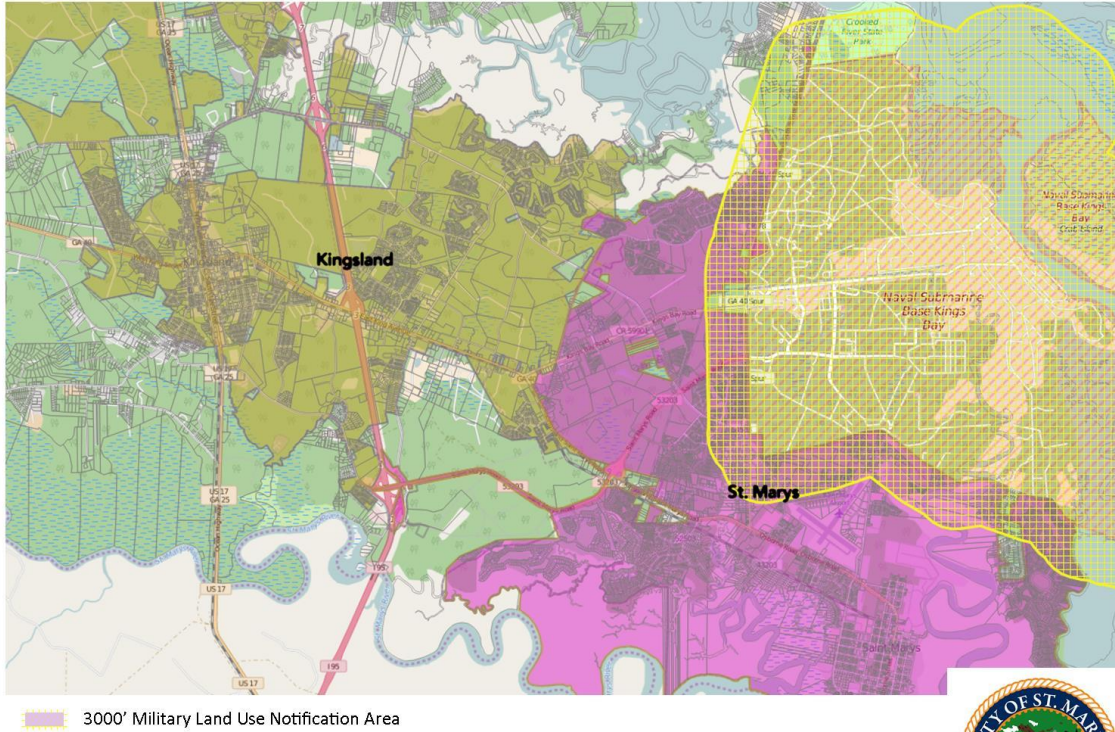
\_\_\_\_\_  
JOHN F. MORRISSEY, MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH WALKER-REED, CITY CLERK  
CITY OF ST. MARYS, GEORGIA

1 **Exhibit A:**

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**Exhibit A: Military Land Use Notification Area**  
July 2016



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