

ORDINANCE NO. 2021-74

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE ENACTING A NEW CHAPTER 510 “FLYING MODEL AIRCRAFT/UNMANNED AERIAL VEHICLES (UAVs)” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY

WHEREAS, the Village of Oakwood desires to enact a codified chapter that defines the regulations as they apply to the operation of any model aircraft, unmanned aircraft, drone, or other unmanned aerial vehicle within the Village of Oakwood;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. The Village of Oakwood hereby enacts a new Chapter 510 “Flying Model Aircraft/Unmanned Aerial Vehicle (UAV’s)” of the Codified Ordinances of the Village of Oakwood:

CHAPTER 510

FLYING MODEL AIRCRAFT/UNMANNED AERIAL VEHICLES (UAVs)

510.01 Operation

- (a) No person shall operate, within the village limits of Oakwood, any model aircraft, unmanned aircraft, drone, or other unmanned aerial vehicle (collectively, “UAVs”) which is controlled by radio, electronic, or similar free flight operation, by a person, computer, or machine on the ground or otherwise, in a manner such that the UAV flies within 1,000 feet of any of the following:
- (1) Public or private school property, without the express written consent of the individual authorized to grant said consent. This would include all athletic facilities located on school property as well as all school buildings;
 - (2) All Village owned buildings, without the express written consent of the Mayor or Police Chief;
 - (3) Village owned water towers;
 - (4) Utility power sub stations;
 - (5) Active crime scenes;
 - (6) Active fire or accident scenes; and
 - (7) Cell towers.

- (b) In addition to the above, the following shall govern the use of said UAVs;
- (1) Sustained operation above any roadway is prohibited where such operation could impair drivers' line of sight, distract drivers, or come into contact with motor vehicles operating within said roadways;
 - (2) Operation to capture images of people on private property that would otherwise not be visible without the use of the UAV is prohibited;
 - (3) Operation before dawn and after dusk is prohibited, unless prior authorization has been given by the Chief of Police, or his or her designee; and
 - (4) No person shall equip any 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 similar device; and
 - (5) No person shall operate or control a UAV without the ability to see and maintain the unmanned aircraft in his or her line of sight throughout the duration of the flight.

510.02 Penalty.

- (a) Whoever violates this section is guilty of a misdemeanor of the first degree.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all applicable legal requirements.

SECTION 3. The Codifier is hereby instructed to insert the adopted Chapter 510 in the Oakwood Codified Ordinances.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village including the fact that the irresponsible operation of unmanned aircraft poses a threat to public safety and therefore this Ordinance shall take effect and be in force immediately upon its adoption and approval by the Mayor provided it receives at least five affirmative votes of the members of Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:



Christine Morgan, Clerk of Council



Johnnie A. Warren, President of Council

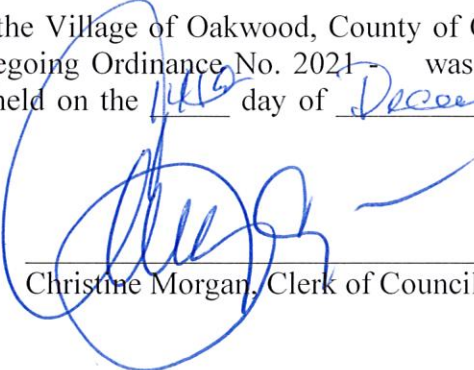
Presented to the Mayor 12/15/2021

Approved: 12/15/2021



Mayor, Gary V. Gottschalk

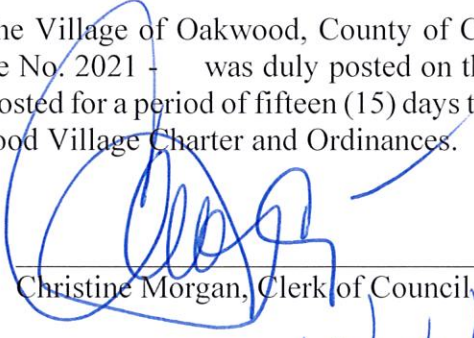
I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021 - was duly and regularly passed by this Council at the meeting held on the 14th day of December, 2021.



Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021 - was duly posted on the 14th day of December, 2021, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers as provided by the Oakwood Village Charter and Ordinances.



Christine Morgan, Clerk of Council

DATED: 12/14/2021