

ORDINANCE NO. 19-02
INTRODUCTION DATE: 03-20-19
ADOPTION DATE: 04-17-19

**AN ORDINANCE AMENDING CHAPTER III (POLICE REGULATIONS), BY
CREATING SECTION 3-27 (UNMANNED AIRCRAFT REGULATIONS) OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE,
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey, as follows:

I

Chapter 3, Police Regulations, Section 3-27, Unmanned Aircraft, is hereby created to read as follows:

3-27 UNMANNED AIRCRAFT REGULATIONS

3-27.1 Definitions as used in this section.

“*Operate*” means to fly, control, direct or program the flight of an unmanned aircraft system.

“*Unmanned Aircraft*” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

“*Unmanned Aircraft System*” means an unmanned aircraft and associated elements, including communication links and the components that control the unmanned aircraft, that are required for the pilot in command to operate safely and efficiently.

3-27.2 Takeoff or landing on public property.

It shall be unlawful for any person operating an Unmanned Aircraft or Unmanned Aircraft System to takeoff from or land on public property without prior written approval from the Township Administrator and compliance with the following:

- a. Submission of the Operator’s proof of certification under section 3-27.3 to the Township Administrator;

- b. Providing written notification of the anticipated Unmanned Aircraft or Unmanned Aircraft System activities at least five (5) days in advance of such activities to all property owners within 200 feet of the public property; and
- c. Compliance with any and all other requirements of any park rules or regulations.

3-27.3 Proof of certification.

Any person who operates a Unmanned Aircraft or Unmanned Aircraft System within the Township must present, immediately upon request by any police or code enforcement officer, a current certificate of aircraft registration issued by the FAA for the Unmanned Aircraft, together with a remote pilot certificate where the use of the Unmanned Aircraft requires such a certificate under 14 C.F.R. § 107.

3-27.4 Hazardous Unmanned Aircraft.

It shall be unlawful for any person to equip an Unmanned Aircraft or Unmanned Aircraft System with any weapon or hazardous substance that creates a hazard to persons or property.

3-27.5 Accident reporting.

The operator of any Unmanned Aircraft or Unmanned Aircraft System shall immediately report to the Township any operation of the Unmanned Aircraft or Unmanned Aircraft System on public property involving either injury to any person or damage to any private or public property.

3-27.6 Privacy.

It shall be unlawful for any person to operate an Unmanned Aircraft or Unmanned Aircraft System in a manner that violates the reasonable expectation of privacy of any other persons. Such operation shall include, but is not limited to, operating an Unmanned Aircraft or Unmanned Aircraft System to view into the windows or other openings of dwelling places, or otherwise viewing, from a distance of less than 50 feet, that area of any property that is not visible from the street.

3-27.7 Violations.

Any person found to be in violation of the provisions of this section may be subject to a fine as stated in Chapter I, Section 1-5.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance sets forth the regulations for the use of unmanned aircraft within Millstone Township. This Ordinance in no way alters or interferes with FAA unmanned aircraft regulations or certification requirements; unmanned aircraft operators must ensure compliance with FAA regulations and certification requirements prior to operating unmanned aircraft within Millstone Township.