

CITY OF DELLWOOD
ORDINANCE 2022- 03

**AN ORDINANCE RESTRICTING THE USE OF DRONE AERIAL VEHICLES
AND
IMPOSING PENALTY FOR VIOLATION THEREOF.**

The City Council of Dellwood ordains as follows:

Section 1. PURPOSE.

- A) It is the purpose of this Ordinance to provide the residents of the City protection from invasions of privacy due to the rapid implementation of drone technology being put into use by individuals, entities and law enforcement agencies.
- B) Use of unmanned aerial vehicles also pose an unreasonable public safety concern to other aircraft or objects in the air and to City residents and their property on the ground in the event of drone malfunction, loss of control or other liability to sustain flight as intended.

Section 2. DEFINITIONS.

- A. "City" means all land situated within the boundaries of the City of Dellwood, Washington County, Minnesota, and the airspace above it.
- B. "Drone" means a powered, aerial vehicle that:
 - 1) Does not carry a human;
 - 2) Uses aerodynamic forces to provide vehicle lift;
 - 3) Can fly autonomously or be piloted remotely; and
 - 4) Can be expendable or recoverable.

Section 3. PROHIBITION.

No person, entity, governmental unit or law enforcement agency may operate a drone within the City, except as provided below.

Section 4. EXCEPTIONS.

This Ordinance does not prohibit the use or operation of a drone in the city if:

- a) A law enforcement agency first obtains a warrant authorizing its use; or
A law enforcement agency determines, under the particular circumstances, that there is immediate danger of death or serious injury to any person and prompt use of a drone is warranted.
- b) It is operated only within the boundaries of the operator's real property, and shall not surveil any adjoining property.
- c) The Dellwood City Council has approved events including use of a drone upon such terms as the City deems necessary or reasonable, including liability insurance coverage for the City's benefit.


d) The drone operator has been hired to do aerial photography of a property by the property owner and is operated only within the boundaries of that owner's property and the airspace above it.

Section 5. PENALTY.

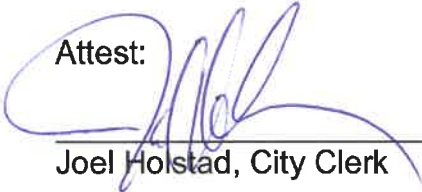
Use or operation of a drone is a violation of this Chapter and is a Misdemeanor, punishable in accordance with applicable law.

Section 6. This Ordinance becomes effective from and after its passage and publication.

Passed by the City Council of Dellwood on October 11, 2022.


Mike McGill, Mayor

Attest:


Joel Holstad, City Clerk