



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 140852

Introduced October 30, 2014

Councilmember Kenney

**Referred to the
Committee on Public Safety**

AN ORDINANCE

Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," by adding a new Chapter 10-2300, entitled "Unmanned Aircraft Systems," to regulate the use of unmanned aircraft systems, and create penalties for improper use of said systems, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 of The Philadelphia Code is hereby amended as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY.

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CHAPTER 10-2300. UNMANNED AIRCRAFT SYSTEMS.

§ 10-2301. Definitions.

(1) Unmanned aircraft. A powered aircraft that is operated without the possibility of human intervention from within or on the aircraft.

(2) Unmanned aircraft systems. An unmanned aircraft and associated elements including communication links and components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system.

§ 10-2302. Use of Unmanned Aircraft Systems.

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(1) *Except as otherwise provided, no person, entity, or City agency shall use an unmanned aircraft or unmanned aircraft system to do any of the following:*

(a) *Conduct surveillance of an individual or dwelling owned by an individual without the individual's written consent.*

(b) *Operate the unmanned aircraft or unmanned aircraft system above or in proximity to a gathering of people in public or private.*

(2) *Notwithstanding the provisions of § 10-2202 (1), the Philadelphia Police Department or other authorized law enforcement agency is permitted to use unmanned aircraft or unmanned aircraft systems operated by a certified professional:*

(a) *To conduct surveillance that would not require a warrant if conducted by a manned aircraft;*

(b) *If the agency first obtains a search warrant authorizing the use of the unmanned aircraft or unmanned aircraft system;*

(c) *To facilitate the search for a missing person;*

(d) *To facilitate operations of the Philadelphia Fire Department during a fire;*

(e) *To photograph or video record public gatherings on public land.*

(3) *Penalties.*

(a) *The penalty for a violation of the Section shall be imprisonment of up to thirty (30) days or a monetary fine of up to one thousand dollars (\$1000).*

(b) *Forfeiture of the unmanned aircraft, unmanned aircraft system, and any controller type equipment used to operate the unmanned aircraft.*

(4) *Enforcement.*

(a) *Persons found in violation of this Section shall be issued a Notice of Violation by a Philadelphia Police Officer or other authorized law enforcement officer.*

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(b) A Notice of Violation issued according to this Chapter 10-2200 shall be enforced in accordance with the procedures established by the Police Department for summary violations. The procedures set forth in § 1-112 of this Code shall not apply to violations of this Section.

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SECTION 2. This Ordinance shall be effective immediately.

Explanation:

Italics indicate new matter added.

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