

*****ADOPTED OCTOBER 6, 2014*****

TOWNSHIP OF DELANCO

ORDINANCE 2014-11

**AMENDING THE TOWNSHIP CODE
AT CHAPTER 216 GOVERNING
“PARK AND PUBLIC PROPERTY REGULATIONS”
TO REGULATE THE USE OF DRONES
AT ATHLETIC FIELDS**

WHEREAS, the Township Committee of the Township of Delanco (“Township”) has been asked by the Recreation Commission to review and regulate the use of Unmanned Aircraft Systems (“UAS”), more commonly referred to or including drones, over recreation fields; and

WHEREAS, the concern is that drones over fields of play could malfunction or be improperly operated, either dropping into the field of play or onto a player and creating the potential for injury; and

WHEREAS, drones could further be a distraction from players engaged in organized recreation activities, creating unsafe conditions, particularly for children; and

WHEREAS, the Township likewise recognizes that the use of drones is a form of recreation for some enthusiasts and that reasonable measures should be taken to regulate the concern for potential harm without a complete ban on the use of drones for recreational enjoyment in the Township’s parks; and

WHEREAS, after careful review and consideration, the Township Committee has determined that regulation is needed, but should be narrowly drawn to protect the safety of those engaged in organized recreation activities, without creating an absolute ban on drone usage in municipal parks or within the municipality in general; and

WHEREAS, the Township finds the regulation of this activity to be in the best interests and furtherance of the health, safety and welfare of its residents and the public at large.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that the Code of the Township of Delanco be amended as follows:

SECTION ONE.

Chapter 216, governing “Park and Public Property Regulations” is hereby amended as follows:

Article I. Township Parks.

§ 216-1. Definitions.

[The following term shall be added to the list of definitions already contained in the Code].

UNMANNED AIRCRAFT SYSTEM

An aircraft and its associated elements which is operated with no pilot on-board and remotely controlled, usually from the ground but also from manned aircraft, by use of data links and on board sensors, including but not limited to drone technology.

§ 216-2.5. Regulations.

- A. Drones.** The use of Unmanned Aircraft Systems (“UAS”), including but not limited to drones, in Active Park Property over or within 300’ of parking lots or a field of play during use of that field for organized play, whether practice, game or the like, is hereby prohibited. UAS are otherwise permitted, provided that operators take due care in the operation of the UAS in and around other park users and shall be solely liable for any damage, injury or the like caused by their activity.

SECTION TWO: All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION THREE: If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION FOUR: This ordinance shall take effect immediately upon final passage and publication according to law.