

CHAPTER 56

DRONES - UNMANNED AIRCRAFT

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{History: Adopted by the Board of Supervisors of the Township of Findlay 06-14-2017 by Ordinance No. 412. Amendments noted where applicable.}

General Reference

Definitions; Rules of Interpretation - See Ch. 3

§ 56.1 Definitions

Unless the context specifically and clearly indicates otherwise, the meaning of the terms used in this Chapter shall be as follows:

AIRCRAFT. Any contrivance invented, used, or designed to navigate or fly in the air.

AIRPORT. The Pittsburgh International Airport (PIT).

AIRPORT AUTHORITY. The Allegheny County Airport Authority, which is the operator of the Airport.

ENFORCEMENT ACTION. Any action taken under this Chapter for alleged violations of the same.

FAA. The Federal Aviation Administration.

INCOMPATIBLE LAND USE. Use of land within the Township limits that poses an undue hazard to Manned Aircraft departing and arriving at the Airport, and to Persons or property on the ground.

LARGE COMMERCIAL UA. An Unmanned Aircraft that weighs 55 pounds or more on takeoff, including everything that is on board or otherwise attached to the Unmanned Aircraft, and is used for a purpose other than a recreational or hobby purpose.

MANNED AIRCRAFT. Any Aircraft operated by the input of a Person who is onboard the Aircraft.

OPERATE. To takeoff or land an Unmanned Aircraft, or otherwise manipulate the flight controls of an Unmanned Aircraft.

PERSON. An individual person or a company, or other duly organized and authorized entity, but not including the Township, the State of Pennsylvania, the United States, or an individual person acting in an official capacity thereof.

SAFETY CRITICAL LAND. The land within the boundaries reflected on the map appended to this Chapter designated "Safety Critical Land" or which has been later designated as "Safety Critical Land" via notice issued by Township or the Authority.

SMALL NON-COMMERCIAL UA. An Unmanned Aircraft that

is:

- (a) Capable of sustained flight in the atmosphere;
- (b) Flown within visual line of sight of the person operating the Aircraft; and
- (c) Flown for hobby or recreational purposes.

Further, a Small Non-Commercial UA shall meet the following conditions:

- (a) The Aircraft is flown strictly for hobby or

- recreational use;
- (b) The Aircraft is operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization;
 - (c) The Aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization; and
 - (d) The Aircraft is operated in a manner that does not interfere with and gives way to any Manned Aircraft.

UNMANNED AIRCRAFT SYSTEMS ("UAS") RESTRICTED LAND. The entire Township or an area that has been later designated as "UAS Restricted Land" via notice issued by Township or the Airport Authority.

UNMANNED AIRCRAFT ("UA"). An Aircraft that is operated by a Person via a ground control system, or autonomously through use of an on-board computer, communication links and any additional equipment that is necessary for the UA to operate.

§ 56.2 Purpose

56.2.1. The purpose of this Chapter is to address issues related to use of Unmanned Aircraft from ground-based locations within the boundaries of Findlay Township, in consideration of the following:

- a. Congress has prohibited the FAA from promulgating binding and enforceable rules and/or regulations governing the recreational or hobby Operation of Small Non-Commercial UA, more commonly referred to as "drones;"
- b. The Township has proprietary interest in the real property constituting the UAS Restricted Land and has an interest in protecting life and property belonging to its citizens who live and work

within that area;

- c. The Township has traditionally had the responsibility and jurisdiction to regulate matters that occur from ground situated within its boundaries and below the minimum safe altitude for Manned Aircraft for the protection thereof;
- d. The Airport Authority is obligated by federal law to operate its Airport in a safe and serviceable condition, and to take appropriate action to assure that the Airport's terminal airspace as is required to protect instrument and visual operations to the Airport (including established minimum flight altitudes) will be adequately cleared and protected by mitigating existing Airport hazards and by preventing the establishment of future Airport hazards;
- e. The Township and the Airport Authority have historically worked together to ensure that the land within the Township limits was compatible with the Airport air operations by land use regulation and approval, and the parties wish to continue that cooperative history in preventing Incompatible Land Use within Township limits;
- f. The Township desires to take affirmative action for the protection of life and property within its boundaries;
- g. The educational and legally non-binding guidance provided by various entities is insufficient to protect the Township's interest in the property within its bounds and within the UAS Restricted Land, and is likewise insufficient to protect the Township's proprietary rights in ownership and operation of the Airport or fulfill the Airport Authority's obligations;
- h. The proliferation of Unmanned Aircraft has given rise to the need to protect the land situated and

under flights departing and arriving at the Airport, as well as the land on which the Airport sits;

- I. The FAA has called upon law enforcement agencies to deter, detect, investigate, and, as appropriate, pursue Enforcement Actions to stop unauthorized Operations; and
- j. The Township has the power and authority to regulate matters occurring on the land situated within its boundaries.

§ 56.3 Operation of Unmanned Aircraft Within Township Limits Restricted

- 56.3.1. No Person may operate a Small Non-Commercial UA from a ground-based location within the Township limits, which is situated within Safety Critical Land.
- 56.3.2. No Person may operate a Small Non-Commercial UA from a ground-based location within the Township, which is situated within UAS Restricted Land but is not situated within Safety Critical Land unless the Person provides notice of the proposed Operation to the Airport Authority, and the Airport Authority approves of such Operation.
- 56.3.3. No Person may operate a Small Non-Commercial UA within the geographical limits of the Township in violation of (a) an agreement between that Person and the Township, the Airport Authority, or the FAA; or (b) any term, condition, directive, or applicable regulation imposed by the FAA, including but not limited to 14 C.F.R. Part 101, Subpart E; 14 C.F.R. Part 107; or the terms of any waiver or special authorization issued by the FAA.
- 56.3.4. No Person may operate a Small Non-Commercial UA that weighs in excess of 250 grams, including everything that is onboard or otherwise attached

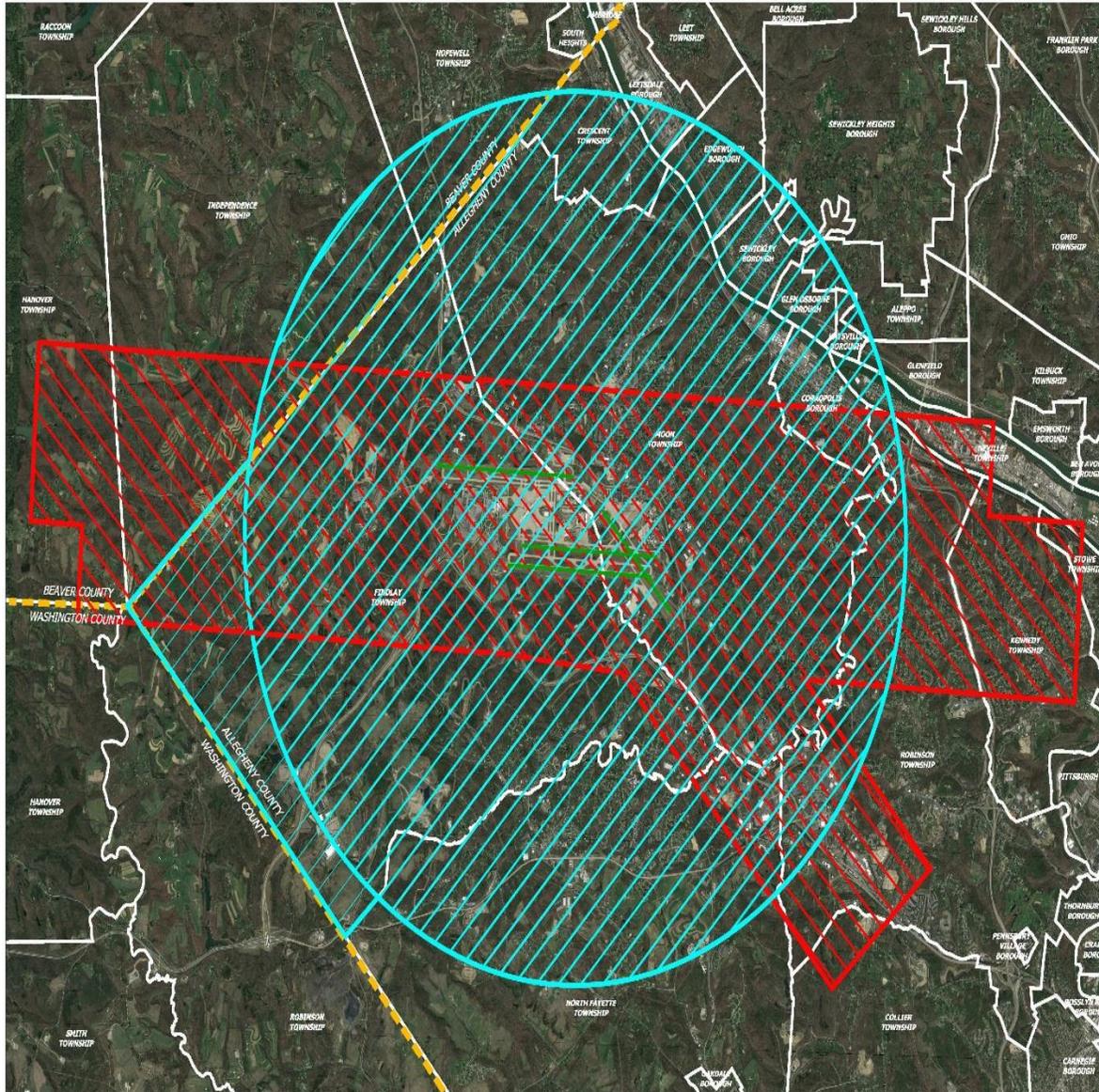
to the Small Non-Commercial UA, unless the Small Non-Commercial UA is marked and registered in accordance with 14 C.F.R. Part 47 or 48.

§ 56.4 Enforcement and Penalties for Violation

- 56.4.1. The Findlay Township police shall have the authority to enforce this article by issuance of citations.
- 56.4.2. Any Person violating any of the provisions of this chapter shall be guilty of a summary offense and, upon conviction thereof, shall be sentenced to pay a fine of not less than \$100 or not more than \$1,000, and in default of payment thereof, to imprisonment for a term not to exceed thirty (30) days.
- 56.4.3. Each flight, take-off or landing in violation of this Chapter hereunder shall constitute a separate offense, subject to the penalties provided in the preceding subsections.
- 56.4.4. After conferring with the Airport Authority, the Findlay Township police or the Airport Authority, may:
- a. Refer the matter to the FAA for investigation and Enforcement Action under applicable laws and regulations;
 - b. Refer the matter to the United States Attorney's Office or the Federal Bureau of Investigation for investigation and enforcement under applicable laws and regulations; and/or
 - c. Refer the matter to the Allegheny County District Attorney for prosecution under applicable state laws.
- 56.4.5. The Township, in its sole discretion, shall, via its public safety officials including, but not limited to, the police, fire department, and emergency medical services, have the authority to prohibit the flight of Small Non-Commercial Unmanned Aircraft during an emergency or at any time the Township deems it in the public interest.

§ 56.5 Local Police and Regulatory Powers

- 56.5.1. This Chapter is intended to be a lawful exercise of the Township's police and regulatory powers available to it under applicable state and federal law. Nothing in this Chapter is intended, nor does it actually, impede or conflict with any federal law, FAA-issued restrictions or powers of the FAA to bring any action to enforce any applicable federal law or regulation or issue penalties or take any other action that the FAA is authorized to take under federal law and applicable regulations.
- 56.5.2. In the event that the FAA initiates an Enforcement Action against any Person who is also in violation of this Chapter and, upon written request of the FAA, the Authority shall suspend any pending Enforcement Action for a period of not less than 60 days. After the expiration of the suspension of enforcement proceedings, the Township may proceed with any appropriate actions including issuance of penalties authorized by this Chapter. Such penalties shall be in addition to any action taken by the FAA.
- 56.5.3. If, at any time, the FAA amends existing rules and regulations or enacts new rules and regulations regarding the operation of Small Non-Commercial UA, the Township shall have the right to amend this Chapter of the Code Book accordingly.
- 56.5.4. To the extent any portion of this Chapter is, for whatever reason, found to be invalid, the remaining portions shall remain in full force unless and until modified by the Township by subsequent enactment.



SAFETY CRITICAL LAND

Region bounded by coordinates:

FROM:	N40°30'45.57"	W080°05'48.01"
TO:	N40°29'51.22"	W080°05'50.54"
TO:	N40°29'46.57"	W080°05'13.70"
TO:	N40°28'94.26"	W080°05'18.61"
TO:	N40°28'11.84"	W080°09'58.18"
TO:	N40°26'24.00"	W080°07'43.91"
TO:	N40°25'12.07"	W080°09'22.90"
TO:	N40°28'11.69"	W080°13'06.70"
TO:	N40°28'20.06"	W080°15'09.18"
TO:	N40°28'31.27"	W080°22'29.83"
TO:	N40°29'25.61"	W080°22'27.51"
TO:	N40°29'26.93"	W080°23'20.65"
TO:	N40°31'11.26"	W080°23'16.20"
TO:	N40°30'45.57"	W080°05'48.01"

RESTRICTED LAND

Includes all land designated as **SAFETY CRITICAL**, as well that land located within a circular area at **N40°29'29.10" W080°13'57.70"** (Airport Reference Point) for a radius of **FIVE (5) STATUTE MILES** AS WELL AS ALL LAND IN FINDLAY TOWNSHIP, ALLEGHENY COUNTY, PA.

LEGEND

- Municipality Borders
- County Borders
- Airport Runways

SCALE



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DESIGNED	LA	11.08	GLE
DRAWN	LA	11.29	GLE
CHECKED	JEM	11.08	GLE
APPROVED			GLE

REVISION		
DATE	BY	DESCRIPTION



PITTSBURGH INTERNATIONAL AIRPORT
ALLEGHENY COUNTY, PENNSYLVANIA

PITTSBURGH INTERNATIONAL AIRPORT (PIT) UNMANNED AERIAL SYSTEMS (UAS)		SHEET
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PROJECT NO.	137582	DATE: APRIL 2017