



## **Fox Valley Park District – Unmanned Aircraft Systems (UAS) Policy**

### 1.0 Policy Statement

It is the Policy of the Fox Valley Park District (District) to regulate the use and operation of Unmanned Aircraft Systems (UAS), a.k.a., drones, within the jurisdiction of the District for all hobby, recreational, commercial use or other forms of UAS. The District has set forth this policy and related procedures as a means to control and ensure the proper and safe operation of UAS within designated flying areas.

This Policy shall be applicable to those UAS weighing between 0.55 lbs. and 4.0 lbs. Any UAS weighing less than 0.55 lbs. is not subject to this Policy and any UAS weighing more than 4.0 lbs. is strictly prohibited within the jurisdiction of the District.

### 1.1 Purpose

Due to the growing prevalence of UAS, including drones and model airplanes, that has created potential public safety concerns; whereas, the unregulated use of drones throughout the Fox Valley Park District poses a threat to the public health and safety and the enjoyment of all visitors to our parks, the District has set forth regulatory and special use permit requirements for any operator of a drone or other UAS on and over District Jurisdictional property.

### 1.2 Definitions

“Commercial Use”: shall mean aircraft devices flown for monetary compensation including, but not limited to the selling of photos/videos taken by a UAS or for engineering/surveying purposes. Violations will be enforced by the penalties and fines within this policy. Video surveillance is strictly prohibited.

“District or Park District”: shall mean the Fox Valley Park District, Aurora, Illinois.

“Drone”: shall be synonymous with Unmanned Aircraft Systems (UAS).

“FAA”: Federal Aviation Administration

“FVPD”: Fox Valley Park District



“Hobby or Recreational Use: shall mean that the UAS is flown for enjoyment and recreational interest only. This type and classification of use is permitted within the approved flying areas within the District’s jurisdictional property with properly approved paperwork and related documentation called for within this Policy.

“Model Aircraft”: shall mean a UAS that is capable of sustained flight in the atmosphere, is flown within visual line-of-sight of the person operating it, and is flown for hobby and recreational purposes.

“Operator”: shall mean the person or Operator of the UAS that is initiating a computer system that pilots, steers, directs, flies or manages the UAS.

“Park Flyer”: shall mean any model aircraft, including fixed wing or rotary models, weighing less than 2 lbs., incapable of reaching speeds greater than 60 mph. The aircraft must be electric or rubber powered, or of any similar quiet means of propulsion and must be remotely controlled or flown with a control line, remain within the operators line of sight at all times, and must always be flown safely by the operator.

“Unmanned Aircraft Systems” (UAS): shall mean an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. For purposes of this policy, UAS are limited to drones weighing between 0.55 lbs. and 4.0 lbs. and Park Flyers weighing between 0.55 lbs. and 2.0 lbs.

### 1.3 Required Documentation:

The District regulates UAS operators and the use of UAS to ensure a safe and enjoyable experience of all park users. Interested UAS operators are approved and authorized for operating a UAS by fully completing and submitting to the office of the Chief of Police, the following paperwork and documentation:

- a. District UAS Registration Form and Processing Fee
- b. Proof of Insurance Coverage
- c. Signed Liability Waiver Acknowledgment
- d. Special Use Permit for commercial operations.



### 1.3A District UAS Registration Form

All authorized UAS operators must have a current and valid District Registration in order to operate a UAS within the jurisdiction of the District. A fully paid and processed registration fee must also be submitted with the District Registration Form. Each District UAS Registration Form shall contain, at a minimum, the following information:

- a. The name, address and telephone number of the UAS owner.
- b. The make, model and serial number of the UAS. (Where the owner is unable to provide a serial number of the UAS, the Chief of Police shall specify alternative identifying information that the owner shall provide to satisfy the requirements of this section).
- c. Proof of Insurance.

### 1.3B Proof of Insurance and Liability Waiver

Authorized operators are required to prove ample insurance coverage prior to UAS use on District jurisdictional property. Applicants must provide a copy of insurance coverage and sign the Liability Waiver Form, as part of the completed District Registration, in order to be eligible as an authorized operator.

Insurance can be secured by any vendor as chosen by the operator, including but not limited to, membership with the Academy of Model Aeronautics (AMA) which includes insurance coverage or a special rider on one's home owner's insurance policy or private coverage through a broker. Go to [www.modelaircraft.org](http://www.modelaircraft.org) to complete AMA registration.

#### Minimum Insurance Coverage Requirements:

- a. \$100,000.00 for personal injury or death of one person;
- b. \$300,000.00 for personal injury or death to more than one person in one accident, with a maximum of \$100,000.00 for each person: and
- c. \$50,000.00 for property damage.



#### 1.4 Authorized Operator Identification

Once the Registration Form and applicable Fees are approved, the Operator will receive an Operator Identification Card to illustrate that they have been authorized to operate the registered UAS within District jurisdictional property.

It shall be unlawful for any person to operate a UAS in District airspace unless a valid identification card, issued by the District is on the person of the Operator at all times while operating a registered UAS.

#### 1.5 Registration Term, Renewals and Fees

Registration approvals, permit renewals and related fees shall be valid for one (1) year from the date of approval on the Registration Form Application. Annual fees and renewal fees shall be \$50.00.

The registration is with the Operator and not each UAS, thus additional UAS may be added to the District Registration.

#### 1.6 Operating Regulations

The District, as a means of regulating the operation of UAS on District Jurisdictional property and ensuring the safety and enjoyment of all park visitors, has instituted the following Operating Regulations incorporated into this Policy.

- a. No person shall operate a UAS in District jurisdictional airspace for the purpose of conducting surveillance.
- b. No person shall operate a UAS in District jurisdictional airspace within five (5) miles of an airport.
- c. No person shall operate a UAS in District jurisdictional airspace that is equipped with a firearm or weapon.
- d. No person shall operate a UAS in District jurisdictional airspace with the intent to use such UAS or anything attached to such UAS to cause harm to persons or property.
- e. No person shall operate a UAS in District jurisdictional airspace within one-quarter mile of any open air assembly (defined as a gathering of ten (10) or more people, school, hospital, or place of worship).
- f. No person shall operate a UAS in District jurisdictional airspace at an altitude higher than four hundred feet (400') above ground level.



- g. No person shall operate a UAS in District jurisdictional airspace outside the line-of-sight of the Operator.
- h. No person shall operate a UAS in District jurisdictional airspace while under the influence of alcohol, drugs, intoxicating compounds, or any combination thereof.
- i. No person shall operate a UAS in District jurisdictional airspace whenever weather conditions would impair the Operator's ability to operate the UAS in a safe manner.
- j. No person shall operate a UAS in District jurisdictional airspace any time the park property is closed due to an event or hours of operation.

### 1.7 Flying Sites

Approved flying sites within District jurisdictional limits include the following park(s). Within these park(s) there are designated flying areas that are clearly marked for the safe operation of UAS.

Flying a UAS at park sites other than those listed constitutes a violation and is subject to the penalties called for under Section 1.9, "Violation-Penalty".

District authorized flying sites can be found in the following park(s).

- a. Stuarts Sports Complex  
500 Civic Center Drive  
Montgomery, Illinois

### 1.8 Commercial Operation

The operator of UAS on FVPD property for commercial applications must first obtain and abide by all FAA commercial operating rules and regulations. In addition, the operator must register with the District following the registration guidelines as outlined in Section 1.3 above, and submit a District Special Use Permit Application.

#### 1.8A Special Use Permit

Authorized commercial UAS operators must complete a District Special Use Permit Application. All requested information must be complete. The verification of the information provided must be acknowledged by signing the Special Use Permit Application. The application can be secured through the office of the Chief of Police or downloaded from the District website at [www.foxvalleyparkdistrict.org](http://www.foxvalleyparkdistrict.org)



### 1.9 Violation-Penalty

Any person, who violates any of the provisions of this Policy, or any rule or regulation promulgated thereunder, will be fined not less than \$50.00 or more than \$500.00 for each offense.

### 1.10 Promulgate Rules and Regulations

The Executive Director, or at the direction from the Park Board of Commissioners, in consultation with the corporation counsel, is authorized to promulgate rules and regulations necessary or appropriate to implement the requirements of this Policy. Such duly promulgated rules and regulations shall be posted by the Executive Director and/or his/her designee on the District's website.

### 1.11 Exemptions

Government entities including; law enforcement agencies, fire protection districts and local municipalities are exempt from the provisions of this policy, as long as, such entities apply for a Certificate of Waiver (FAA rule 14CFR, Part 107) allowing small UAS operation to deviate from certain rules, as long as the FAA finds that the proposed operation can be performed safely.

End of Ordinance