

Policy Title	Unmanned Aircraft Systems (UAS) or Drones
Purpose	Pursuant to Chapter 745 of the Cleveland Metroparks Regulations, this policy is being implemented to provide further direction for unmanned aircraft systems (UAS) or drones flown within the Park District.
Department/Division(s)	All Departments
Approval Date	January 16, 2024
Review Date	January 2028

I. RESTRICTIONS ON FLYING UNMANNED AIRCRAFT SYSTEMS (UAS)

A. Pursuant to Cleveland Metroparks Regulation 754.03:

1. No person shall launch, land or operate, or cause to be launched, landed or operated, any UAS weighing 20lbs/9.07kg or greater in any airspace within the Park District.
2. No person shall launch, land or operate, or cause to be launched, landed or operated, any UAS weighing less than 20lbs/9.07kg in any airspace within the Park District except in designated areas and must possess a current authorizing certificate issued by the FAA, meets a 333 exemption or is flying the UAS strictly for recreational use.

- a) Designated areas within the Park District are open fields, and not open fields, in the following locations except during those dates and times of scheduled events:
 - i. The Polo Fields located in South Chagrin;
 - ii. The Top O' Ledges in the Hinckley Reservation;
 - iii. Main Street Diamond located in Mill Stream Run Reservation;
 - iv. The fairways of all Cleveland Metroparks golf courses, except Sleepy Hollow or Manakiki, from November 1st through March 15th when the golf course is not open for golf.
 - (1) The operator of the UAS shall not be permitted on the greens or tees at any time.
 - (2) The operator shall not interfere with any non-golf activity that may be occurring on the golf course (e.g., snowshoeing, cross country skiing, etc.)

B. Federal Aviation Administration (FAA) Airspace Restrictions and Designated Areas:

1. Even in designated areas, all operators, whether recreational and commercial, must learn and comply with all FAA regulations. It is not Cleveland Metroparks' responsibility to inform, train or educate the public about the FAA regulations.

2. Recreational operators may fly in the Cleveland Metroparks Designated areas if the following conditions are met:

- a) Flying for recreational purposes only;
- b) Following a community-based set of safety guidelines that are developed in coordination with the FAA;
- c) Flying the UAS/drone within visual line-of-sight of the person operating the aircraft or a visual observed co-located and in direct communication with the operator;
- d) Aircraft is operated in a manner that does not interfere with, and gives way to manned aircraft;
- e) In controlled airspace, the operator must obtain prior authorization from the Administrator or Designee before operating and complies with all airspace restrictions and prohibitions;
- f) In uncontrolled (Class G) airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace restrictions and prohibitions;
- g) Recreational flyer must pass an aeronautical knowledge and safety test and maintain proof of test passage to be made available to the Administrator or law enforcement upon request; and,

- h) Aircraft must be registered and externally marked, and proof of registration is made available to the Administrator or a Designee of the Administrator or law enforcement upon request.
- i) Never fly near other aircraft, especially near airports.
- j) Never fly over groups of people, public events, or stadiums full of people.
- k) Never fly near emergencies such as any type of accident response, law enforcement activities, firefighting, or hurricane recovery efforts.
- l) Never fly under the influence of drugs or alcohol.

3. Remote Pilot operators with a Part 107 certification may fly in designated areas subject to the following unless the operator has obtained a waiver:

- a) Must operate in Class G airspace;
- b) Must keep the aircraft in sight (visual line-of-sight);
- c) Must fly under 400 feet unless the UAS:
 - i. Is flown within a 400-foot radius of a structure; and
 - ii. Does not fly higher than 400 feet above the structure's immediate uppermost limit
- d) Must fly during the day
- e) Must fly at or below 100 mph
- f) Must operate in a manner that does not interfere with and yield right of way to manned aircraft
- g) Must NOT fly over people
- h) Must NOT fly from a moving vehicle
- i) Must not operate in a careless or reckless manner so as to endanger the life or property of another, or allow an object to be dropped that creates an undue hazard to persons or property
- j) Must not operate under the influence of drugs or alcohol
- k) Must not operate in controlled airspace unless the person has prior authorization from Air Traffic Control (ATC)
- l) The minimum flight visibility must be no less than 3 statute miles
- m) The minimum distance of the UAS from clouds must be no less than:
 - 1) 500 feet below the cloud; and
 - 2) 2,000 feet horizontally from the cloud

4. Other Commercial operators may fly in the designated areas according to the specifications delineated in their respective certificate and licensure.

II. USE OF UAS BY CLEVELAND METROPARKS

A. Pursuant to Cleveland Metroparks Regulation 745.04, Park District staff, or its designee, may operate UAS for governmental purposes in compliance with federal laws and regulations and shall follow the process below:

1. Contact Director of Natural Resources to discuss any impacts on natural resources and/or wildlife;
2. Contact Chief of Police to discuss any safety and public welfare issues;
3. Complete the form Attached as Exhibit A and submit it to the Chief Legal & Ethics Officer to discuss applicable FAA regulations and compliance with other all laws, statutes, regulations and constitutional provisions.
4. Submit the authorization form to the Chief Executive Officer for authorization.

B. Failure to comply with this Policy will result in disciplinary action up to and including termination. Any staff who permits an individual or entity to operate a UAS or drone within the Park District without first complying with this Policy is also subject to disciplinary action.

References:

Public Law 112-95, Title III, Subtitle B – Unmanned Aircraft Systems (FAA Modernization and Reform Act of 2018)
49 USCA §44809 Exception for limited recreational operations of unmanned aircraft.

Public Law 114-90, Title II, Subtitle B – UAS Safety (FAA Extension, Safety, and Security Act of 2016)

Title 14 Code of Federal Regulations

- Part 1 Definitions, Civil Aircraft, Section 1.1
- Part 21, Certification Procedures for Products and Parts
- Part 21, Subpart H, Airworthiness Certificates, Experimental Certificates, section 21.191 and 21.193

FAA Advisory Circular "Exception for Limited Recreational Operations of Unmanned Aircraft Date: 5/31/19 AC No: 91-57B

Chapter 745 of the Cleveland Metroparks Regulations

Supersedes and Replaces: Unmanned Aircraft Systems (UAS) or Drones Policy, effective June 10, 2020.

Approved:



Chief Executive Officer



Approval Date

EXHIBIT A

Authorization to Use UAS/Drone on Cleveland Metroparks Premises

- 1. Manufacturer, Model#, and Type of drone (attach photo):

- 2. Weight of drone: _____
- 3. Height drone will be flown: _____
- 4. Purpose of drone flight:

- 5. Dates, times and area/location of proposed flight(s) (attach map):

- 6. State type of FAA authorization: certification of waiver or authorization, Part 107 certificate (attach a copy), or 333 exemption status: _____
- 7. Other pertinent facts: _____

ALL DRONES MUST BE OPERATED IN FULL COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL RULES, REGULATIONS AND STATUTES.

- 8. Notifications made to:
 - a. Natural Resources (Director of Natural Resources) _____ Yes _____ No
 - b. Police Dept. (Chief of Police): _____ Yes _____ No

- 9. Staff making request:
_____ (name) _____ (date)
_____ (email) _____ (phone)

APPROVED:

Reviewed for compliance

Brian M. Zimmerman, CEO Date

Rosalina M. Fini, Chief Legal & Ethics Officer