

**UNLAWFUL INTERFERENCE WITH GOVERNMENT  
RESPONSE OR OPERATIONS DURING  
EMERGENCIES AND PUBLIC SAFETY EVENTS BY  
SMALL UNMANNED AIRCRAFT  
("UAS" or "DRONE")**

INTRODUCTION OF NEW COUNTY ORDINANCE,  
AMENDING CHAPTER 19 - MISCELLANEOUS OFFENSES



# Agenda

1. Introduction of New Ordinance
2. Background
3. Need for Local Regulation
4. Prohibited Conduct
5. Civil Administrative Citation Program
6. Community Outreach & Education
7. Questions & Comment



# Introduction

This Ordinance does **NOT**:

- Establish a “No Drone” or “Anti-Drone” regulation
- Establish “No Fly” zones for drones or UAS
- Prohibit hobby and/or commercial UAS use in the unincorporated County
- Prohibit safe and responsible operation of UAS during emergencies and or public safety events.

This Ordinance **DOES**:

- Regulate use of UAS that interfere with the safety and security of government operations during emergencies/public safety events.
- Make it unlawful for a hobbyist, commercial, or model UAS operator to operate their UAS in a manner that impedes, obstructs and/or interferes with government operations and response related to these events
- Allow for the issuance of civil administrative citations, similar to a parking ticket, to UAS operators who cause such interference
- Provide an efficient tool to respond immediately to safety dangers posed by a UAS operating in interference of public safety events.

## Background

- Recent technology innovation has increased the use of UAS which has resulted in an increase in reported hobbyist operator incidents causing safety hazards to people or property.



- Although existing laws regulate the use of UAS at the federal and state levels for certain unauthorized and unsafe actions, it is left to local governments to enact local regulations to deter and pursue enforcement actions under their existing authorities.

# Background

There are California state laws that regulate certain UAS uses, for example:

- It is a misdemeanor for a UAS operator to impede firefighters, police officers, or emergency personnel at the scene of an emergency. Penal Code Section 402
- The “celebrity paparazzi” law makes a UAS operator civilly liable for invading a person’s privacy for commercial gain. Civil Code Section 1708.8
- UAS use is prohibited in certain State Park wilderness areas, cultural preserves, and nature preserves. CCR Title 14 Section 435
- Some Sonoma County Regional Parks prohibit the operation of UAS



None of the regulations provide the type of immediate enforcement tool that is often needed on the scene.

Enforcement often falls to local jurisdictions and results in either lodging a complaint with the FAA (which often requires FAA aviation safety inspector to travel to location of an incident), criminal prosecution (via the District Attorney), or private civil actions.

## Need for Local Regulation

- Currently, Sonoma County does not have a local enforcement option to provide warnings and/or civil citations on the spot during urgent public safety situations that require immediate action to stop interfering actions of a UAS pilot.
- Need for a local regulation identified by first responders / departments that provide essential services during public safety events.
- Several County departments operate their own UAS or helicopter to assess public situations and/or damage. Preventing private UAS operators from interfering with their operations is critical to ensure safety/security of personnel/equipment on the ground and in the air.
- This Ordinance fills the existing gap to allow swift on-the-ground local enforcement.



## Prohibited Conduct

- **It is unlawful for a person to operate a UAS in a manner that impedes, obstructs and/or interferes with firefighting, emergency, search and rescue, law enforcement, detention, or other government operations related to a Public Safety Event.**
- Public Safety Event” means an event, condition or situation that has caused, or may cause, injury to persons or damage to property, or endanger persons, property or public agency operations, and relates to any of the following, including but not limited to: emergencies; law enforcement operations; crime scenes; search and rescue operations; detention facility operations; fires; explosions; aircraft, rail or vehicle accidents; flooding; storms; earthquakes; chemical or biological spills; acts of terrorism; utility or infrastructure operations related to water, sewer, gas, telecommunications, broadband, or electrical power.



## Prohibited Conduct

- Goal is compliance.
- UAS operator should not fly their UAS in a manner that interferes or impedes with the County's response to an emergency or public safety event.
- Any violation is a public nuisance.
- Violations of the new ordinance may be prosecuted as a misdemeanor, a public nuisance, or as an administrative citation for fines and penalties pursuant to Sonoma County Code Chapter 1, Sections 1.-7 through 1.-7.6.



# Civil Administrative Citation Program

- Administrative citations are administered pursuant to the County of Sonoma's administrative citation program in Sonoma County Code Chapter 1, Section 1.-7.6.
- Fines start at \$100.00 per violation and can increase to \$500.00 for repeat violations
- Appeal process provided for in the current code section.
- Enforcement officers can educate UAS operators at the scene about prohibited UAS operations, and/or issue citations only if education doesn't stop the interference.
- Allows for lower level offenses to be handled without complaints to the federal government or requiring arrests and criminal prosecution.



## Community Outreach & Education

- Press Release
- Social Media
- Radio
- English / Spanish
- Initial adoption & continuous as part of emergency notification



# Comments & Questions

