



Legislation Details (With Text)

**File #:** 51819      **Version:** 2      **Name:** Regulating the use of drones  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/23/2018      **In control:** Attorney's Office/Approval Group  
**On agenda:** 9/4/2018      **Final action:** 9/4/2018  
**Enactment date:** 9/15/2018      **Enactment #:** ORD-18-00090

**Title:** SUBSTITUTE Creating Sections 25.18 and 25.17(10) and amending Section 1.08(3)(a) of the Madison General Ordinances to regulate the use of drones and establish a bond schedule for violations thereof.

**Sponsors:** Shiva Bidar, Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Substitute body, 2. Version 1

Date	Ver.	Action By	Action	Result
9/4/2018	2	COMMON COUNCIL	Adopt	Pass
8/8/2018	1	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/11/2018	1	PUBLIC SAFETY REVIEW COMMITTEE	Re-refer	
6/13/2018	1	PUBLIC SAFETY REVIEW COMMITTEE	Re-refer	
6/5/2018	1	COMMON COUNCIL	Refer	Pass
5/23/2018	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The proposed ordinance change regulates the use of drones and establishes a bond schedule for violations, adopting provisions of state law. Any fiscal impact from this change is anticipated to be minimal. No appropriation is required.

**Title**

SUBSTITUTE Creating Sections 25.18 and 25.17(10) and amending Section 1.08(3)(a) of the Madison General Ordinances to regulate the use of drones and establish a bond schedule for violations thereof.

**Body**

This proposal adopts certain provisions of state law relating to the regulation of drones, and creates civil forfeitures for violations of the provisions. This proposal prohibits the operation of a weaponized drone except by military personnel acting in their official capacity, based on Wis. Stat. § 941.292. It prohibits the use of a drone to photograph, record or otherwise observe a person in a location where the person has a reasonable expectation of privacy, except by a law enforcement officer authorized under Wis. Stat. § 175.55(2), and is based on Wis. Stat. § 942.10.

This proposal also adopts a provision of state law, Wis. Stat. § 114.04, which makes it unlawful to land a spacecraft or aircraft on the lands of another, without the person's consent, and makes it unlawful to fly a spacecraft or aircraft so low as to interfere with the existing use of the lands or water, or flying a spacecraft or aircraft so to be imminently dangerous or damaging to persons or property lawfully on the lands or water beneath.

This substitute increases the maximum forfeiture for operating a weaponized drone from the proposed \$2,000 to \$4,000 and increases the proposed bail deposit for possessing a weaponized drone from \$1,000 to \$2,000.

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The Common Council of the City of Madison do hereby ordain as follows:  
Please see "Substitute Body" in Attachments.