



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.

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