

ORDINANCE #14-22:

AN ORDINANCE AMENDING SECTION 130 OF THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO UNMANNED AIRCRAFT SYSTEMS.

THAT, WHEREAS, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, establishing and implementing certain authorized police powers for the purpose of prescribing regulations governing conditions detrimental to the health, safety, and welfare of its citizens; and

WHEREAS, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which adopted the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the “Village of Pinehurst, North Carolina Municipal Code;” and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in a regular meeting assembled this 27th day of May, 2014 as follows:

SECTION 1. That Section 130 of the Village of Pinehurst, North Carolina Municipal Code is hereby amended, which shall read as follows:

§ 130.06 UNMANNED AIRCRAFT SYSTEMS

(A) Findings. The Committee on Unmanned Aircraft Systems of the Legislative Research Commission of the North Carolina General Assembly has found that unmanned aircraft systems have the potential to be a valuable tool in many areas, including law enforcement, public safety, agriculture and business. Additionally, the development and manufacture of unmanned aircraft systems could prospectively bring industry and jobs to the State. The Committee also recognizes the possibility for inappropriate and criminal usage of unmanned aircraft systems, and finds that there should be some guidance and regulation governing the lawful operation of unmanned aircraft systems.

(B) Definitions. As used in this section, the following definition shall apply, unless the context clearly indicates or requires a different meaning.

UNMANNED AIRCRAFT. An aircraft that is operated without the possibility of human intervention from within or on the aircraft.

UNMANNED AIRCRAFT SYSTEM. An unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system.

MODEL AIRCRAFT. An unmanned aircraft limited to not more than 10 pounds flown within visual line of sight of the person operating the aircraft for recreational and hobby purposes only.

(C) Restrictions on use of unmanned aircraft systems. No person shall operate an unmanned aircraft system in the corporate limits of the Village of Pinehurst during the period of June 6 through June 24, 2014. This restriction shall not apply to the operation of a model aircraft as defined in Item B above.

SECTION 2. That all local ordinances in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

SECTION 3. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

THIS ORDINANCE passed and adopted this 27th day of May, 2014.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney