

ANCHORAGE, ALASKA
AO No. 2017-36

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 15.20 TO INCLUDE CERTAIN UNAUTHORIZED OPERATION OF UNMANNED AERIAL VEHICLES (“UAV” AND “DRONES”) OVER PRIVATE PROPERTY IN THE ENUMERATION OF PROHIBITED PUBLIC NUISANCES; AND PROVIDING FOR POTENTIAL AMENDMENT TO ANCHORAGE MUNICIPAL CODE CHAPTER 14.60 TO PROVIDE CONFISCATION AS AN ADDITIONAL PENALTY FOR REPEAT OFFENSES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 15.20.010 is hereby amended to read as follows (*language indicating no amendment is included for context only and other definitions not affected are not set out*):

15.20.010 - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public aircraft shall include the meanings ascribed to the term in Section 40102 of Title 49 of the United States Code, as well as aircraft operated on behalf of the municipality.

Toy aircraft means a non-motorized small unmanned aerial vehicle (1) such as a glider that is neither designed for nor capable of sustained flight or (2) that is designed for and capable of sustained flight by means of a string or wire, such as a kite.

Unmanned aerial vehicle means a small unmanned aircraft that (1) is operated without the possibility of direct human occupancy within or on the aircraft and (2) weighs less than 55 pounds at the time of operation, including the weight of any payload or fuel. The term “unmanned aerial vehicle” includes motorized or electronically controlled unmanned aircraft fitting these criteria and commonly referred to as “drones”, and shall have the same meaning when abbreviated as UAV. The term “unmanned aerial vehicle” does not include “toy aircraft” or “public aircraft” under this code.

(GAAB 18.15.010, 18.20.020, 18.20.050; CAC 8.10.010, 8.10.050; AO No. 79-63; AO No. 92-129(S); AO No. 97-109(S), § 1, 8-26-97; AO No. 2003-130, §§ 2, 3, 10-7-03; AO No. 2009-83(S), § 1, 7-7-09; AO No. 2016-81(S), § 1, 8-25-16)

Section 2. Anchorage Municipal Code section 15.20.020 is hereby amended to read as follows (*language indicating no amendment is included for context only and other subsections*

not affected are not set out):

15.20.020 - Public nuisances prohibited; enumeration.

- A. No person shall allow, maintain or permit a public nuisance to exist or allow, maintain or permit recurrence of a public nuisance. Such existence, allowance, maintenance, permitting or recurrence of a public nuisance is a violation of this chapter.
- B. Public nuisances include, but are not limited to, the following acts and conditions:

16. Unmanned aerial vehicles (drones and UAV). Any drone or UAV shall maintain a vertical separation of not less than 50 feet above any geographic or architectural feature or any improvement to private real property over which it is not authorized to operate under permission of the real property owner.

(GAAB 16.68.110, 18.15.020, 18.15.030, 18.20.030, 18.20.060; CAC 8.10.020, 8.10.050; AO No. 113-76; AO No. 78-48; AO No. 79-63; AO No. 93-173(S), § 3, 2-24-94; AO No. 95-42, § 3, 3-23-95; AO No. 2001-145(S-1), § 12, 12-11-01; AO No. 2003-130, § 4, 10-7-03; AO No. 2009-83(S), § 2, 7-7-09; AO No. 2010-43(S), § 1, 6-22-10; AO No. 2010-63, § 1, 9-14-10; AO No. 2011-52, § 1, 4-26-11; AO No. 2016-81(S), § 2, 8-25-16)

Section 3. This ordinance may be amended prior to passage to include confiscation of the drone or UAV as an administrative remedy in response to repeat offenses.

Section 4. This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2017.

Chair

ATTEST:

Municipal Clerk