

OR – 2016-12-02

**AN ORDINANCE AMENDING CHAPTER 97: PARKS & RECREATION
IN THE CODE OF ORDINANCES OF THE VILLAGE OF MARVIN,
MARVIN, NORTH CAROLINA**

WHEREAS, this amendment was heard by the Village of Marvin, Village Council in a public meeting on December 13, 2016; and

WHEREAS, pursuant to NCGS 15A-300.2 a unit of local government may adopt an ordinance to regulate the use of the local government's property for the launch or recovery of unmanned aircraft systems.

NOW, THEREFORE, BE IT ORDAINED by the Village Council for the Village of Marvin that Chapter 97 PARK & RECREATION be amended to add the following language:

SECTION 1. The Code of Ordinance Chapter 97, Section 97.07 PROHIBITED ACTIVITIES is hereby amended to read as follows:

§97.07 PROHIBITED ACTIVITIES

(I) Model aircraft and unmanned aircraft on Village property.

(1) Launch and/or recovery of model aircraft or unmanned aircraft is prohibited on all Village-owned property without specific written permission from the Village Administrator or his/her designee, who may allow it for governmental purposes to include, but not be limited to, photography, so long as the operation of the model aircraft or unmanned aircraft is done in accordance with the requirements of the Federal Aviation Administration and North Carolina General Statute.

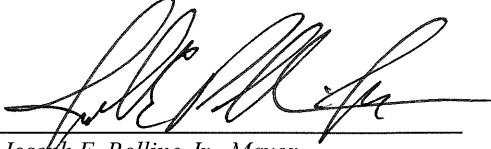
(2) For the purposes of this section, "model aircraft" is defined as an aircraft (any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air), that is mechanically driven or launched into flight and that meets all of the following requirements:

(a) Is flown solely for hobby or recreational purposes.

(b) Is not used for payment, consideration, gratuity, or benefit, directly or indirectly charged, demanded, received, or collected, by any person for the use of the aircraft or any photographic or video image produced by the aircraft.

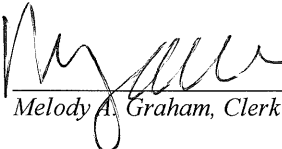
(3) For the purposes of this section, "unmanned aircraft" is defined as an aircraft (any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air), that is operated without the possibility of human intervention from within or on the aircraft and that does not meet the definition of model aircraft.

Adopted this 13th day of December, 2016.



Joseph E. Pollino Jr., Mayor

ATTEST:



Melody A. Graham, Clerk

