



SUBJECT: Unmanned Aerial Systems (“UAS”) Policy

EFFECTIVE DATE: September 1, 2021

REVIEW SCHEDULE: Annually by the Parks and Recreation staff. Every five years by the Open Lands Advisory Commission and Parks and Recreation Commission, or more frequently if recommended by staff.

PURPOSE: To establish a policy for the use of UAS on property managed by the Parks and Recreation Department.

SCOPE: All Open Lands, Parks, Golf Courses, recreation facilities, trails, and other property managed by the Parks and Recreation Department.

RESPONSIBILITY: Parks and Recreation Management Staff

BACKGROUND: The Director finds that technological advancements in UAS and the increased availability of UAS for recreational, commercial, and educational uses requires the Parks and Recreation Department to promulgate regulations consistent with City policy and the safe and environmentally conscious use within or upon property managed by the Parks and Recreation Department.

APPROVAL:

Elizabeth Kayl
Director, Parks and Recreation

POLICY:

I. Policy Statement

The City of Loveland Parks and Recreation Department seeks to provide UAS users with reasonable regulations to promote the safe and environmentally conscious use of UAS.

III. General Guidelines

Modification of Policy

This policy is subject to amendment or rescission, at any time, at the discretion of the Department Director.



Authority

The Loveland Municipal Code (“LMC”) Section 12.40.010, provides that, “[t]he parks and recreation department shall have the authority to establish and enforce such rules and regulations as it deems necessary pertaining to the operation of all parks and recreational facilities owned or operated by the city.” This policy is being produced pursuant to the aforementioned Section of the LMC.

Definitions

Unmanned Aircraft System (UAS): a system that includes the aircraft and the necessary equipment, network, and personnel to control an unmanned aircraft.

Commercial Use: is the use of UAS where any person, not limited to the direct user, seeks either direct or indirect financial gain from the use of UAS within or upon property managed by the Parks and Recreation Department.

Facility User: is any person who utilizes property managed by the Parks and Recreation Department who is not an employee of the City or an authorized contractor working within the scope of said employment or within the scope of a contract.

Local Emergency Service Providers: is an agency in Larimer County that provides a public service traditionally associated with a service performed by a first responder, which would include police, fire, rescue, emergency medical service, and other first responder type services.

Recreational Use: is the use of UAS where any person, not limited to the direct user, does not seek direct or indirect financial gain from the use of UAS within or upon property managed by the Parks and Recreation Department.

City UAS Usage Rules

- When required, a Drone Use Permit must be completed at the Parks and Recreation Administrative Office no less than 7 days and no more than one year before a proposed UAS flight is to begin.
- At all times, the internal use of UAS by Parks and Recreation Department staff shall adhere to the City’s policy on UAS. To the extent these rules and regulations conflict with the City’s policy, the City’s policy shall govern.
- Parks and Recreation Department use of UAS shall be consistent with the Parks and Recreation Department’s mission of conservation, education, or recreation. In addition, the use of UAS by the Parks and Recreation Department shall possess a well-defined conservation or communication purpose that may not otherwise be achieved by conventional methods.
- Conservation or communication purposes may include, but are not limited to:
 - Resource inventory, wildlife surveys, vegetation monitoring, cultural assessments, wildland fire assessments, baseline surveys or inventories, original research, conservation easement monitoring, public safety, public relations, educational filming,



nature photography, and marketing.

Facility User Usage Rules

- The recreational use of UAS is allowed without permit at designated park locations under specific circumstances listed below:
 - No flying above people or crowds
 - No flight operation from a moving vehicle
 - Do not discharge or drop anything from drone
 - No flying near nesting birds
 - Always protect the privacy of others
- Designated park locations:
 - Barnes Parks and Fairgrounds Fields
 - Centennial Park
 - Fairgrounds Park
 - Loveland Sports Park
 - Mehaffey Park
 - North Lake Park
- No commercial use of UAS is permitted.
- Recreational use of a UAS within park facilities must comply with all federal laws concerning the use of UAS including, but not limited to, 49 U.S.C.A. § 44801 *et al.*, all Federal Aviation Administration rules and regulations, and all applicable laws or rules and regulations of the state of Colorado. For more information, facility users of UAS seeking to engage in a recreational use should consult https://www.faa.gov/uas/recreational_fliers/.
- The use of UAS, at all other property managed by the Parks and Recreation Department not listed above, whether recreational or commercial, is prohibited, including, but not limited to, any other park, open land area, trail, or golf course.

Local Emergency Service Exemption:

- Local Emergency Service Providers may acquire a special use permit from the Parks and Recreation Department to practice or simulate emergency missions on natural areas for the purpose of improving familiarity with the natural area system. During an emergency where life or property are in immediate peril, Local Emergency Service Providers need not acquire the aforementioned special use permit.

The Department may post signs that reflect the rules promulgated within this policy in any reasonable shorthand manner the Director may choose.

Community Education



The Department will provide information on the implementation of this policy via the following methods:

- A. Post on these rules and regulations on the City's internet page and on appropriate social media outlets maintained by the City or the Parks and Recreation Department.
- B. Post rule signage as deemed appropriate by the Director.
- C. On-site Rules and Regulation signage, pamphlets and internet site.
- D. Safety Guidelines
 - a. Do not fly above people or crowds
 - b. Do not fly from moving vehicle
 - c. Do not discharge or drop anything from drone
 - d. Do not fly over sensitive or protected areas
 - e. Do not fly near nesting birds
 - f. Protect others privacy

Citizen Review

This policy has been reviewed and approved by the Open Lands Advisory Commission on August 14, 2019 and by the Parks and Recreation Commission on October 10, 2019.



Parks and Recreation Department

Drone Use Permit Application

Per the City of Loveland Parks and Recreation Department Unmanned Aerial System [UAS] Policy all operators of UAS (aka drones) must complete the Drone Use Permit Application. There may be a fee associated with the permit.

An application for a permit shall be filed with the Parks and Recreation department no less than 7 days and no more than one year before the proposed UAS flight is to begin. Policy does not allow "payload".

Applicant Name: _____

Organization Name: _____

Address: _____

E-mail: _____ Phone Number: _____

Driver's License Number Or other form of valid, government-issued identification: _____

Name of Pilot: _____

Federal Aviation Administration (FAA) registration number of the UAS: _____

Type of UAS Activity: Organization Personal Public Agency

Description of Flight Type/Purpose of Flight to be Flown and specific Considerations: _____

Location of takeoff for the UAS: _____

Location of Landing for the UAS: _____

Date of proposed flight: _____ Beginning time flight: _____ Ending Time of flight: _____

Reason for conducting the UAS flight at this particular location:

Maintenance Conservation Difficult Access Area City Marketing/Promotion

Will you be filming or photographing: Yes No

Willing to share film/photos with the City for Operations & Marketing purposes? Yes No

*email film/photos to: Parks@cityofloveland.org or call 970.962.2327

Please initial that you understand the following as the applicant:

____ Applicant agrees to the community-based set of safety guidelines (see UAS Policy) and within the programming of a nationwide community-based organization.

____ Applicant agrees to provide proof of any required FAA authorization and/or exemption if the applicant proposes a commercial use of a UAS pursuant to the permit for which the application is being filed.

By signing my name below, I certify that the all of the above information is true and correct to the best of my knowledge, including all attachments to the application. My signature also certifies my understanding of and agreement with the City of Loveland Parks and Recreation UAS policy.

Signature of Applicant

Date

For Department Use Only

Date Application Received _____ Date of Replied to Applicant _____

Additional Approval conditions/Reasons for Denial: _____

Approval Signature: _____ Title of Approver _____