TOWNSHIP OF FAIRFIELD
ORDINANCE #2019-11

AN ORDINANCE ADDING CHAPTER 3,
SECTION 22 TO THE TOWNSHIP CODE OF THE
TOWNSHIP OF FAIRFIELD ENTITLED
“UNMANNED AIRCRAFT REGULATIONS”

WHEREAS, The Township of Fairfield finds it necessary to address the operation of
unmanned aircraft, commonly known as “drones,” within the Township; and

WHEREAS, it is the desire of the Governing Body to add Chapter 3, Section 22 to
expand upon the Township’s Police Regulations; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the
Township of Fairfield, County of Essex, State of New Jersey, as follows:

SECTION 1. Chapter 3, Section 22, of the Township Code of the Township of Fairfield
entitled “Unmanned Aircraft Regulations” shall be added to read in its entirety as follows:

3-22 UNMANNED AIRCRAFT REGULATIONS.

3-22.1 Definitions as used in this section.

“Operate” means to fly, control, direct or program the flight of an unmanned aircraft
system.

“Unmanned Aircraft” means an aircraft that is operated without the possibility of direct
human intervention from within or on the aircraft.

“Unmanned Aircraft System” means an unmanned aircraft and associated elements,
including communication links and the components that control the unmanned aircraft, that are
required for the pilot in command to operate safely and efficiently.

3-22.2 Takeoff or landing on public property.

It shall be unlawful for any person operating an Unmanned Aircraft or Unmanned
Aircraft System to takeoff from or land on public property without prior written approval from
the Township Administrator and compliance with the following:
a. Submission of the Operator’s proof of certification under section 3-27.3 to the Township Administrator;
b. Providing written notification of the anticipated Unmanned Aircraft or Unmanned Aircraft System activities at least five (5) days in advance of such activities to all property owners within 200 feet of the public property; and
c. Compliance with any and all other requirements of any park rules or regulations.

3-22.3 Proof of certification.

Any person who operates an Unmanned Aircraft or Unmanned Aircraft System within the Township must present, immediately upon request by any police or code enforcement officer, a current certificate of aircraft registration issued by the FAA for the Unmanned Aircraft, together with a remote pilot certificate where the use of the Unmanned Aircraft requires such a certificate under 14 C.F.R. § 107.

3-22.4 Hazardous Unmanned Aircraft.

It shall be unlawful for any person to equip an Unmanned Aircraft or Unmanned Aircraft System with any weapon or hazardous substance that creates a hazard to persons or property.

3-22.5 Accident reporting.

The operator of any Unmanned Aircraft or Unmanned Aircraft System shall immediately report to the Township any operation of the Unmanned Aircraft or Unmanned Aircraft System on public property involving either injury to any person or damage to any private or public property.

3-22.6 Privacy.

It shall be unlawful for any person to operate an Unmanned Aircraft or Unmanned Aircraft System in a manner that violates the reasonable expectation of privacy of any other persons. Such operation shall include, but is not limited to, operating an Unmanned Aircraft or Unmanned Aircraft System to view into the windows or other openings of dwelling places, or otherwise viewing from of any property.

3-22.7 Violations.

Any violation of the provisions of this article shall constitute a violation punishable as provided in Chapter 1, Section 1-5, General Penalty, of the Code of the Township of Fairfield.

SECTION 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
SECTION 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

SECTION 4. This ordinance shall take effect immediately after final passage, approval and publication as required by law.

JAMES GASPARINI
Mayor

ATTEST:

DENISE D. CAFONE
Municipal Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on April 22, 2019 introduced and read by title and passed first reading and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting that is to be held on June 24, 2019 at 7:00 p.m.; at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

DENISE D. CAFONE
Municipal Clerk
ORDINANCE #2019-11, AN ORDINACE ADDING CHAPTER 3, SECTION 22 TO THE TOWNSHIP CODE OF THE TOWNSHIP OF FAIRFIELD ENTITLED "UNMANNED AIRCRAFT REGULATIONS"

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Council President Morgan
PUBLISHED: April 25, 2019

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2ND READING AND PUBLIC HEARING: June 24, 2019

INTRODUCED BY: Councilman LaForgia
SECONDED BY: Council President Morgan
PUBLISHED: June 27, 2019

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