



CITY OF ANN ARBOR, MICHIGAN

301 E. Huron St., P.O. Box 8647 • Ann Arbor, Michigan 48107-8647

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Unmanned Aircraft Systems Use Policy - DRAFT

1.0 Purpose

The operation of Unmanned Aircraft Systems (UAS) is regulated by the Federal Aviation Administration (FAA). This policy details the actions the City of Ann Arbor will take to review city-facilitated UAS use; reduce risks to safety, security and privacy; and ensure that the best interests and obligations of the city are being met. It is guided by the principles of equity, accessibility, transparency, and respect for civil liberties. The intent is to ensure that UAS operations serve all community members fairly and do not perpetuate or exacerbate existing disparities or discrimination.

2.0 Definitions

1. An unmanned aircraft system (UAS) is an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft.
2. An unmanned aircraft (UA) is an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.
3. “Exigent circumstances” are circumstances where it is impractical to submit a search warrant because the delay could lead to substantial bodily harm, death or destruction of evidence.

3.0 Scope

Unmanned Aircraft Systems have the capability to facilitate a more sustainable delivery of service that significantly reduces carbon emissions while also reducing situational hazards for employees. UAS enables rapid, cost-effective aerial mapping and surveying that can be crucial for urban planning and infrastructure development and branding of the city image. UAS also provides an ability to enhance public safety through real-time situational awareness, search and rescue operations, the apprehension of dangerous person(s) who committed a violent act or crime, crash investigation on fatal or near fatal scenes, and safety assessments during large scale events (i.e. football games, festivals, or outdoor concerts).

City employees, third-party providers, consultants, volunteers, and temporary employees must adhere to this policy.



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4.0 Privacy

The use of UAS requires considerations and practices that prioritize privacy rights. Operators and observers must take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Such precautions shall include, but are not limited to, deactivating imaging devices during flights to **and from** a UAS operation site.

Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). **People also have a reasonable expectation against being subjected to prolonged aerial surveillance or being followed by UAS surveillance, even in public areas, for significant periods of time.**

5.0 Program Coordinators

Service Area Administrators will appoint a program coordinator who will be responsible for the management of their UAS program. The coordinator will maintain a list of UAS Operators within their service area and ensure that the City Policy is followed. Any additional service area policy or procedure must be in accordance with the current laws, regulations, and best practices. The following responsibilities will also be met:

- A. All Unmanned Aircraft System Operators shall maintain a remote pilot certification from the Federal Aviation Administration (FAA) and comply with all FAA requirements for certification.
- B. Pilot certifications and training documentation must be submitted to the program coordinator who will then submit the service area compiled information to the Safety Unit. All operators must comply with department-required training in the operation, laws, policies, and procedures regarding the use of UAS. The program coordinator shall maintain records of training completed by UAS operators.
- C. All UAS must be operated in a safe manner, and in compliance with local, state and federal laws and regulations. UAS should not intentionally be operated in a way that causes personal injury, property damage, or in a way that distracts drivers or other aircraft.
- D. The software and/or firmware used to operate the UAS shall be maintained and in compliance with all FAA regulations, including, but not limited to, the registration of all equipment. Additionally, all UAS must have a global positioning system (GPS) and be set to automatically descend to home/origin when there is loss of connection.



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- E. UAS operators must maintain a record of flights, including ~~the~~ a specific and detailed description of the purpose of the flight, and will be subject to approval and oversight by unit managers and/or service area administrators.
- F. UAS recorded data will not be collected, disseminated or retained solely for the sole purpose of monitoring activities protected by the U.S. Constitution or the Michigan Constitution.
- G. Service areas may utilize UAS with live monitoring to gather information, and shall document in advance if video recording is necessary, for the purposes of:
 - a. To inspect critical infrastructure to identify corrosion, damage or needs for repair on towers, bridges, roads, utility lines, water towers, tanks, or other city infrastructure.
 - b. To capture imagery and data collection to evaluate water quality, temperature differences, hazardous spills, or sanitary sewer overflows.
 - c. To prepare emergency responders in the detection of hazardous materials, inaccessible areas, or the physical condition and safety of a building prior to entrance.
 - d. To coordinate the deployment of rescue resources for people in distress or missing, such as on the Huron River.
 - e. To assist in finding missing or endangered people including those threatening self-harm or experiencing a mental health crisis.
 - f. To aid fire suppression efforts for large buildings using thermal cameras to find hot spots and in a post-fire investigation by providing video documentation of a scene and revealing ignition points and spread patterns of a fire.
 - g. To collect topographic survey data, review greenspace ecosystems, wetlands and infrastructure needs throughout the city and support ecological restoration planning and activities.
 - h. To monitor the performance and condition of city-owned solar panels, battery packs, HVAC, or geothermal infrastructure to ensure the optimization of energy production.
 - i. To provide a comprehensive view of an area to aid in disaster response or hazard mitigation planning.
 - j. To detail real-time data for decision-making in connection with situational increases in traffic flow and infrastructure planning.
 - k. To aid investigators and safety managers in scene analysis through aerial photos and video of a location to capture conditions.
 - l. To capture aerial footage for the City's use in promoting events, festivals, attractions, and landmarks; supporting public engagement and tourism; and
 - m. producing videos or other creative content that help explain City services, illustrate operations, or fulfill other communication and educational needs.



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H. Unacceptable uses include:

- a. To conduct personal business of any type.
 - b. Deployment of weapons.
 - c. To engage in any act prohibited by law.
 - d. To harass, intimidate, target, or discriminate against any individual or group or solely based on actual or perceived characteristics.
 - e. To conduct ~~random~~ surveillance activities in a geographic area in an effort to ~~inadvertently~~ capture crime in progress without cause to suspect that a crime is occurring, or about to occur, in the area being surveilled.
 - f. For the sole purpose of monitoring activities that are otherwise protected by the Michigan and United States Constitutions.
 - g. UAS footage or data will not be shared with outside entities without expressed consent of the city, unless required by law.
 - h. To purposely record or transmit images of any location where a person would have a reasonable expectation of privacy (ex. Residence, enclosed yard) absent a warrant or exigent circumstances.
- I. Any aerial observation mission to further a felony criminal investigation requires that it be conducted in a manner consistent with the law, including the possible use of a search warrant or search warrant exception, when required.
- J. Any accidents or significant incidents involving UAS that have caused damage, or harm shall require immediate notification of unit managers, service area administrators, and the safety manager.
- K. Maintenance records for all UAS assets and accessories will be maintained within each respective service area.

6.0 Retention of UAS Information

The City of Ann Arbor is responsible for ensuring that the public records created and received while conducting public business are retained and destroyed in accordance with Michigan law. Program coordinators will ensure that records are classified and comply with the retention schedule set by the State of Michigan.



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7.0 Ethical Use

Employees must use all UAS in accordance with the City of Ann Arbor's conduct and anti-discrimination policies. All UAS operators must consider the reasonable expectation of privacy a citizen may have. While in operation, operators must remain mindful of camera direction and take care to avoid any unintended viewing of areas where there is a reasonable expectation of privacy.

8.0 Enforcement

If a determination is made that an employee has violated this Policy, the City shall take prompt and appropriate action, which could include training or discipline. If a determination is made that a UAS operator has willfully violated the Policy, the City shall take prompt action to prohibit the employee from operating any further UAS and the employee will be subject to disciplinary action up to and including discharge.

If you have any questions regarding this policy, please contact the City Administrator, Milton Dohoney, Jr. at mdohoney@a2gov.org.

9.0 Amendments

Modifications to this policy shall be effective upon approval by the City Council.