Use of Drones

POLICY

It is the policy of the Minneapolis Park & Recreation Board (MPRB) to regulate the use and operation of Unmanned Aircraft Systems (UAS), commonly known as Drones, within and over MPRB property for all use. The MPRB has set forth this policy to control and ensure the proper and safe operation of Drones under permit. In addition, this policy addresses the process by which individuals or organizations secure a Filming or Photography Permit when using drones for this purpose.

Drone use is regulated by two MPRB Ordinances, which prohibit use unless a permit is issued.

PB2-11. – Model planes.
No model airplane flying shall be permitted in parks, parkways or on playgrounds except under rules and regulations as may be prescribed by the board. (Code 1960, As Amend., § 1010.150; Pk. Bd. Ord. No. 78-108, § 1, 10-4-78)

PB2-31. – Aircraft prohibited.
No person shall use any land or water, under the jurisdiction or control of the park and recreation board, for a take-off or landing area for aircraft of any kind, whether motorized or non-motorized, without first obtaining a permit from the superintendent. (Code 1960, As Amend., § 1045.230; 2001-101, § 1, 6-20-01)

The FAA has defined Drones as “aircraft.” As such, there may be additional Federal regulations (licenses and/or permits) required for their legal operation.

This policy shall be applicable to Drones weighing between 0.55 pounds and 4 pounds. Any Drone weighing less than 0.55 pounds is not subject to this policy and any Drone weighing more than 4 pounds is strictly prohibited within the jurisdiction of the MPRB. Drone operators must hold valid licensure for operation through the FAA. Federal regulations, published by the FAA, for commercial Drone use must always be followed.

Applicants must complete all forms, pay all fees and provide proof of insurance, as defined in the procedures of this Policy, prior to being issued a permit for Drone use.

A. Approved Non-MPRB Uses
   1. Construction documentation
   2. Bridge Inspection
   3. Public Safety
   4. Emergency Services
   5. Commercial Filming/Photography
Page 2 of 5

6. Media (Professional Accredited Press)

7. Recreational Use – permitted only under the following conditions
   a. Drone Events (permitted)
   b. Group Photo/Video for a private event with additional Photography Permit

B. Approved MPRB Internal Uses
   1. Construction documentation
   2. Bridge Inspection
   3. Land Surveys
   4. Public Safety
   5. Emergency Services
   6. Marketing/Media

Approved MPRB internal uses for drone use must be permitted by the permitting unit of the MPRB. This permit will be issued at no cost. A permit must be issued prior to Drone use for MPRB internal use.

SUPERINTENDENT APPROVAL: __________________________ Date: __04/28/2022__
DEFINITIONS (OPTIONAL SECTION)

Aircraft means any equipment or device that is used or intended to be used for human flight or is capable of flight, including but not limited to powerless flight.

Drone means any unmanned aircraft system that is capable of sustained flight or suspension in the atmosphere including unmanned aircraft commonly referred to as model airplanes, small unmanned aircraft or aerial systems, aerial hover craft, and any other remotely piloted or unmanned aircraft of any kind. A Drone is an aircraft without a human pilot onboard and is instead controlled by an operator on the ground.

Commercial refers to operating an unmanned aircraft for money-making purposes, in furtherance of a business, or incidental to a person’s business. This includes video or photos that produce revenue, real estate photography, news media, telecommunications, or other commercial uses.

Special Areas Conservation/Preserve Areas are special areas designated in the master plan of the Park System as restricted to allow the existing flora and fauna to remain undisturbed.

PROCEDURES

I. Permit required
   a. MPRB Use of Parks Policy guides permit procedures.
   b. The MPRB reserves the right to approve or deny any permit application at its sole discretion.
   c. Permittees must follow current Use of Parks Permit Policy.
   d. Complete permit application. Staff request applications at least 14 days in advance of requested permit date. Applications must include:
      i. Proof of valid licensure for operation through the FAA
      ii. Certificate of Insurance
         1. Commercial General Liability Insurance that names as Additional Insured, “Minneapolis Park & Recreation Board” and any other public entities impacted by the event is required for all permits. The minimum coverage must align with current MPRB Insurance
      iii. Site Plan including Flight Plan
      iv. Timeline/Narrative
      v. Signed Park Rules & Regulations (if applicable)
      vi. Other permits and licenses (as applicable)
   e. The appropriate permit fee must be paid prior to the issuance of the permit.
   f. The Permit must be on the premises during Drone operations and be presented to any MPRB Employee upon request.
   g. All park rules and regulations apply.
   h. All provisions related to a Photography, Filming, Use and Event, or Construction Permits also apply to Drone Permits.
   i. Additional Permits may be required:
i. Non-exclusive use of any City or MPRB sidewalk
ii. Use of a parkway
iii. Construction permit
iv. Event permit

II. Penalties
   a. Penalty and violation fees may apply for a violation of any park ordinances

III. Revocation of Permit
   a. A permit may be revoked for any of the following reasons:
      i. The permit-holder is in violation of any City Ordinance, Park Rule or Policy Provision
      ii. Misrepresentation of, or deviation from, the approved site plan or flight plan
      iii. A change occurs in the ordinance or regulation authorizing the permit which prohibits the continuation of the permit.
   b. Procedure for Revocation
      i. When a City or Park official believes there are valid grounds for revoking a permit, the permit-holder shall be given a verbal warning. Failure to immediately correct any deficiencies will result in revocation of the permit.
      ii. Flight must cease immediately upon revocation of the permit.
      iii. For a permit to be re-instated, the applicant must submit a new and complete Permit Application, at least 14 days in advance of the proposed permit date.
      iv. Assessed fees will not be refunded following the revocation of a permit.

IV. Conditions applicable to authorized Drone use for permitted activities.
   a. An applicant must separately obtain a private property owner's permission, consent, and/or lease for use of non-park board property and/or other property that is not owned or controlled by the park board.
   b. Drone operators and crew may not disturb birds or wildlife or their natural habitat within the park or parkland.
   c. Drones are prohibited from operating within Special Areas as defined.
   d. Recreational Use Drone operations in wildlife nesting areas and migration corridors (including the Mississippi River Corridor) are prohibited during peak migration and nesting seasons (defined as March 15 through May 31 and August 15 to October 31).
   e. Permit holders, Drone operator, crew, equipment, and vehicles may not disrupt or impede vehicle or pedestrian traffic at any time, unless a road closure has been approved and appropriate traffic control is in place.
MINNEAPOLIS PARK & RECREATION BOARD

Use of Drones
Customer Service
Frequency of Review: Every Five Years

Approval Date: 09/01/2021
Effective Date: 08/26/2021
Date of Last Review: 04/28/2022

Page 5 of 5

IMPLEMENTATION PLAN

Review of Drone Policy by Superintendent Leadership Team
Finalize Drone Policy
Board Approval of Drone Policy
Provide Electronic Policy Overview and Policy Acknowledgement to Staff
Begin use of policy

May 2020
August 2021
October 2021
October 2021
October 2021