



CITY OF ORANGE

OFFICE OF MAYOR

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August 18, 2016

The Honorable Charles Margines
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: City of Orange Response to Grand Jury Report: "*Drones: Know Before You Fly.*"

Dear Judge Margines:

The following is the City of Orange's response to the findings and recommendations contained in the Grand Jury's Report, "*Drones: Know Before You Fly.*" The City of Orange was asked to respond to Findings F1-7 and Recommendations R1-5 and R9.

Grand Jury Findings.

F1. Recreational drones have greatly increased in number since December 2015 and it is probable their unregulated use will pose significant threats to public safety and privacy in Orange County cities and unincorporated areas.

Response.

This respondent agrees with this finding.

F2. With the exception of the recent Federal Aviation Administration registration rule, recreational drone owners are largely self-policed, which leads to a wide range of behavior.

Response.

This respondent agrees with this finding.

F3. Most of the cities and unincorporated areas of the County of Orange do not have a drone ordinance, nor do they have any immediate plans to enact an ordinance in the near future.

Response.

This respondent agrees with this finding.

F4. Most of the cities provide no educational programs for public awareness of the safety issues connected to recreational drones.

Response.

This respondent agrees with this finding.

F5. Some Orange County cities, despite recognizing potential issues with drones, are awaiting drone-related legislative action or other guidance by the State of California or FAA before enacting local ordinances.

Response.

This respondent agrees with this finding.

F6. The FAA-required registration of recreational drones provides a useful tool for local enforcement of drone ordinances.

Response.

This respondent agrees with this finding.

F7. Orange County cities have not established a procedure for reporting drone incidents, which results in under-reporting of drone safety and privacy events.

Response.

This respondent agrees with this finding.

Grand Jury Recommendations.

R1. Each City Council should direct its City Attorney to provide a report to the city's police department and City Council on existing laws that can be applied to the use of recreational drones in the city's jurisdiction by December 30, 2016.

Response. The City Attorney will prepare a report for City Council on existing laws that can be applied to the use of recreational drones in the city's jurisdiction by December 30, 2016.

R2. Each City should adopt a recreational drone ownership and operation ordinance with regulations similar to those found in Los Angeles City ordinance #318392, by March 31, 2017, to the extent not preempted or superseded by Federal law or Federal regulations.

Response. The recommendation requires further analysis to determine the legality of such ordinances in light of arguments that the FAA preempts such ordinances.

R3. Each City should inform its citizens about laws and ordinances that apply to recreational drone operators through print media, city-related web sites, social media sites and/or public forums by March 31, 2017.

Response. The City of Orange is currently working on the introduction of a new city website and once established will provide information about laws and ordinances that apply to recreational drone operators. It is anticipated this will occur prior to March 31, 2017.

R4. Each City should establish and publish on its website a point of contact for drone-related citizen complaints by December 30, 2016.

Response. The City of Orange is currently working on the introduction of a new city website and once established will provide contact information for drone complaints. This may not occur until early 2017.

R5. Each City should post FAA drone ownership and operation education links on city-related websites, newsletters, and flyers by December 30, 2016.

Response. The City of Orange is currently working on the introduction of a new city website and once established will look for an appropriate location for information regarding drone ownership and operation education links. This may not occur until early 2017.

R9. The County and each City should formally gather data on recreational drone incidents within their jurisdictions and review these data annually and report the results

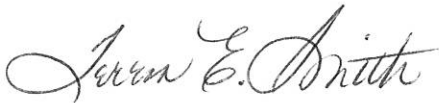
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publicly. The first analysis and publication should occur within 1 year of publication of this report.

Response. The recommendation requires further analysis to determine the benefits of such reporting. At this time the level of drone activity in the City of Orange is minimal. If this activity increases, we will review our data collection procedures and determine if additional reporting is necessary.

Thank you for your service and efforts on behalf of the City of Orange. We hope this response will be helpful.

Sincerely,

A handwritten signature in cursive script that reads "Teresa E. Smith".

Teresa E. Smith
Mayor, City of Orange

cc: The Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701