

DATE: September 1, 2022

MEMO TO: Julie Simpson, Chair
Finance Committee

FROM: Mary E. Kann
Director of Administration

RECOMMENDATION: (1) Recommend approval of an Ordinance adding Personnel Policy 11.12 – Drone Use to the District’s Personnel Policies & Procedures, and (2) approve the Procedures Section for Personnel Policy 11.12.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: There is no immediate direct financial impact.

BACKGROUND: The District has interest in purchasing and using Unmanned Aerial Vehicles (known as “UAV’s” or “Drones”) for a variety of job tasks. Staff use of Drones would include documenting ecological restoration and facility improvements projects; acquiring geospatial data for preserve planning projects; assisting with missing person cases and other public safety needs; and capturing images and video for marketing, educational and fundraising purposes. However, prior to purchasing a Drone, staff recommends that the District adopt a personnel policy (the “Policy”) to ensure compliance with legal obligations surrounding the use of Drones, and, to reduce risk in the areas of safety, security and privacy. The Policy will provide information regarding Drone usage, including rules and regulations, and ensure the District is complying with Federal Aviation Administration laws and requirements, state laws, data retention policies and any other applicable laws and/or regulations regarding Drones.

Therefore, staff recommends that Policy 11.12 – Drone Use be added to the District’s Personnel Policies & Procedures as provided in the attached Ordinance.

REVIEW BY OTHERS: Chief Operations Officer, Director of Finance, Director of Planning, Manager of Human Resources & Risk, Corporate Counsel.

MOTION: Motion to (1) recommend approval of an Ordinance adding Personnel Policy 11.12 – Drone Use to the District’s Personnel Policies & Procedures, and (2) approve the Procedures Section for Personnel Policy 11.12, in the form attached to staff’s September 1, 2022 memorandum.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR SEPTEMBER MEETING
SEPTEMBER 13, 2022**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **FINANCE COMMITTEE** presents herewith “An Ordinance Adding Policy 11.12 – Drone Use to the District’s Personnel Policies & Procedures” and requests its approval.

FINANCE COMMITTEE:

Date: _____ Roll Call Vote: Ayes: ____ Nays: ____

Voice Vote Majority Ayes: Nays: ____

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE ADDING POLICY 11.12 – DRONE USE
TO THE DISTRICT’S PERSONNEL POLICIES & PROCEDURES**

WHEREAS, on March 19, 1976 the Lake County Forest Preserve District (the “District”) passed and approved certain Personnel Policies & Procedures, which have been amended from time to time (the “Policies”); and

WHEREAS, the District has interest in purchasing one or more Unmanned Aerial Vehicles (“Drones”); and

WHEREAS, it is in the best interests of the District to add a new Policy (Policy 11.12 – Drone Use) to establish policies related to the safe and lawful use of Drones; and

WHEREAS, the new Policy shall be in the form of Exhibit A attached to this Ordinance and incorporated herein by this reference (the “New Policy”);

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois, **THAT**:

Section 1: Recitals. The recitals set forth above are incorporated as a part of this Ordinance by this reference.

Section 2: Approval of New Policy. The New Policy is hereby approved and the Policies are hereby amended to include the New Policy.

Section 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2022

AYES:

NAYS:

APPROVED this ____ day of _____, 2022

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gagnani, Board Secretary
Lake County Forest Preserve District

Exhibit No. _____



11.12 Drone Use

Effective Date: September 13, 2022

Policy

It is the policy of the District to ensure compliance with legal obligations surrounding the use of Unmanned Aerial Vehicles (UAV or Drone) and reduce risk in the areas of safety, security and privacy. A Drone is an aircraft without a human pilot aboard that is controlled remotely and is further defined below. The operation of unmanned domestic aircraft systems, including Drones, are regulated by the Federal Aviation Administration (“FAA”) and relevant state and local laws.

Definitions

Certificate of Authorization (COA): shall mean an authorization issued by the FAA’s Air Traffic Organization (ATO) to the District for specific Drone activity.

Drone: shall mean an unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment necessary to operate the unmanned aircraft.

Visual Observer: shall mean another person who assists the Drone pilot in keeping the Drone in visual line-of-sight at all times and scan the surrounding for potential collision hazards.

Procedure

Authorized uses of Drones by District employees include:

1. Documenting preserve use, education programs, fundraising, facility improvements, ecological restoration activities or restoration projects, public events, planning purposes, and for public safety and law enforcement needs.
2. Drone usage must align with any applicable FAA Certificate of Authorization restrictions, the policies described in Title 14 of the Code of Federal Regulation (14 CFR) Part 107, and all other applicable laws.

Unauthorized uses of Drones by District employees include:

1. Any usage that violates the FAA Certificate of Authorization (COA), Title 14 of the Code of Federal Regulation (14 CFR) Part 107, or other applicable laws.
2. Use of a Drone to monitor, photograph, or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include but are not limited to restrooms, locker rooms, District housing units, changing or dressing rooms, etc.



3. Personal use of a District-owned Drone
4. Monitoring or recording the interiors of buildings including hallways, break rooms, and office spaces.
5. Monitoring or recording sensitive District or personal information, which may be found, for example, in individual's workspaces or on computer or other electronic displays.
6. Usage that violates privacy rights or civil rights and liberties.
7. Monitoring and recording of property not owned or controlled by the District without the property owner's consent.

Data Retention and Transparency

Information obtained via a Drone may be subject to Freedom of Information Act (FOIA) requests, the Local Records Act and other State laws. Data retention and disposal of information obtained via a Drone will comply with District Personnel Policy 8.14 and relevant state and federal laws.

Employee Drone Usage

1. The Drone operator, also known as the pilot-in-command (PIC), must have a remote pilot certificate under the FAA's Part 107 rules and regulations and shall obtain at least three hours of training with a certified Drone pilot prior to operating as PIC of a District-owned Drone.
2. The PIC shall conduct a preflight inspection and determine that the Drone is in safe operating condition for flight.
3. The PIC must maintain a visual line-of-sight with the Drone in-flight at all times and may only operate one Drone at a time.
4. The PIC shall also utilize a Visual Observer to assist in maintaining a visual line-of-sight with the Drone.
5. The PIC may not operate a Drone from a moving vehicle.
6. The PIC may use a Drone only in compliance with a Certificate of Authorization from the FAA.
7. The PIC may not use a Drone within five miles of an airport unless approved by the FAA.
8. The PIC may not use a Drone at an altitude over 400 feet above ground level.
9. Prior to a Drone flight, the PIC shall provide notification of the flight to the PT Alert email notification group.



10. When flying over preserve patrons, the PIC will provide notice, through preserve signage or other means, to preserve patrons of the general timeframe during which, and the general area over which, the Drone may collect imagery.