

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SANTA CLARA,
CALIFORNIA, AMENDING CHAPTER 8.60 (“UNMANNED
AIRCRAFT SYSTEMS”) OF TITLE 8 (“HEALTH AND
SAFETY”) OF “THE CODE OF THE CITY OF SANTA
CLARA, CALIFORNIA”**

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, In August 2015, the City Council approved Ordinance No. 1942 creating Chapter 8.60 (“Unmanned Aircraft Systems”) of Title 8 (“Health and Safety”) of the Santa Clara City Code, to promote public safety particularly for attendees at large venue public events by regulating the operation of unmanned aircraft systems (UAS) commonly referred to as “drones”;

WHEREAS, The Federal Aviation Administration (FAA) has since issued updated guidance, as set forth in the 2023 Fact Sheet on “State and Local Regulation of Unmanned Aircraft Systems,” reaffirming the FAA’s exclusive authority over airspace and air safety regulation and limiting what cities can lawfully restrict;

WHEREAS, Since 2015, the technology of UAS has advanced significantly allowing for increases in distances travelled, camera technology, and battery life;

WHEREAS, FAA restrictions include flight restrictions over sensitive areas such as stadiums and critical infrastructure, but these restrictions cannot be enforced by the Santa Clara Police Department due to jurisdictional rules;

WHEREAS, safety and privacy concerns surrounding the use of UAS extend to major events occurring City-wide in addition to the Stadium events, to use in City parks, over schools and critical infrastructure, and over private property; and

WHEREAS, in the interests of promoting public safety and protecting privacy rights, the

City Council now desires to amend the existing drone ordinance as set forth below.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: That Chapter 8.60 (entitled “Unmanned Aircraft Systems”) of Title 8 (entitled “Health and Safety”) of “The Code of the City of Santa Clara, California,” (“SCCC”) is repealed in its entirety and replaced with the following:

**“Chapter 8.60
UNMANNED AIRCRAFT SYSTEMS**

Sections:

8.60.010 Purpose and intent.

8.60.020 Definitions.

8.60.030 Prohibitions.

8.60.040 Exemptions.

8.60.050 Enforcement.

8.60.010 Purpose and intent.

This chapter is intended to promote public safety City-wide and to specifically address the safety of people attending Major Events, as defined. To promote public safety, the City is implementing takeoff and landing restrictions by Unmanned Aircraft Systems as well as flight restrictions over specific areas. This ordinance is intended to operate in conjunction with any applicable existing laws and regulations, including those of the Federal Aviation Administration.

8.60.020 Definitions.

(a) “Levi’s® Stadium” shall mean the multipurpose stadium located on 4900 Marie P. DeBartolo Way, all lots located in the vicinity of such multipurpose stadium that permit patrons of licensed events to park motor vehicles, and all land and improvements thereon located within the immediate vicinity of such multipurpose stadium that are owned and/or operated by the owner of such multipurpose stadium.

(b) “Major event” shall mean any sporting event, concert or other form of entertainment occurring at Levi’s® Stadium; any sporting event, concert or other form of entertainment occurring at Santa Clara University facilities; or any event held in a public park, public streets, or open-air facility that is open to the public, and intended to attract people, with a capacity of more than 1,000 people.

(c) “Unmanned Aircraft” shall mean any device that is intended to navigate in the air without an onboard pilot and any aircraft that is operated without the possibility of human

intervention from within or onboard the aircraft. The term "unmanned aircraft" includes any homemade or commercially available device also known as a "drone."

(d) "Unmanned Aircraft System" shall mean any unmanned aircraft and associated elements, including communication links and any components that control the unmanned aircraft or that are required for the pilot in command to operate safely and efficiently in the national airspace system.

8.60.030 Prohibitions.

(a) Takeoffs and landings. Except as set forth in section 8.60.040 below, it shall be unlawful for any person to initiate the takeoff or landing of an Unmanned Aircraft or Unmanned Aircraft System:

(1) Within a one-mile radius of, and within two hours before or after, a Major Event occurring within the City of Santa Clara, including, but not limited to, parades, outdoor concerts, street dances, festivals, art shows, sporting and recreational events, or large-scale community gatherings; and

(2) Within a two-mile radius, and within three hours before or after, any Major Event held at Levi's® Stadium; and

(3) In any City of Santa Clara public park.

(b) Flight and privacy restrictions. Except as set forth in section 8.60.040 below, it shall be unlawful for any person to operate an Unmanned Aircraft or Unmanned Aircraft System below 200 feet above ground level (AGL):

(1) Over any public or private school facilities during school hours;

(2) Over certain types of critical infrastructure including:

i. Emergency services facilities;

ii. Energy sector facilities that include electricity, oil, and/or natural gas resources.

(3) Over private property in a manner that harasses or violates the privacy rights of individuals present on the private property.

8.60.040 Exemptions.

(a) This chapter shall not prohibit the use of Unmanned Aircraft Systems by any public safety agency or department for lawful purposes and in a lawful manner.

(b) The takeoff and landing of an Unmanned Aircraft or Unmanned Aircraft System as proscribed herein may be permitted by the Chief of Police, or designee. The grant of such a permit shall not excuse the permittee from compliance with all applicable laws and

regulations in the operation of their Unmanned Aircraft or Unmanned Aircraft System.

8.60.050 Enforcement.

Pursuant to SCCC 1.05.070 and Chapter 8.45 SCCC, the City, in its prosecutorial discretion, may enforce violation(s) of the provisions of this chapter as a criminal, civil, and/or administrative action. Violators may be guilty of a misdemeanor. Equipment flown in violation of this chapter may be confiscated.”

SECTION 2: Ordinances Repealed. Excepting the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

SECTION 3: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 4: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this 21st day of October, 2025, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
None