

# City of Seattle

## Unmanned Aircraft System for Film Production: Conditions for Use

All Unmanned Aircraft System (UAS) use must comply with FAA regulations. Operators must either obtain a Section 333 Exemption from the FAA or operate in compliance with 14 CFR Part 107.

All operations in City of Seattle right-of-way shall comply with the City of Seattle Traffic Control Manual for In-Street Work and Parks Use Permit for Parks Property Work.

All aircraft operations must adhere to the following conditions:

### CONDITIONS FOR USE – UNMANNED AIRCRAFT

- 1) Operator must operate in compliance with the provisions of a valid Section 333 Exemption or 14 CFR Part 107 requirements. Operator must comply with any and all additional conditions and limitations set by applicable FAA regulations.
- 2) For 14 CFR Part 107 compliance, Operator must provide City of Seattle Office of Film + Music a valid remote pilot certificate with a small UAS rating, and otherwise comply with all 14 CFR Part 107 requirements, including:
  - a) UAV must weigh less than 55 lbs. (25 kg)
  - b) Visual line-of-sight (VLOS) only; the unmanned aircraft must remain within VLOS of the operator or visual observer. At all times the small unmanned aircraft must remain close enough to the operator for the operator to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses.
  - c) Small unmanned aircraft may not operate over any persons not directly involved in the operation of the aircraft/drone.
  - d) Daylight-only operations, or civil twilight (30 minutes before official sunrise to 30 minutes after official sunset, local time) with appropriate anti-collision lighting
  - e) Must yield right-of-way to other aircraft, manned or unmanned.
  - f) May use visual observer (VO) but not required.
  - g) First-person view camera cannot satisfy “see-and-avoid” requirement but can be used as long as requirement is satisfied in other ways.
  - h) Maximum airspeed of 100 mph (87 knots).
  - i) Maximum altitude of 400 feet above ground level.
  - j) Minimum weather visibility of 3 miles from control station.
  - k) No person may act as an operator or VO for more than one unmanned aircraft operation at one time.
  - l) No careless or reckless operations.
  - m) Requires preflight inspection by the operator
- 3) Operator must provide the City with a signed declaration that the intended area of operation is within Class G airspace.
- 4) Operator must provide City of Seattle Office of Film + Music an FAA written confirmation in the form of a Certificate of Waiver or Certificate of Exemption for any of the following:
  - a) Operation outside Class G designated airspace
  - b) Operation is from a moving vehicle or aircraft
  - c) Operation is not within daylight hours
  - d) Operation is not within visual line of sight of UAS
  - e) Operation of multiple UAS
  - f) Operation over non-participating human beings
  - g) Operation in otherwise restricted airspace

- 5) If operations are conducted over private property, the Operator or Production Company must obtain permission from the property owner/controller of the property.
- 6) Operator must submit a "Description of Activities" to the City of Seattle Office of Film + Music a minimum of three (3) full business days prior to the shoot. The Plan of Activities shall include:
  - a) A detailed map/diagram of the flight plan, areas closed to the general public
  - b) A description of the dates and times of operation
  - c) A plan for operation
- 7) Operator and Production Company are responsible for ensuring that the UAS is not operated over human beings, except those directly participating in the operation of the UAS. Operator and Production Company shall prevent pedestrians and vehicles that are not participating in the operation of the UAS from entering the Closed area.
- 8) Operator and Production Company are responsible for ensuring that the UAS is operated in compliance with any other applicable law, including but not limited to SMC 12A.10.120 – Voyeurism in Public Places; RCW 9A.44.115 – Voyeurism and SMC 12A.06.050 – Reckless Endangerment.
- 9) Only uniformed SPD officers, hired at the expense of the Production, are allowed to control vehicular traffic during operation. Production personnel may control pedestrian access during operation.
- 10) Operator or Production Company are required to deliver advanced notice to all properties within view of the operation a minimum of 72 hours prior to the activity. This notification shall include the name and phone number of a knowledgeable person associated with the production and its activities, timing of the activity, and map showing the controlled areas. The City of Seattle Office of Film + Music may set additional parameters conditions for this notification requirement.
- 11) UAS, any equipment, and all personnel must stay a minimum of 10' away from any overhead wires at all times.
- 12) Operator shall obtain and maintain continuously, at its own expense, Drone Aviation Liability Coverage to include in-flight operations, Bodily Injury, Property Damage, and Personal Injury coverage. Coverage shall also include Invasion of Privacy and Trespass. Production company and Operator ensure no likeness, real or intended, of any person will be used in the broadcasted product without written consent of that person. In lieu of the Drone insurance policy, we will accept a general liability or aviation liability insurance policy that does not exclude Drone coverage. Minimum limits shall be \$2,000,000 combined single limit each occurrence. Operator shall also maintain any other applicable policies of insurance required and approved by the City's Risk Manager. Drone or Aviation Insurance must include an additional insured endorsement naming the City of Seattle, a waiver of subrogation, and be primary and non-contributory.
- 13) Production Company shall obtain and maintain continuously, at its own expense, evidence of \$1,000,000 Comprehensive General Liability insurance coverage and any other applicable policies of insurance required and approved by the City's Risk Manager as described in the Seattle Film Manual.
- 14) Operator and Production Company shall ensure that only the individuals listed in the Aviation Liability Insurance policy endorsement operate the UAS.

**DEFINITIONS:**

- Operator: The company/person that is authorized by FAA regulations to fly an unmanned aircraft system.
- Unmanned Aircraft System (UAS): An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.
- Drone: An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.
- Production Company: As defined in the Seattle Master Film Permit.