

(Published in *The Journal Record* May 22, 2024)

ORDINANCE NO. 27,599

**AN ORDINANCE RELATING TO PARKS, RECREATION, CULTURAL AFFAIRS, ETC., AMENDING CHAPTER 38 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2020, BY AMENDING THE TITLE OF DIVISION 10 - MODEL AIRCRAFT - LAKE STANLEY DRAPER RESERVATION AND SECTION 38-309 - RESTRICTED AREAS, SECTION 38-309.1 - PERMITS AND SECTION 38-309.2 - REGULATIONS; RESTRICTIONS, AND SECTION 38-309.3 - AUTHORITY OF THE UTILITIES DIRECTOR, DIRECTOR AND POLICE CHIEF; AND AMENDING CHAPTER 60 - GENERAL SCHEDULE OF FEES, TITLE 38 – PARKS, RECREATION, CULTURAL AFFAIRS, ETC., BY AMENDING SECTION 60-38-45 - MODEL AIRCRAFT PERMITS.**

**ORDINANCE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:**

**SECTION 1.** The title of Division 10 and sections 38-309, 38-309.1, and 38-209.2 of Article V of Chapter 38 of the Oklahoma City Municipal Code, 2020, are hereby amended to read as follows:

**CHAPTER 38**

**PARKS, RECREATION, CULTURAL AFFAIRS, ETC.**

\* \* \*

**ARTICLE V. – LAKE RESERVATIONS IN GENERAL**

**DIVISION 10. MODEL AIRCRAFT - ~~LAKE STANLEY DRAPER RESERVATION~~ ALL CITY OR TRUST-OWNED OR CITY OR TRUST-OPERATED LAKE RESERVATIONS**

### **§ 38-309. Restricted areas.**

- (a) No person may operate a model aircraft, as defined in this chapter, upon any City or Trust-owned or City or Trust-operated lake reservation, or upon the lands of the West Elm Creek Reservation, except as provided in Subsection (b).
- (b) Model aircraft may be operated only on the model aircraft flying area specifically designated and posted by the Utilities Director for model aircraft.
- (c) Model aircraft shall be operated in a designated model aircraft flying area and subject to the regulations, restrictions and permit requirements.
- (d) Model aircraft operation is prohibited at the Lake Overholser Reservation.
- (e) Persons are prohibited from flying model aircraft over City or Trust owned or City or Trust-operated lake reservation water treatment facilities, generator facilities, and dam areas.

### **§ 38-309.1. Permits.**

- (a) A permit is required for the operation of model aircraft on any City or Trust-owned or operated reservation area so designated for such purpose. Permits will be sold only at the place or places designated by the Utilities Director.
- (b) Persons must have a current, valid Academy of Model Aeronautics (AMA) membership card in their possession and another form of identification issued by a government entity or school to obtain a permit and while operating a model aircraft. Any person whose AMA membership has been suspended or revoked may not obtain a permit or operate a model aircraft.
- (c) As a prerequisite to obtaining a model aircraft permit, the applicant or the applicant's parent or legal guardian, if the applicant is under 18 years of age, must sign a liability release statement. The liability release statement for a person under 18 years of age must be signed by that person's parent or legal guardian.
- (d) The issuance of a model aircraft permit shall not authorize nor be deemed to authorize permittee to operate any model aircraft on any City property other than designated areas or to obviate any other regulation or restriction in any other ordinance, statute, or law regarding the operation of model aircraft.
- (e) Annual permits shall be effective for the permit year from January 1 through December 31 regardless of when the permit is purchased, provided however permits may be purchased in advance for the next permit year. Daily permits shall be effective only until midnight of the day referenced on the daily permit and may be purchased in advance. Guest permits are effective for 30 days from date of purchase until midnight of the 30<sup>th</sup> day and may be purchased in advance.
- (f) Neither permit purchasers nor permit dealers shall be entitled to any exchange, refund, rebate or discount on subsequent purchase for any lost or misplaced permits. No permittee shall be entitled to any refund, rebate, or discount on subsequent purchase due to the revocation or suspension of a model aircraft permit under this article. In addition, permits may not be returned for any exchange, refund, rebate, or discount on subsequent purchases after the commencement of the term of the permit.

- (g) Upon request by the Oklahoma City Police, Utilities Director and/or designee, persons must show AMA membership card and another form of identification issued by a government entity or school.

**§ 38-309.2. Regulations; restrictions.**

The operation of model aircraft on any City or Trust-owned or operated reservation is subject to the following restrictions and regulations:

- (a) no person shall operate model aircraft between the hours of sunset and sunrise except by special permit issued by the Utilities Director or designee.
- (b) no person shall operate model aircraft in a careless or reckless manner; shall avoid flying directly over unprotected people, vessels, vehicles or structures and shall avoid endangerment of life and property of others.
- (c) all model aircraft must be operated by an experienced operator who has the skills to successfully demonstrate all maneuvers intended or anticipated.
- (d) an inexperienced operator must be assisted by an experienced operator.
- (e) a safety line(s) must be established in front of which all flying takes place and only persons associated with flying the model aircraft are allowed at or in front of the safety line.
- (f) the flying area must be clear of all nonessential participants and spectators before the engine is started.
- (g) an area away from the safety line must be maintained for spectators.
- (h) an area for safe model aircraft fueling must be established.
- (i) no person shall place fuel at the model aircraft flying area except in the established safe fueling area.
- (j) all persons shall at all times conduct themselves and their activities in a manner that will prevent pollution and migration of oil, gas, fuel or other substance into an Oklahoma City water reservoir or watershed areas of Oklahoma City water reservoirs.
- (k) no person shall camp on the designated model aircraft flying area except by special permit for special model aircraft flying events issued by the Utilities Director or designee.
- (l) no person shall smoke on the designated model aircraft flying area.
- (m) no person shall operate model aircraft carrying pyrotechnic devices which explode or burn, or any device which propels a projectile or drops any object that creates a hazard to persons or property.
- (n) no person shall operate a model aircraft while under the influence of an intoxicating substance or a controlled dangerous substance or while in a drunken, intoxicated, inebriated, or stupefied condition.

- (o) parking is only allowed in designated and marked parking spaces on model aircraft flying areas.
- (p) no person operating a model aircraft on a City or Trust-owned or operated reservation shall fail to obey a lawful order of the Utilities Director, a police officer, or security personnel nor shall any person fail to abate any conduct, which violates this Code or creates a hazard to the public or to a reservoir or a reservation.
- (q) all operators of model aircraft must produce their model aircraft permits for inspection by City employees or other individuals as may be designated by the Utilities Director or the Parks and Recreation Director to oversee model aircraft activities on any City- or Trust-owned or operated reservation.
- (r) the Utilities Director, Chief of Police, and the Parks and Recreation Director shall have the authority to permanently revoke or temporarily suspend any model aircraft permit for violation of any provisions of this Code and for any damage caused to property or injury caused to any person.
- (s) no person shall fly higher than approximately 400 feet above ground within three miles of any airport or United States Air Force Base airport.
- (t) no person shall interfere with operations and traffic patterns of an United States Air Force Base airport.
- (u) Academy of Model Aeronautics National Model Aircraft Safety Code and any amendment thereof is hereby incorporated by reference.

**§ 38-309.3. - Authority of the Utilities Director, the Parks and Recreation Director and Police Chief.**

- (a) The Utilities Director, the Parks and Recreation Director, and the Police Chief each have the authority to close a model aircraft area at anytime without prior notice.
- (b) The Utilities Director, the Parks and Recreation Director, and the Police Chief each have the authority to further limit the types of mode aircraft used in model aircraft areas.
- (c) No person shall violate a closure order. Any person who violates a closure order shall be subject, upon conviction, to be guilty of a Class "b" offense.

\* \* \*

**SECTION 2.** Section 60-38-45 of Article V of Title 38 of Chapter 60 of the Oklahoma City Municipal Code, 2020, are hereby amended to read as follows:

**CHAPTER 60**

\* \* \*

**TITLE 38. PARKS, RECREATION, CULTURAL AFFAIRS, ETC.**

\* \* \*

**ARTICLE V. – LAKE RESERVATIONS IN GENERAL**

**§60-38-45. Model aircraft permits.**

Permits to operate model aircraft in a designated area at Lake Stanley Draper Reservation are as follows:

Annual, youth (under 18 years)	\$25.00
Daily, youth (under 18 years)	\$5.00
Annual, adult (18 and older)	\$50.00
Daily, adult (18 and older)	\$10.00

Permits to operate model aircraft in a designated area at Lake Hefner Reservation are as follows:

Annual, youth (under 19 years)	\$15.00
Annual, adult (19 and older)	\$50.00
Guest, adult 30 days	\$15.00

Annual permits are only effective for the permit year stated on the permit. All annual permits expire at midnight December 31. Daily permits are only effective for the date stated on the permit until sunset or until the City-operated reservation is closed for whatever reason, whichever comes first.

\* \* \*

**INTRODUCED AND READ** in open meeting of the Council of The City of Oklahoma City, Oklahoma this 23RD day of APRIL, 2024.

**PASSED** by the Council and **SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma this 21ST day of MAY, 2024.

ATTEST: (Seal)

Amy K Simpson  
CITY CLERK



David Holt  
MAYOR

**REVIEWED** for form and legality.

Frank Nye  
Assistant Municipal Counselor