

LOCAL LAW NO. 2 of 2026
Town of Ossining

A Local Law known and cited as Unmanned Aircrafts and Unmanned Aircraft Systems in the
Town of Ossining

Be it enacted by the Town Board of the Town of Ossining as follows:

SECTION 1. Legislative Intent. The Town of Ossining Town Board adopts this local law for the purposes of, to the extent practicable, ensuring the protection of the health, safety and welfare of the community by regulating the circumstances under which Unmanned Aircrafts and Unmanned Aircraft Systems, commonly known as drones, can be used in the unincorporated Town of Ossining and on Town-owned property

SECTION 2. The Town Board hereby creates a new Chapter 184 of the Town Code entitled “Unmanned Aircrafts and Unmanned Aircraft Systems” as follows:

§ 184-1. Scope; applicability.

- A. The provisions of this article shall apply to the operation of unmanned aircrafts and/or unmanned aircraft systems (“UAS”) on or near all properties in the Town of Ossining or owned by the Town of Ossining, including residential, commercial or otherwise.
- B. The Town Board recognizes that the Federal Aviation Administration ("FAA") currently authorizes and regulates the use of UAS used for commercial purposes. The provisions of this article shall be deemed to supplement applicable federal, state and local laws, ordinances and regulations. Nothing in this article shall be deemed to abolish, impair, supersede, or replace existing remedies or existing requirements of other laws, ordinances or regulations. In case of a conflict between any provisions of this article and any other applicable federal, state or local law or regulation, the more stringent provision shall prevail.

§ 184-2. Definitions.

As used in this Chapter, the following terms shall have the indicated meanings:

AIRCRAFT

A vessel used or designed for navigation of or flight in the air.

COMMERCIAL USE

Use of an unmanned aircraft system for business and/or use with a sole or chief emphasis on salability, profit or success.

MANNED AIRCRAFT

Aircraft that is carrying on or being operated by one or more persons.

PILOT

A person, entity or agency responsible for flying, steering or guiding an unmanned aircraft or UAS; to operate or control the course of an unmanned aircraft or UAS.

PROPERTY

Any land improved or unimproved, within the Town of Ossining, whether publicly or privately owned.

RECREATIONAL USE

Use of an UAS for pastime or diversion for the purpose of affording relaxation and enjoyment.

SURVEILLANCE

Continuous observation of a place, person, group, property or ongoing activity typically without the subject of the observation having knowledge of same.

UNMANNED AIRCRAFT

(Also known as "Drone" or "Model Aircraft") A non-human carrying aircraft weighing no more than 55 pounds, capable of sustained flight in the atmosphere intended exclusively for sport, recreation, education and/or competition and typically is guided by remote control or onboard computers.

UNMANNED AIRCRAFT SYSTEM (UAS)

An unmanned aircraft and its associated elements including communication links and components that control the unmanned aircraft.

VISUAL LINE OF SIGHT (VLOS)

The distance at which the pilot of an UAS is able to maintain visual contact with the aircraft and determine its orientation without enhancements other than corrective lenses.

§ 184-3. General prohibitions.

Except as otherwise provided in this article, no person, business entity, or agency shall use an unmanned aircraft in the following manner:

- A. Use of imaging technology for aerial surveillance with an unmanned aircraft and/or UAS having the capability of obtaining high-resolution photographs and/or video, or using any types of sensors for the collection, retention, or dissemination of surveillance data or individuals, homes, businesses, or property at locations where there is a reasonable expectation of privacy. Said conduct is strictly prohibited unless written express permission is obtained from the individual property owner or manager.
- B. No unmanned aircraft may take off/launch from, land on or be piloted on private property without the express written consent of the property owner and/or property manager.
- C. No unmanned aircraft may take off/launch from, land on or be piloted from within the border of any real property owned, used or leased by the Town of Ossining without a permit as detailed in this article.
- D. Pilot an unmanned aircraft in a manner that interferes with manned aircraft(s).

- E. Pilot an unmanned aircraft outside of the pilot's VLOS.
- F. Pilot an unmanned aircraft higher than 400 feet from the ground.
- G. Pilot an unmanned aircraft near or over unprotected persons or moving vehicles at a height less than 50 feet from same or over watercraft less than 50 feet above the craft's highest point or within 100 feet of any aircraft, balloon, kites or other airborne device.
- H. Pilot an unmanned aircraft above the property lines of a school, house of worship or government buildings without express written consent.
- I. Pilot an unmanned aircraft that is capable of launching, shooting or dropping, or attaching a device to the unmanned aircraft that is capable of launching, shooting or dropping a projectile or object of any kind. This includes any form of laser light.
- J. Pilot an unmanned aircraft under the influence of drugs and/or alcohol.
- K. Pilot an unmanned aircraft in adverse weather conditions such as high winds, fog and/or reduced visibility.
- L. Pilot an unmanned aircraft near or over sensitive infrastructure or property such as commuter rail road station, water treatment facility, power stations and heavily travelled roadways in the Town of Ossining.

§ 184-4. Permit required.

- A. No person, business entity, or agency shall take off/launch from, land on or pilot an unmanned aircraft within the borders of any real property owned, used or leased by the Town of Ossining unless a permit for such activity has been issued by the Town Clerk upon approval of the Town Supervisor.
- B. No person, business entity, or agency shall take off/launch from, land on or pilot an unmanned aircraft within the borders of the unincorporated Town of Ossining for commercial purposes unless a permit for such activity has been issued by the Town Clerk upon approval of the Town Supervisor.

§ 184-5. Application for permit; requirements.

- A. An application in a form approved by the Town Board for a permit to take off/launch from, land on or pilot an unmanned aircraft within the borders of any real property owned, used or leased by the Town of Ossining or to take off/launch from, land on or pilot an unmanned aircraft within the borders of the unincorporated Town of Ossining for commercial purposes shall be fully completed and signed by the person, business entity or agency seeking to conduct such activity. The application shall be submitted to the Town of Ossining Clerk's Office no less than 10 business days prior to the commencement of the planned activity, unless otherwise authorized. The application shall include the

following information where available:

- (1) The name, address, telephone number and email address of the person, business agency or entity seeking to conduct the activity.
- (2) The date of the planned activity.
- (3) Description of any photographic, video and/or recording capabilities of the unmanned aircraft as well as any attachments to the unmanned aircraft.
- (4) The pilot's Academy of Model Aeronautics (AMA) membership number, if any, or, where applicable, the unmanned aircraft's FAA registration number.
- (5) A statement as to whether the planned activity is for recreational or commercial use as defined herein. If the planned activity is for commercial use, a description of the planned activity.
- (6) The area over which the planned activity is proposed to be conducted as well as starting and termination points.
- (7) The times when the planned activity is proposed to commence/terminate.
- (8) Filing fee.

B. Insurance requirement. As part of the application for a permit to take off/launch from, land on or pilot unmanned aircraft within the borders of any real property owned, used or leased by the Town of Ossining or to take off/launch from, land on or pilot an unmanned aircraft within the borders of the unincorporated Town of Ossining for commercial purposes as defined in this article, the applicant shall, in addition to the requirements set forth herein, provide:

- (1) proof of liability insurance in the form of a certificate of insurance to the Town Clerk. Such certificate shall name the Town of Ossining, its elected officials and employees as additional insureds for general liability and automobile liability insurance. The insurance shall provide minimum coverage for general liability and automobile liability (per occurrence and aggregate) in amounts satisfactory to the Town's insurance carrier with the policies being on a primary and noncontributory basis with waivers of subrogation. The applicant shall also provide proof of statutory workers' compensation and disability insurance.
- (2) An executed hold harmless/indemnification agreement in a form approved by the Town Board whereby the applicant agrees to indemnify and save harmless the Town, elected officials and employees from and against all claims, damages, loss and expense (including, but not limited to reasonable attorneys' fees) sustained by any person or persons arising out of the permitted activity, provided that any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property caused by the negligent or intentional act of the applicant, the applicant's employees and agents.

- C. Fees. The fee for a permit described in this section will be set by the Town Board and will be published in the annual fee schedule.

§ 184-6. Duties and conduct of permittee.

- A. A permittee shall comply with all permit terms and conditions, this article and any rules and regulations promulgated pursuant to the Town of Ossining Code as well as all applicable laws and ordinances, including, without limitation, rules and regulations promulgated by the AMA in the case of recreational use or 14 CFR Part 107 in the case of commercial use of unmanned aircraft.
- B. The person, business entity or agency issued the permit shall have the permit in his/her immediate possession at all times during the conduct of the planned activity and shall display the permit on demand of any person authorized to enforce this article.
- C. The permittee shall operate the unmanned aircraft in a manner consistent with the permit issued by the Town and the provisions contained therein.
- D. Revocation. Violation of the term of a permit, this article, or any rules and regulations promulgated pursuant to the Town of Ossining Code shall result in the permit being revoked. Any such violation shall also be cause for denial of future permits. If a permit is revoked, the fees for such permit shall not be refunded.

§ 184-7. Exceptions.

The above permit requirements shall not apply to the use of UAS for active law enforcement or fire department activities, educational activities, or where same is authorized by license or permit under the laws and regulations of the United States of America, the State of New York, or as a function of any department of the Town of Ossining.

§ 184-8. Enforcement.

This article shall be enforced by the Police Department contractually responsible for enforcing the laws of the Town of Ossining.

§ 184-9. Penalties for offenses.

- A. Any person, business entity or agency committing an offense against the provisions of this article shall, upon conviction thereof be subject to a fine of not less than \$500 nor more than \$1,000, a term of imprisonment not exceeding 15 days or both for a first offense; a fine not less than \$1,000 nor more than \$2,000 a term of imprisonment not exceeding 15 days or both for a second offense committed within 12 months of the first offense; a fine not less than \$2,000 nor more than \$4,000, a term of imprisonment not exceeding 15 days or both for third and subsequent offenses committed within 18 months of the first offense. The continuation of an offense against the provisions of this article

shall constitute a separate and distinct offense for each day the offense is continued.

- B. The imposition of penalties herein prescribed shall not preclude the Town or any person from instituting an appropriate legal action or proceeding in a court of competent jurisdiction in the name of the Town of Ossining for necessary relief which may include civil penalties of up to \$500 per day; an action to compel compliance with or to restrain by injunction the violation of this article and such other remedies that the Town Board considers necessary and proper.

SECTION 3. Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law that can be given effect without such invalid provision.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF OSSINING