



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 16, 2007

ITEM NUMBER:

SUBJECT: MUNICIPAL CODE AMENDMENT AMENDING TITLE 12, CHAPTER II, ARTICLES 2 AND 3 REGARDING THE FLYING OF MODEL AIRCRAFT AT FAIRVIEW PARK AND THE ESTABLISHMENT OF A PERMIT FEE

DATE: JANUARY 4, 2007

FROM: PUBLIC SERVICES DEPARTMENT

PRESENTATION BY: ROBERT STAPLES, FAIRVIEW PARK PLAN ADMINISTRATOR

FOR FURTHER INFORMATION CONTACT: ROBERT STAPLES, FAIRVIEW PARK PLAN ADMINISTRATOR (714) 754-5303

RECOMMENDATION

1. Give second reading to Ordinance 07-01 (Attachment 1), which amends Title 12, Chapter II, Articles 2 and 3 of the Costa Mesa Municipal Code creating a permit system to fly model aircraft at Fairview Park.
2. Establish an annual permit fee of \$20.00 for the administration of a permit system for individuals to fly model aircraft at Fairview Park.

BACKGROUND

A City-administered permit system has been developed by staff and requires amendments to the Costa Mesa Municipal Code for its proper establishment and enforcement. The permit system includes a permit application, rules and regulations, field rules, and the Academy of Model Aeronautics (AMA) Safety Code.

With the creation of a model aircraft permitting process, anyone wanting to fly a radio-controlled model aircraft at Fairview Park will need to register with the Recreation Services Department and obtain a permit. The Recreation Manager would oversee the permit process. To obtain a permit, the flyer would need to provide proof of liability insurance in the amount of \$500,000 either through the Academy of Model Aeronautics (AMA), their homeowner's insurance policy, or some other form acceptable to the City. As proposed by staff, the flyer would have to pay an annual fee of \$20.00 and agree to abide by the Model Aircraft Permit Application and Flying Regulations, the AMA Safety Code, Fairview Park Flying Field Rules, and Costa Mesa's Flying Regulations for Fairview Park Ordinance.

ANALYSIS

On January 2, 2006, City Council gave first reading of the attached ordinance with the following changes:

- Maximum weight limit of model aircraft allowed to fly at Fairview Park set at 10 pounds.
- The word "model" added to Section 12-62 (d).
- Section 12-63 (b) to read, "The suspension or revocation of permits issued to persons who do not comply with the regulations established in and pursuant to this article."
- Section 12-64 (a) to read, "The Recreation Manager shall cause to be posted at Fairview Park at least one sign that summarizes the regulations contained in and adopted pursuant

to this article. The sign shall be posted on or near the frequency board and at such other locations as deemed appropriate by the Recreation Manager. The sign shall state clearly that by flying model aircraft at Fairview Park, all pilots understand and agree to comply with all posted regulations and all applicable sections of this Code.

- Section 12-64 (d) to read, “The Recreation Manager shall cause to be prepared a flying plan which shall depict the areas at the park where model aircraft may be flown, including the take off and landing areas. The flying plan shall be in compliance with the regulations contained in and adopted pursuant to this article. The Recreation Manager shall have the flying plan posted on or near the frequency board.
- Section 12-65 (d) changed to, “Model aircraft may only take off and land in the designated take off and landing areas shown on the Fairview Park Master Plan (Attachment 2) which cannot be changed without City Council approval.”

ALTERNATIVES CONSIDERED

No other alternatives have been considered.

FISCAL REVIEW

It is estimated that Recreation Services clerical staff will spend 2.5 hours per month administering the permit program and the Recreation Manager two hours per month overseeing the process. A Park Ranger is expected to spend approximately two hours per month in the field enforcing the program. Based on the salaries of the employees involved in the program, the cost to run the program will be about \$2,190 annually.

At \$20 per year per user, it is estimated that \$2,000 in fees will be received annually through the permit process to help defray the costs of the program.

LEGAL REVIEW

The City Attorney’s office previously developed the proposed flying ordinance and resolution, as well as the proposed changes to the ordinance as requested by Council at their January 2, 2007, meeting.

CONCLUSION

1. It is recommended that the Council give second reading to Ordinance No. 07-01, which amends Title 12, Chapter II, Articles 2 and 3 of the Costa Mesa Municipal Code, relating to the permitting and regulation of model aircraft flying at Fairview Park.
2. By way of resolution, (Attachment 3) establish a \$20.00 permit fee to fly model aircraft at Fairview Park.

William J. Morris
Director of Public Services

Stephen N. Mandoki
Administrative Services Director

Robert Staples
Fairview Park Plan Administrator

Attachments: 1 - [Fairview Park Flying Regulation Ordinance 07-01](#)
2 - [Fairview Park Master Plan](#)
3- [A Resolution Adopting an Annual Permit Fee for Model Aircraft Flying at Fairview Park](#)

c: Allan Roeder, City Manager
Tom Hatch, Assistant City Manager
Kim Barlow, City Attorney
Jana Ransom, Recreation Manager
Carol Proctor, Management Analyst
Bart Mejia, Parks Project Manager

ModelAircraftPermitSecondReadingReport

1/03/07

4:20 p.m.