

**Pala Band of Mission Indians  
Ordinance No. 31  
Drone Operations on the  
Pala Indian Reservation**



**Adopted  
April 12, 2017**

**Pala Band of Mission Indians  
Ordinance No. 31  
DRONE OPERATIONS ON THE PALA INDIAN RESERVATION**

**Sections:**

- \*.010 Purpose**
- \*.020 Authority**
- \*.030 Territory and Jurisdiction**
- \*.040 Definitions**
- \*.050 Regulated Activities**
- \*.060 Prohibited Activities**
- \*.070 Violations**
- \*.080 Civil Forfeiture**

**\*.010 Purpose**

The purpose of this chapter is to protect the health, safety, and welfare of the people and natural resources of the Pala Band of Mission Indians (Tribe) by prohibiting and regulating persons from launching into flight, operating, and landing following flight, drones (as defined herein) during such times as the Band deems safe and appropriate.

**\*.020 Authority**

Pursuant to the Constitution of the Pala Band of Mission Indians, Article I, Section 2, the jurisdiction of the Pala Band shall extend to all lands within the exterior boundaries of the Pala Indian Reservation and shall also extend to lands which may be added to the Reservation in the future.

**\*.030 Territory and Jurisdiction**

The jurisdiction extends to Tribal land held in trust by the United States of America, whether assigned, allotted or tribal lands. The Tribe's jurisdiction includes any lands held in fee by the Pala Band, by members of the Pala Band, or by non-members including individuals, partnerships, corporations, or other business entities and to and mining claims and homestead within the exterior boundaries of the Reservation. Furthermore, this jurisdiction shall also extend to all persons and entities within the exterior boundaries of the Reservation and to all lands, surface, waters, ground waters, river beds, submerged lands, properties, air and air space, minerals, natural resources and any other resources. The Pala Band of Mission Indians retains the right to and shall exercise its inherent tribal jurisdiction in all respects to the fullest extent allowed by law.

## **\*.040 Definitions**

As used in this chapter:

- A. "Drone" is defined as an unmanned aircraft or aerial vehicle, also known as a remotely piloted aerial system, used for either recreational or commercial purposes; which carries a payload consisting of one or more cameras for still pictures, video recording, or video streaming purposes; which may be a fully-automated flying vehicle or in a communication link and responsive to operator control and direction; and is carrying its own source of power; and is in communication with the operator by way of external, remote systems. For the purposes of this chapter any drone operated by the Tribe, State or Federal law enforcement or emergency response personnel while acting in their official capacities shall not be included in this definition. In addition, this chapter shall not include drones operated by the Tribe for commercial purposes.
- B. "Designated Airspace" means the only place where one may fly and operate a drone, which is the Old Race Track part of the Pala Reservation as bordered by Lilac Road to the north, and Lilac Road to the west and the southeastern boundary of the Pala Reservation (near the TV antennas and to the south at the southern boundary of the Pala (near McNally Road), but not over any residential dwellings, including front and back yards.
- C. "Emergency Response" means situations where a Tribal, county, State, or Federal governmental agency, or combination thereof, has initiated fire, paramedic, ambulance, or law enforcement services in response to an existing or threatened incident located within the Pala Indian Reservation or within two miles of the Pala Reservation, involving a wildfire, structure fire, flooding, seismic activity, accident, or criminal activity, which could require the use of airplanes, helicopters, or drones to provide assessment of conditions or actual emergency services to aid victims, transport persons, animals, or supplies suppress fires, or investigate or intervene in criminal activity.
- D. "Reservation" means the Pala Indian Reservation.
- E. "Tribal or Tribe" means the Pala Band of Mission Indians.

## **\*.050 Regulated Activity**

A person shall only operate a drone within the Reservation if such person:

1. 13 years of age or older
2. Registers their drone with the Federal Aviation Administration (<https://registermyuas.faa.gov>)
3. Flies at or below 400 feet
4. Keeps your drone within the operator's sight
5. Never fly near other aircraft
6. Never fly under the influence
7. Never fly over emergency response efforts such as fires or law enforcement activity
8. Never fly over groups of people;
9. Never fly over a Reservation resident's airspace;
10. Never fly over the Pala Casino's air space; and
11. Flies within the Designated Airspace.

**\*.060 Prohibited Activity**

No person shall launch, land, or operate a drone while that person is located in non-Designated Airspace. During times of an emergency response, operation of a drone in Designated Airspace shall be suspended until the emergency responders leave the area.

**\*.070 Violations**

A violation or a failure to comply with this chapter shall be a civil offense and be punishable by a \$1000 fine and/or forfeiture of one's drone.


**\*.080 Civil Forfeiture**

As stated above, violation of this chapter may result in the civil forfeiture of one's drone. In such case, the Tribe shall maintain one's drone until the fine is paid. If the fine is not paid within six months, the Tribe may sell the drone to pay for the Tribe's enforcement costs.

**CERTIFICATION**


We, the undersigned members of the **Executive Committee**, certify that the above Ordinance No. 31 was adopted by a vote of the **General Council**, with 36 in favor and 11 in opposition and 22 abstaining, at a duly called meeting of the **General Council**, at which a quorum was present, on this **12<sup>th</sup>** day of **April, 2017**.

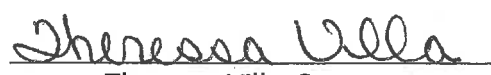
  
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Robert H. Smith, Chairman


  
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Theresa J. Nieto, Treasurer

  
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Dion Perez, Committee



  
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Howard K. Maxcy, Jr. Vice-Chairman

  
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Theresa Villa, Secretary

  
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Shelia L. Smith-Lopez, Committee

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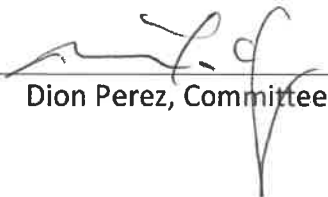
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