

ORDINANCE NO. 26-20

AN ORDINANCE PERTAINING TO THE TAKING OFF AND LANDING OF UNMANNED AIRCRAFT SYSTEMS, COMMONLY REFERRED TO AS DRONES; CREATING SECTION 9.12.260 OF THE OLATHE MUNICIPAL CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Section 9.12.260 is hereby added to the Olathe Municipal Code:

“9.12.260 Unlawful Taking Off or Landing of an Unmanned Aircraft System.

(a) *Definitions.* As used in this section:

- (1) “Special event” means: (i) any temporary event or activity occurring within the city and the attendance at such event or activity exceeds 100 people; or (ii) any event for which a permit has been issued under Chapter 5.05 of this Code.
- (2) “Unmanned aircraft” means an aircraft operated without the possibility of direct human intervention from within the aircraft.
- (3) “Unmanned aircraft system” means an unmanned aircraft and associated elements, including communication links and the components that control the unmanned aircraft, which are required for the safe and efficient operation of the aircraft.

(b) *Prohibition.* It shall be unlawful for any person to take off or land an unmanned aircraft system any place within the City limits that is also within:

- (1) One mile of a special event during such event, one hour before the scheduled beginning of the special event, and one hour after the special event has ended, when such person has received notice that unmanned aircraft systems are prohibited from taking off or landing pursuant to this section either from “no drone” signage or verbal instruction from a law enforcement officer; or
- (2) One thousand (1,000) feet of any of the following locations, as depicted in Exhibit A of the ordinance codified in this section and incorporated herein by reference, unless prior written permission has been granted by the Police Chief, Fire Chief, or their designee(s):

- (i) Olathe City Hall

- (ii) Olathe fire stations;
- (iii) Olathe Fire Academy;
- (iv) Olathe Police Department;
- (v) Police Firing Range;
- (vi) Olathe Municipal Court;
- (vii) Olathe water and wastewater treatment facilities;
- (viii) Olathe Public Works (Robinson); and
- (ix) Olathe Street Maintenance.

(c) *Exceptions.*

- (1) The provisions of this section shall not apply to the Police and Fire Departments and other government employees engaged in the performance of their duties, including Police and Fire Department operating aircraft in the absence of a temporary flight restriction.
- (2) If the special event has been:
 - (i) Designated by the Federal Aviation Administration as having an airspace with a temporary flight restriction, then the provisions of this section shall not apply to any person taking off or landing an unmanned aircraft system when such aircraft is authorized to operate in such restricted airspace.
 - (ii) Issued a permit under Chapter 5.05 of this Code, the operator or sponsoring agency identified usage of an unmanned aircraft system in the application for the permit, and the approval of the permit included approval of such unmanned aircraft system usage, then the provisions of this section shall not apply to such usage.”

SECTION TWO: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body this _____ day of _____, 2026.

SIGNED by the Mayor:

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

