

**BOROUGH OF LODI  
INTRODUCTION NOTICE  
ORDINANCE # 2025-08**

NOTICE IS HEREBY GIVEN that the following proposed ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lodi, County of Bergen, State of New Jersey, held on May 20, 2025, and that said ordinance will be taken up for further consideration for final passage at the meeting of said Borough Council to be held at its meeting room in the Borough Hall in Lodi, N.J. on June 17, 2025 at 7:00 P.M., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given the opportunity to be heard concerning the same. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall of the Borough of Lodi, N.J. and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the Office of the Borough Clerk in said Borough Hall in Lodi, N.J.

Rebecca Paladino, RMC  
Borough Clerk

**AN ORDINANCE TO SUPPLEMENT THE CODE OF THE BOROUGH OF LODI TO  
ESTABLISH CHAPTER 568 "DRONES AND UNMANNED AIRCRAFT"**

WHEREAS, the Borough has a substantial governmental interest in protecting the health and safety of its residents; and

WHEREAS, the Mayor and Council of the Borough of Lodi deems it appropriate, necessary, and proper for the protection and privacy of persons and property, and for the protection of the public health, welfare, and safety to adopt certain regulations pertaining to the use of small unmanned aircraft and drones, within the Borough.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Lodi, County of Bergen, and State of New Jersey, as follows:

Article 1

The Code of the Borough of Lodi is hereby supplemented by the addition of the following:

Chapter 568: Drones and Unmanned Aircraft

568-1 Purpose.

The purpose of this chapter is to regulate small unmanned aircraft and drones, to protect the privacy of persons and property, and to protect the public health, welfare, and safety.

Definitions.

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

DATA COLLECTION

The acquisition of information by use of one or more sensing devices.

## DRONE

An unmanned aircraft that can fly under the control of a remote pilot or by a geographic positions system ("GPS") guided autopilot mechanism, and that is equipped with any sensing device or capable of any data collection.

## SENSING DEVICE

A device capable of acquiring data from its surroundings. Sensing devices include, but are not limited to, cameras, microphones, thermal detectors, chemical detectors, radiation gauges, and wireless receivers in any frequency (including cellular, Wi-Fi, or other data frequencies).

## UNMANNED AIRCRAFT

An unmanned vehicle or device of any size that is capable of remote-control flight by any means and that does not possess any sensing device and is not capable of any data collection.

### 568-2 Regulations; Prohibited Acts.

- A. Except as otherwise provided in § 118-3, drones are prohibited from flying in any airspace below 400 feet within the Borough.
- B. Except as otherwise provided in § 118-3, unmanned aircraft are prohibited from flying in any airspace below 400 feet with the Borough in:
  - (1) The airspace over any residential or commercial zoned area in the Borough;
  - (2) The airspace over any roads with the Borough; and
  - (3) The airspace over any government or public buildings, property, or parks with the Borough.
- C. Drones or unmanned aircrafts shall not be operated over any person not directly participating in the operation of the drone or unmanned aircraft or where there is any person not directly participating in the operation of the drone or unmanned aircraft located within 100 feet of the perimeter of the area which the drone or unmanned aircraft is being operated.

### 568-3 Exceptions.

- A. This chapter shall not prohibit the constitutional use of drones and unmanned aircraft by any law enforcement agency or emergency services organization of or servicing the Borough, County of Bergen, State of New Jersey, or the United States of America for lawful purposes and in a lawful manner.
- B. This chapter shall not prohibit any federal, state, county or municipal agency from the use of drones and unmanned aircraft for any lawful and authorized purpose pursuant to applicable regulation.
- C. This chapter shall not prohibit individuals and entities from the use of drones during daylight hours for business purposes in the airspace within the boundary lines of private commercial or residential property with the property owner's consent, except that data collection shall be limited to data collection of and relating to the properties that provide consent thereto alone.
- D. Notwithstanding the provisions of this chapter, the authorized and lawful operation and use of drones for commercial, business, educational, scientific, research, environmental, and personal purposes pursuant to and in accordance with specific FAA regulations, if any, shall be permitted.
- E. This chapter shall not prohibit the use of unmanned aircraft by:

- (1) Any federal, state, county or municipal agency, including, but not limited to, law enforcement and emergency services agencies, for lawful purposes and in a lawful manner; or
- (2) An owner of private property in the Borough in the airspace within the boundary lines of that property or in the airspace within the boundary lines of private property in the Borough with that property owner's consent.

#### 568-4 Fines and Penalties.

A. General Fines or Penalties. Any person or entity violating the provisions of this Ordinance shall be subject to the following fines or penalties:

- (1) Upon conviction of a first offense, a fine not exceeding \$500.00;
- (2) Upon conviction of a second offense, a fine not exceeding \$1,000.00;
- (3) Upon conviction of a third offense, a fine not exceeding \$2,000.00 and/or a term of imprisonment for a period not to exceed ninety (90) days and/or a term of community service not to exceed ninety (90) days.

B. Note. A conviction under this chapter shall not merge with and shall be in addition to any other laws or convictions regarding harassment, stalking, invasion of privacy, voyeurism, trespass, obstructing administration of law or other governmental functions, introducing contraband, domestic violence, contempt of a domestic violence order which constitutes a crime or disorderly persons offense, or any other criminal or disorderly persons offense or misdemeanor or felony, even if the other conviction or allegation involves the use of an unmanned aircraft or drone.

#### 568-5 Validity

In the event any section, part or provision of this Ordinance shall be held unconstitutional or otherwise invalid by any Court of competent jurisdiction, such determination shall not affect the validity of this Ordinance or the remaining provisions which shall remain in full force and effect.

#### 568-6 Consistency

All Ordinances or parts thereof and all Codes or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

#### 568-7 Effective

This Ordinance shall take effect ten (10) days after adoption and publication in the manner prescribed by law.

#### 568-8 Consistency

All Ordinances or parts thereof and all Codes or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

#### 568-9 Effective

This Ordinance shall take effect ten (10) days after adoption and publication in the manner prescribed by law.