

1. The use of any Model Aircraft, as that term is defined in Section 336(c) of the FAA Modernization and Reform Act of 2012, or any small unmanned aircraft system (UAS) that is governed by Federal Aviation Administration (FAA) rules now or hereafter in effect (collectively, “Drones”) and the operator of a Drone (the “Drone Operator”) within the Association are governed by this Drone Resolution and Policy. (This policy applies to personal drones or model aircraft and does not apply to commercial aircraft or drones.)
2. Lots in this policy are defined as a lot owned by a private person or parties located in Santa Fe County, New Mexico in an area defined as Eldorado at Santa Fe, and where the Eldorado Community Improvement Association has covenants and other rules applicable to these properties.
3. Drone Operators operating Drones on any ECIA Lots are solely responsible for ensuring their own compliance with all federal, state and local laws, regulations, and rules including but not limited to ensuring that all Drones do not operate over 400 feet above ground level, remain within the Drone Operator’s line of sight, are flown safely, and are registered (to the extent such registration is required).
4. Use of a Drone for nuisance and unlawful purposes on any ECIA lot, or on any ECIA Common Properties (including the Community Center and associated common grounds, Compadres Park, Greenbelts and Eldorado Preserve) including but not limited to voyeuristic purposes is expressly prohibited.
5. Due to the potential for injury to persons, pets, real property and personal property, operation of Drones within the ECIA Common Properties (as detailed in paragraph 3 above) is prohibited, without written approval by the ECIA Board of Directors or its designees. The one exception is that drones are allowed to be flown within the unmanned designated Small Aircraft flight area near the ECIA Community center* (This prohibition does not apply to drones authorized by, or operated by, the ECIA for inspection of its Common Properties.)`
6. The operation of Drones over or within 50 feet horizontally of unprotected persons and pets (that are not involved with operation of the Drone and who have not expressly consented to said Drone operation) and Association improvements is prohibited.
7. Drone Operators may not operate Drones on any ECIA lots, or the ECIA Designated Small Aircraft Flight area prior to sunrise and after sunset due to the potential for Drone noise to be a nuisance. The Board reserves the right to determine whether the noise from a Drone is a nuisance.
8. Without the express permission of the surrounding Lot Owners or residents, a Drone may not be operated over any ECIA Lot, except for the Lot where the Homeowner resides. Additionally, any resident, who is not the lot owner, shall receive the lot owners, and surrounding neighbors, express permission before operating a drone on the lot.
9. Drone Operators are personally and solely responsible for any and all legal claims related to their use of a Drone, on any ECIA Lot, or Common Properties, including but not limited to trespass to property claims, nuisance claims, injury to persons and claims alleging damage to personal property (including pets) and real property.

10. Drone Operators operating Drones on any ECIA Lot, or within the ECIA Designated Small Aircraft Flight Area, are encouraged to obtain a \$1 Million Dollar Liability insurance policy that covers at a minimum injuries to persons, pets, real property and personal property.

11. The Board of Directors shall have the authority to enforce the provisions of this Drone Resolution and Policy in any manner as provided by applicable law and the Association's governing documents, specifically Article II, Section 14 of the Eldorado Covenants, which prohibits "*any activity which may endanger the health of, or unreasonably disturb, other lot owners, or which creates or constitutes a nuisance.*"

*The ECIA Board will seek public comment on the idea of using community property for such a small aircraft flight area.