

## PROMONTORY CONSERVANCY POLICY REGARDING DRONES

EFFECTIVE JUNE 5, 2017

The personal and recreational use of drones and unmanned aircraft systems, as defined by the Federal Aviation Administration (collectively “Drones”), shall be permitted at Promontory, subject to state and federal laws and other limitations:

1. Drones must be registered, where applicable, with the FAA, and must be labeled with a valid registration number. <https://registermyuas.faa.gov/>
2. Recreational Drones must comply with the maximum altitude height requirement below and may be operated at the operator’s homesite, the Promontory soccer field, and throughout Promontory trails provided they do not come within 100 feet of a person (other than the operator), animal and/or structure.
3. Drones may never be flown over neighboring homesites without the prior consent of the neighboring homeowner, over groups of people, nor may they be flown over, in or around Promontory community events, Promontory golf courses and/or Promontory Club facilities.
4. If a Commercial Use exception is granted pursuant to the policy below, Drones must fly below an altitude of 400 feet unless they are within 400 feet of a building structure (at which point they can fly 400 feet above the building) and operators must keep Drones within sight while operating.
5. Notwithstanding the usage locations and allowances permitted hereinabove, Drone usage may constitute a nuisance, as described in Exhibit C – Initial Use Restrictions to the CCR’s, and, accordingly, such usage may be denied for those whose Drones create unreasonable levels of sound or light pollution. Use privileges will likewise be revoked from those who use Drones to unreasonably invade the privacy of another or his/her property; to impede the right of reasonable enjoyment of another’s property, regardless of noise or light pollution; or to generally bother another person or his/her property.

Failure to comply with the above may result in the termination of Drone privileges and/or assessment of fines.

The Conservancy Board of Directors reserves its rights of enforcement as described in Section 7.4 of the CCR’s, and has the discretion to bar the usage of Drones for any reason. The Board reserves the right to amend this Policy at any time and to completely bar the use of Drones at Promontory.

Drone owners and operators assume all responsibility for damage caused to person or property, resulting from the use of a Drone, and are encouraged to carry insurance for such instances.

**Commercial Use Exception:** The Commercial use of Drones at Promontory is forbidden, with the exception of owners who have enlisted the services of a real estate marketing agency who use Drones to capture aerial photographs of homes and lots for the purpose of advertising for sale and/or owners who have authorized Drone photography of their home(s) and/or lot(s) by their custom builders (or a similar third party). Any Promontory owner interested in using this exception must contact Lola Mosen, Promontory Marketing Director, at 435-333-4200 for approval of Drone use on the applicable propertie(s), prior to taking this action.

Promontory reserves the right to use Drones for its own commercial purposes, including photography for marketing, record-keeping, and development. Promontory will exercise the same discretion required of any Drone operator, so as to preserve the privacy of owners and their property.