SAN XAVIER DISTRICT
OF THE
TOHONO O' ODHAM NATION

2018 WEST SAN XAVIER ROAD • TUCSON, ARIZONA 85746
TELEPHONE: (520) 573-4000 • FAX: (520) 573-4089

RESOLUTION OF THE SAN XAVIER DISTRICT COUNCIL
(Approving the San Xavier District Policy on Unmanned Aerial Vehicles)

Resolution No. SXDC 02-23-07

WHEREAS, the residents of the San Xavier District Community ("the Community") and the church leaders of the San Xavier Mission Church ("Church Leaders") want to maintain a safe, harmonious, and quiet Community; and

WHEREAS, the San Xavier District ("the District") wishes to protect the privacy of its residents and guests; and

WHEREAS, the Community and Church Leaders have observed unmanned aerial vehicles ("drones") flying near the San Xavier Mission Church without the consent of Church Leaders, the Community, or the District; and

WHEREAS, the Church is situated on a parcel of land that falls within the jurisdiction of the State of Arizona and is not part of the Tohono O'odham Nation Reservation ("the reservation"); and

WHEREAS, the laws and regulations of the United States and the State of Arizona related to drones apply to activities within the boundaries of the parcel of land upon which the Church is situated; and

WHEREAS, the laws and regulations of the United States, the Tohono O'odham Nation, and the District apply to areas within the boundaries of the reservation; and

WHEREAS, the Tohono O'odham Nation has not adopted any laws or regulations related to the flying of drones on the reservation; and

WHEREAS, Article I, Section 2 of the Tohono O'odham Nation's constitution states that, "[t]he sovereign powers, authority, and jurisdiction of the Tohono O'odham Nation and its government shall extend to all persons and activities carried on within the boundaries of the Tohono O'odham Nation consistent with federal law."; and

WHEREAS, Article XI, Section V of the Tohono O'odham Nation's constitution states that "each district shall govern itself in matters of local concern"; and

WHEREAS, the Church is situated a short distance from the seat of government of the District, including administrative offices and the District Council Chambers.

NOW THEREFORE BE IT RESOLVED that operators of drones within the San Xavier District shall comply with all laws and regulations of the United States and the State of Arizona, including, but not limited to, training, certification, license, and registration requirements for operators of drones.

NOW THEREFORE BE IT FURTHER RESOLVED that all drone operation is strictly prohibited within 500 yards of the San Xavier District Council Chambers, without written consent from the Chairman of the District or a District Council resolution.

NOW THEREFORE BE IT FURTHER RESOLVED that using drones within the boundaries of the San Xavier District, to capture visual images of residential areas, without the consent of the residents, where the residents have a reasonable expectation of privacy, is prohibited.

NOW THEREFORE BE IT FURTHER RESOLVED that the San Xavier District supports the posting of signs on or near the Church that indicate that the use of drones on Church property without the consent of Church leadership is prohibited.

NOW BE IT FINALLY RESOLVED that these policies do not authorize any person to interfere with the flight of drones through physical or electronic means. Suspected violations of these policies should be reported to the San Xavier District Chairman and/or the San Xavier District Council for further action.

CERTIFICATION

The foregoing resolution was passed by the San Xavier District at a meeting held on the **21st** day of February 2023, at which time a quorum was present with a vote of **2 FOR; 1 AGAINST; 0 NOT VOTING; 2 ABSENT.** Pursuant to the powers vested in the Council by the Tohono O'odham Constitution, Article IX, Section 5, as adopted and approved on 6 March 1986.

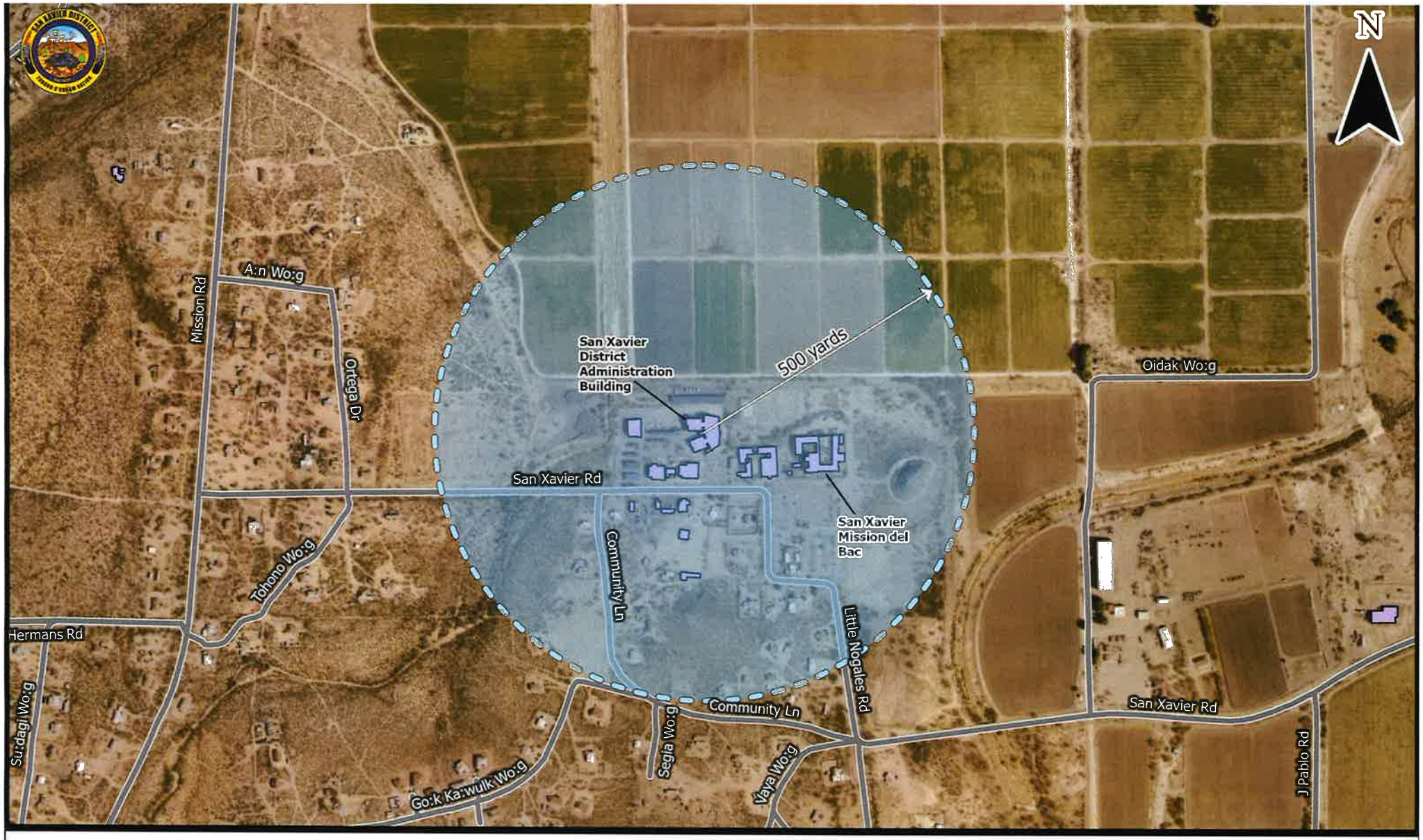
San Xavier District

Austin G. Nunez, Chairman

ATTEST

Rina Encinas, Secretary
San Xavier District Council

MOTION: Michael Enis
SECOND: Denise Begay



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