

**PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: July 1, 2014
FROM: Mike Gridley – City Attorney
SUBJECT: Robot regulation

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DECISION POINT:

CDA resident Nick Smoot, CEO and founder of “Here on Biz”, has approached staff with the request that City Council adopt an ordinance to promote and regulate the use of robots in CDA. Staff brings a draft ordinance to the committee for guidance on how to go forward with this request.

HISTORY:

CDA and surrounding schools have been very successful in robot development and competition. Mr. Smoot is one of the leaders of a group of creative and innovative citizens who are meeting regularly to share ideas and discuss how technology can be used to solve problems and have fun while creating new job and start-up opportunities in CDA. Mr. Smoot believes that by adopting an ordinance promoting and regulating robots, CDA will distinguish itself as a leader in the field of robotics while regulating them in a manner that addresses any potential problems.

FINANCIAL ANALYSIS:

Cost to the city would be staff time in developing and finalizing an appropriate ordinance, in addition to a minimal amount of time for licensing. Enforcement activities are anticipated to be minimal at the present time.

Mr. Smoot believes that a robot ordinance will promote and encourage technology that could bring many intangible financial benefits for the community. This may lead to tangible benefits in the form of new companies and jobs in CDA and the surrounding area. One idea that Mr. Smoot has suggested is that this type of ordinance may help CDA develop a relationship with entities like MIT or Google as "sister cities" for robotics and that we would have signage showcasing our relationship upon entering the city limits.

PERFORMANCE ANALYSIS:

A robot ordinance could regulate the use of public property, i.e. streets, sidewalks, parks, etc. by robots. A draft of a proposed ordinance is attached.

DECISION POINT/RECOMMENDATION:

Should city staff proceed with finalizing an ordinance promoting and regulating robots in CDA for adoption by city council??

ORDINANCE NO. _____
COUNCIL BILL NO. 14-1012

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING TO TITLE _____, A NEW CHAPTER _____, ENTITLED ROBOT REGULATIONS; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1 . *That a new Chapter _____, entitled Robot Regulations, is hereby added to the Coeur d'Alene Municipal Code as follows:*

AUTHORITY:

PURPOSE AND APPLICABILITY: The purpose of this ordinance is to regulate the use of public property and all areas and properties accessible to the general public by robots while promoting robots as an aid to human beings.

DEFINITIONS: Words in this title used in the present tense include the future; the plural includes the singular; the words "must", "shall" and "will" indicate a mandatory requirement while the word "may" indicates that discretion may be used; and the words "used" or "occupied" shall be considered to be followed by the words "or intended, arranged, or designed to be used or occupied".

Unless the context indicates otherwise, the following terms, used in this title, have the following meanings:

- A. ROBOT is a self-powered, programmable, mechanical device capable of operating autonomously or via remote control.

PROHIBITED ACTS:

1. A robot must not harm human beings, other living creature or property, or, by inaction, allow human beings, other living creatures or property to come to harm.
2. A robot must not injure a human being, other living creature or property, or, through inaction, allow a human being, other living creature or property to come to harm.
3. A robot must not carry weapons, attack living creatures or cause damage to personal or real property.
4. Humans may not intentionally interfere with or harm a robot unless the robot poses a

reasonable threat of causing harm to any living creature or damage to personal or real property.

5. Robots may not photograph or record, in any manner, any human being on private property or any private property without the express consent of the human being(s) or the owner(s) of the property.

ALLOWED ACTS:

1. Robots are allowed to transport themselves and conduct themselves as any other law-abiding citizen on public property.
2. Robots are allowed to “wait” or park in designated robot parking stalls.

EXCEPTIONS:

Notwithstanding any other provision herein, this ordinance shall not apply to robots operated by authorized law enforcement agencies operating within the course and scope of their authorization.

LICENSING:

1. All robots weighing one hundred pounds (43.36 Kg) or more or any robot operating on public property must be licensed with the city of Coeur d’Alene City Clerk and a license fee paid. The license fee shall be set by City Council by resolution.

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OWNER/OPERATOR RESPONSIBILITIES:

1. Robots operating on public property must obey all laws that citizens are required to obey and shall have no special privileges not held by citizens.

PENALTIES: The violation of any provision of this ordinance shall be an infraction resulting in a civil penalty as set by City Council by resolution.

SECTION . All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION . Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur

d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION . The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION . After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on , 2014.

APPROVED, ADOPTED and SIGNED this day of , 2014.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

Insert brief description

Insert Title ; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Michael C. Gridley, am the City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Insert Brief Description, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this day of , 2014.

Michael C. Gridley, City Attorney