

BROADBAND ORDINANCE

CHAPTER 1 BROADBAND NETWORK PROJECT APPLICATIONS

SECTION 1. GENERAL PROVISIONS.

1.1 Purpose and policy. The purpose of this chapter is to encourage the development of broadband access in Jefferson County by reducing administrative obstacles to broadband service providers and coordinating the review of applications to ensure such applications are timely processed. This chapter shall at all times be construed consistent with this purpose.

1.2 Definitions. In this chapter:

(1) “Applicant” means a person applying for a permit for a broadband network project.

(2) “Broadband network project” means the construction or deployment of wireline or wireless communications facilities to provide broadband communication services in Jefferson County.

(3) “Permit” means any local permit, license, certificate, approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

(4) “Written” or “in writing” means information that is inscribed on a tangible medium or that is stored in an electronic or other intangible medium and is retrievable in perceivable form.

1.3 Point of contact. The Jefferson County Administrator shall appoint in writing a single point of contact for all matters related to a broadband network project. The Jefferson County public website shall provide contact information, including the e-mail address, for the point of contact authorized to receive a broadband network project application.

SECTION 2. ELECTRONIC SUBMISSION OF APPLICATIONS. An applicant shall have the option to sign and file all forms, applications and documentation related to a broadband network project electronically.

SECTION 3. REVIEW OF APPLICATIONS. If there is a conflict between this ordinance and any other provision of another Jefferson County ordinance, resolution, regulation, policy or practice that would otherwise regulate broadband network project application review, processing or approval, the applicable provision of this ordinance shall control and supersede such conflicting provision, and the remaining provisions of such ordinance, resolution, regulation, policy or practice shall continue in full force and effect. The following process shall apply upon receiving a broadband network project application:

3.1 Completeness review. Upon receiving a broadband network project application, the single point of contact appointed by the Jefferson County Administrator shall:

(1) Determine whether or not an application is complete and notify the applicant of such determination in writing within 10 calendar days following receipt of an application. If the applicant is not notified in writing of the determination within 10 calendar days following receipt of the application, the application shall be considered complete and processed as a complete application.

(2) If it is determined that an application is not complete, the written notification to the applicant shall specify in detail why the application was determined not to be complete. The applicant may resubmit an application as often as necessary until the application is complete.

3.2 Approval or denial of complete applications.

(1) Within 60 calendar days following receipt of an application that is complete, or considered complete under sub. (1), the application shall either be approved or denied and the applicant provided written notification of the approval or denial. If the applicant is not notified of the application's approval or denial within 60 calendar days following receipt of a complete application, the application shall be considered approved and any required permit shall be issued within 5 days.

(2) If an application is denied, written notification of the denial under sub. (1) shall include evidence that the denial was not arbitrary and capricious.

SECTION 4. FEES. The fee to review an application, issue a permit, and perform any other activity related to a broadband network project shall be \$100.00.

SECTION 5. INITIAL APPLICABILITY. The treatment of this ordinance first applies to applications received on or after the effective date of this ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance takes effect on the day after publication.

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