

WAYNE COUNTY BOARD OF COUNTY COMMISSIONERS

Ordinance No. 2019 – 00__

**AN ORDINANCE FOR WAYNE COUNTY TO BECOME
A CERTIFIED BROADBAND READY COMMUNITY**

WHEREAS, Wayne County Government seeks to promote private investment in broadband infrastructure, and;

WHEREAS, Wayne County seeks to be designated as a Broadband Ready Community pursuant to IC 5-28-28.5;

NOW, THEREFORE, BE IT ORDAINED by this Board of County Commissioners (“Board”) as the executive body of Wayne County Government as follows:

Section I: As used in this Ordinance, the term “permit” shall mean any local permit, license, certificate, approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution of Wayne County Government with respect to a project.

Section II: As used in this Ordinance, the term “project” shall mean the construction or deployment of wireline or wireless communication facilities to provide communications services (as defined in IC 8-1-32.5-3) within the jurisdiction of Wayne County Government.

Section III: Notwithstanding any other provision of an ordinance, regulation, policy or practice of Wayne County Government, the following shall apply to a project.

The Board shall:

- a. designate a single point of contact for all matters related to a project;
- b. establish procedures to allow all forms, applications, and documentation related to a project to be filed or submitted and signed by electronic means;
- c. review and approve or reject all applications for a permit related to a project within ten (10) business days after an application is filed or submitted; and
- d. assure that after an application is approved pursuant to subsection III(c), any inspections, including any additional necessary approvals, related to a project will occur in a timely and expeditious manner.

Section IV: Wayne County Government shall adopt adequate processes and procedures to implement the provisions of Section III. Processes and procedures established hereunder may not do the following.

- a. require an applicant to designate a final contractor to complete a project;
- b. impose a fee to review an application or issue a permit for a project;

- c. impose a seasonal moratorium on the issuance of permits for a project; and
- d. discriminate among communications service providers or utilities with respect to any action described in this section or otherwise related to a project, including granting access to public rights-of-way, infrastructure and poles, river and bridge crossings, and any other physical assets owned or controlled by Wayne County Government.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effective upon passage.

BE IT FURTHER ORDAINED that any prior enacted ordinance or resolution promulgated by this Board that is seemingly in conflict or inconsistent with the terms and provisions of this Ordinance are hereby repealed and rescinded to the extent of any such conflict or inconsistency with the terms and provisions herein contained.

Duly adopted this ___ day of _____ 2019.

**BOARD OF COUNTY COMMISSIONERS,
WAYNE COUNTY, INDIANA**

Kenneth E. Paust, President

Dennis A. Burns, Commissioner

Mary Anne Butters, Commissioner

Attest:

Kimberly Walton,
Wayne County Auditor