

BROADBAND FORWARD

Date Approved: December 10, 2019

SECTION 1.0 BROADBAND NETWORK PROJECT APPLICATIONS

1.1 Purpose and Policy

The purpose of this chapter is to encourage the development of broadband access in Lafayette 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 the aforestated purpose.

1.2 Definitions

- A. **“Applicant”** means a person applying for a permit for a broadband network project.
- B. **“Broadband network project”** means the construction or deployment of wireline or wireless communications facilities to provide broadband communications services in Lafayette County.
- C. **“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.
- D. **“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

Lafayette County shall appoint a single point of contact for all matters related to a broadband network project. Lafayette County shall provide on its public website the contact information, including the e-mail address, for the point of contact authorized to receive a broadband network project application.

2.1 Electronic Submission of Applications

An applicant may sign and file all forms, applications and documentation related to a broadband network project electronically.

3.1 Review of Applications

Notwithstanding any other provision in the Lafayette County's ordinances, resolutions, regulations, policies or practices to the contrary, the following process shall apply exclusively upon receiving a broadband network project application:

3.2 Completeness review

- A. Upon receiving a broadband network project application Lafayette County shall:
 - 1. Determine whether an application is complete and notify the applicant of the determination by the Lafayette County in writing within 10 calendar days of receiving an application. If the Lafayette County does not notify the applicant in writing of its completeness determination within 10 calendar days of receiving the application, the application shall be considered complete.
 - 2. If the Lafayette County determines that an application is not complete, the written notification to the applicant shall specify in detail the required information that is not complete. The applicant may resubmit an application as often as necessary until the application is complete.

3.3 Approval or denial of complete applications

- A. Within 60 calendar days of receiving an application that is complete, or considered complete under sub. (1), the Lafayette County shall approve or deny the application and provide the applicant written notification of the approval or denial. If the Lafayette County does not notify the applicant of its approval or denial within 60 calendar days of receiving a complete application, the application shall be considered approved and any required permit shall be considered issued.
- B. If the Lafayette County denies an application, the written notification of the denial under sub. (1) shall include evidence that the denial is not arbitrary and capricious.

4.1 Fees

Any fee imposed by the Lafayette County to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable. An application fee that exceeds \$100 is unreasonable.

5.1 Initial Applicability

The treatment of this ordinance first applies to applications received by the Lafayette County on or after the effective date of this ordinance.

6.1 Effective Date

This ordinance takes effect on the day after publication.

Fiscal Note: Unable to determine any tangible fiscal impact from the passage of this ordinance.

Legal Note: Within County Board Authority.

I, Carla Jacobson, Clerk of the County of Lafayette, State of Wisconsin, do certify that this ordinance was amended by the Lafayette County Board of Supervisors at a meeting held on December 10, 2019.

Carla Jacobson, Lafayette County Clerk