

Ordinance No. 600.28

IOWA COUNTY BROADBAND FORWARD! ORDINANCE

Iowa County, by its duly elected Board of Supervisors, wishing to create a framework for the approval of broadband networks within Iowa County, does hereby ordain:

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 Iowa 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. 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 communications services in Iowa 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. Iowa County shall appoint a single point of contact for all matters related to a broadband network project. Iowa County shall provide on its public website the contact information, including the email address, for the point of contact authorized to receive a broadband network project application.

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

SECTION 3. REVIEW OF APPLICATIONS. Notwithstanding any other provision in Iowa County's ordinances, resolutions, regulations, policies, or practices, the following process shall apply upon receiving a broadband network project application:

3.1 Completeness review. Upon receiving a broadband network project application, Iowa County shall:

- (1) Determine whether an application is complete and notify the applicant of the determination by Iowa County in writing within 10 days of receiving an application. If Iowa County does not notify the applicant in writing of its completeness determination within 10 days of receiving the application, the application shall be considered complete.
- (2) If Iowa 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.

3.2 Approval or denial of complete applications.

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

SECTION 4. FEES. Any fee imposed by Iowa 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.

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

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