

**ORDINANCE NO. 2019-02**  
**CHAPTER 492**  
**BROADBAND NETWORK PROJECTS**  
**(BROADBAND FORWARD! COMMUNITY)**

An ordinance (a local law) to amend the Code of Price County by adding a new Chapter 492, to be entitled "Broadband Network Projects," which chapter provides for applications for broadband access.

Be it ordained (enacted) by the Price County Board of Supervisors as follows:

**Section 1.**

The Code of Price County is hereby amended by adding thereto a new chapter, to be Chapter 492, Broadband Network Projects, to read as follows:

**§ 492-1. Authority**

This chapter is adopted under the authority granted by §§ 59.02, 59.07, 86.07(2) and 236, Wis. Stats., and Chapter Trans 231 of the Wisconsin Administrative Code.

**§ 492-2. Purpose**

The purpose of this chapter is to encourage the development of broadband access in Price 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 aforesaid purpose.

**§ 492-3. Definitions**

As used in this chapter, the following items have the meanings indicated:

**APPLICANT:** Person applying for a permit for a broadband network project.

**BROADBAND NETWORK PROJECT:** the construction or deployment of wireline or wireless communications facilities to provide broadband communications services in Price County.

**PERMIT:** 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.

**WRITTEN or IN WRITING:** 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.

**§ 492-4. Point of contact**

Price County shall appoint a single point of contact for all matters related to a broadband network project. Price 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.

**§ 492-5. Electronic Submission of Applications**

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

**§ 492-6. Review of Applications**

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

A. Upon receiving a broadband network project application Price County shall:

- (1) Determine whether an application is complete and notify the applicant of the determination by Price County in writing within 10 calendar days of receiving an application. If Price 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 Price 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.

B. Approval or denial of complete applications.

- (1) Within 60 calendar days of receiving an application that is complete, or considered complete under Subsection A, Price County shall approve or deny the application and provide the applicant written notification of the approval or denial. If the Price 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.
- (2) If Price County denies an application, the written notification of the denial under Subsection B(1) shall include evidence that the denial is not arbitrary and capricious.

§ 492-7. Fees.

Any fee imposed by Price 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.

§ 492-8 Initial Applicability.

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

Section 2. Severability.

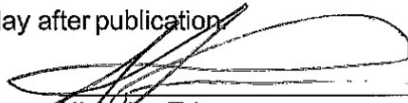
The provisions of this ordinance (local law) are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

All existing regulatory review and approval processes set forth in County Ordinance, including but not limited to Price County Code Chapter 527 Telecommunications Facilities Ordinance, are not amended, repealed or otherwise modified except to the extent of: (a) the designated point of contact set forth in Section 4 above; (b) the electronic submission process set forth in Section 5 above; (c) the streamlined application review set forth in Section 6 above; and (d) the reasonable fees set forth in Section 7 above. The County shall continue to adhere to all other regulatory requirements set forth in the County Code, the Wisconsin Statutes, the Wisconsin Administrative Codes, or other applicable statutes, codes or laws.


Section 3. Effective Date.

This ordinance takes effect on the day after publication.

Reviewed by County Administrator:

  
Nicholas Trimner

Adopted by the Price County Board of Supervisors this 17<sup>th</sup> day of September 2019.

  
Robert Kopisch, County Board Chair

  
Jean Gottwald, County Clerk

For 13 Against 0