

STARKE COUNTY COMMISSIONERS ORDINANCE 2020- 015
ORDINANCE FOR A
BROADBAND READY COMMUNITY

WHEREAS, the Board of Commissioners of Starke County (the “Commissioners”) as the duly elected executive body of Starke County, Indiana seeks to promote private investment in broadband infrastructure; and,

WHEREAS, Starke County, Indiana seeks to be designated a Broadband Ready Community pursuant to Ind. Code Chapter 5-28-28.5; and,

THEREFORE, STARKE COUNTY, INDIANA HEREBY ADOPTS this ORDINANCE FOR A BROADBAND READY COMMUNITY:

Sec. 1. As used in this Ordinance, “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 project.

Sec. 2. As used in this Ordinance, “project” means the construction or deployment of wireline or wireless communications facilities to provide communications services as defined in I.C. § 8-1-32.5-3) in a unit.

Sec. 3. Notwithstanding any other provision of Starke County’s ordinances, regulations, policies or practice, the following shall apply to a project:

The Commissioners of Starke County shall:

- (a) Appoint a single point of contact for all matters related to a project. The Commissioners hereby appoint the Starke County Plan Commission as the single point of contact. The Commissioners may, by future Ordinance, designate another county office, board or entity as the single point of contact hereunder.
- (b) The Commissioners, in cooperation with the Starke County Plan Commission shall establish procedures to allow all forms, applications, and documentation related to a project to be submitted and signed by means of electronic communication.
- (c) The reviewing body of project applications hereunder (initially, the Starke County Plan Commission) shall review and approve or reject all such applications for a permit related to a project within ten (10) business days after an application is filed or submitted;

(d) The reviewing body of project applications hereunder (initially the Starke County Plan Commission) shall assure that after an application is approved pursuant to subsection (a)(3) above, any inspections, including any additional necessary approvals related to a project will occur in a timely and expeditious manner.

Sec. 3. The reviewing body of project applications hereunder (initially the Starke County Plan Commission) shall adopt adequate processes and procedures to implement the following provisions of Sec. 3, above. Such processes and procedure may not:

- (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;
- (d) Discriminate among communications providers or utilities with respect to any action describe in this section or otherwise related to a project, including granting access to public rights-of-way, infrastructure and poles, river and bridge crossing, and any other physical assets owned or controlled by Starke County.

ALL OF WHICH IS HEREBY ORDAINED this 18 day of ^{may} ~~June~~ 2020 by the following vote:

COMMISSIONERS OF STARKE COUNTY

VOTE

Yes

Charles Chesak, President

Kathryn Norem, Vice President

YES

Bryan Cavender, Commissioner

ATTEST:

Rachel Oesterreich, Auditor
Of Starke County Indiana