

ORDINANCE NO. 2021-R-19

DEKALB COUNTY CODE 26-9-1-1

DEKALB COUNTY COMMISSIONERS

AN ORDINANCE ESTABLISHING DEKALB COUNTY, INDIANA,

AS A BROADBAND READY COMMUNITY

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

WHEREAS, DeKalb County seeks to be designated as a Broadband Ready Community pursuant to Indiana Code 5-28-28.5.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE DEKALB COUNTY COMMISSIONERS OF DEKALB COUNTY, INDIANA, THAT:

- Section 1. As used in this chapter, “permits” 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.
- Section 2. As used in this chapter, “project” means the construction or deployment of wireline or wireless communications facilities to provide communications services (as defined in Indiana Code 8-1-32.5-3) in a county.
- Section 3. Notwithstanding any other provision of this county’s ordinance, regulation, policy, or practice, the following shall apply to a project:

The Commissioners of DeKalb County shall:

- (a) appoint a single point of contact for all matters related to a project;
- (b) establish procedures to allow 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;
- (d) assure that after an application is approved pursuant to subsection (a)(3), any inspections, including any additional necessary approvals, related to a project will occur in a timely and expeditious manner.

Section 4. The DeKalb County Commissioners, in conjunction with the DeKalb County Auditor, shall adopt and implement adequate processes and procedures to implement the provisions of Section 3. Processes and procedures established hereunder may not do the following:

- (a) require an applicant to designate a final contractor to complete the 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 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 DeKalb County, Indiana and its Board of County Commissioners.

Section 5. Ordinance Codified: This DeKalb County Ordinance Number 2021-R-19 is passed and adopted on all three readings and shall be codified in the DeKalb County Code as DeKalb County Code 26-9-1-1 and properly indexed in the Code.


READ AND PASSED ON FIRST READING: Monday, September 13, 2021.

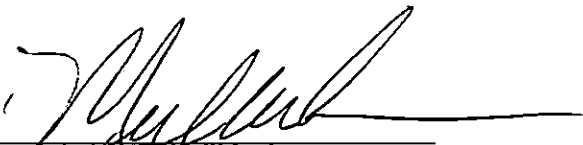
READ AND PASSED ON SECOND READING: Monday, September 20, 2021.

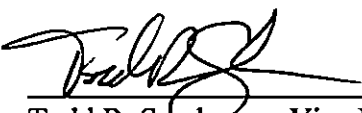
READ AND PASSED ON THIRD READING: Monday, September 20, 2021.

This Ordinance No. 2021-R-19 codified as DeKalb County Code Section 26-9-1-1 is signed, approved and adopted after all three readings by the Commissioners of DeKalb County, Indiana.


COMMISSIONERS:

BY: 
William L. Hartman, President

BY: 
Michael V. Watson, Vice President

BY: 
Todd R. Sanderson, Vice President

Attested By:


Jan Bauman, Auditor of
DeKalb County, Indiana