

GENERAL ORDINANCE NO. 5, 2021

BEING AN ORDINANCE FOR A BROADBAND READY COMMUNITY

**WHEREAS**, the City of Wabash seeks to promote private investment in broadband infrastructure, and whereas the City of Wabash seeks to be designated as a Broadband Ready Community pursuant to IC 5-28-28.5,

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WABASH, INDIANA, AS FOLLOWS:**

**Section 1. Definitions.** As used in this chapter,

- (a) "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.
- (b) "Project" means the construction or deployment of wireline or wireless communications facilities to provide communications services (as defined in IC 8-1-32.5-3) in a unit.

**Section 2. Applicability.** Notwithstanding any other provision of any ordinance, regulation, policy or practice of the City of Wabash, Indiana, the following shall apply to a project:

- (a) The Common Council of the City of Wabash, Indiana hereby designates the City department or the private company with which the City has contracted to be responsible for overseeing all of the City's IT services, herein after the "IT Services Provider," to be the single point of contact for all matters related to a project;
- (b) The IT Services Provider shall
  - 1. Establish procedures to allow all forms, applications, and documentation related to a project to be filed or submitted and signed by electronic means;
  - 2. 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; and
  - 3. Assure that, after an application is approved pursuant to Section 2(c), any inspections, including any additional necessary approvals, related to a project will occur in a timely and expeditious matter.
  - 4. Adopt adequate processes and procedures to implement the provisions of this Section, which processes and procedures established hereunder may not do the following:
    - i. Require an applicant to designate a final contractor to complete a project;
    - ii. Impose a fee to review an application or issue a permit for a project;
    - iii. Impose a seasonal moratorium on the issuance of permits for a project;

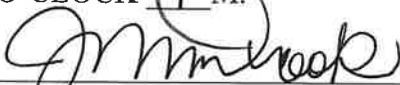
iv. Discriminate among communications service providers or utilities with respect to any action described in this section or otherwise related to a project, including granting access to public rights-of-way, infrastructure and poles, river and bridge crossings, and any other physical assets owned or controlled by the City of Wabash.

**Section 3. Effective Date.** This ordinance shall be in full force and effect upon its passage and adoption.

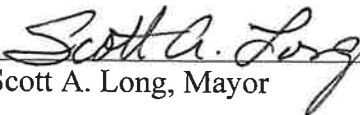
PASSED BY THE COMMON COUNCIL OF THE CITY OF WABASH, INDIANA THIS 9<sup>th</sup> DAY OF AUGUST 2021.

By:   
President of the Common Council

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WABASH ON THIS 9<sup>th</sup> DAY OF AUGUST 2021 AT THE HOUR OF 6 O'CLOCK P.M.

  
~~Wendy Frazier, Clerk-Treasurer~~  
Jenna Drook, Deputy Clerk Treasurer

THIS ORDINANCE WAS APPROVED AND SIGNED ON THE THIS 9<sup>th</sup> DAY OF AUGUST 2021 AT THE HOUR OF 6 O'CLOCK P.M.

  
Scott A. Long, Mayor

ATTEST:  
  
~~Wendy Frazier, Clerk-Treasurer~~  
Jenna Drook, Deputy Clerk Treasurer