



Ordinance No. 2023-02
Broadband Network Projects

§ 137-1 Purpose and policy.

§ 137-2 Definitions.

§ 137-3 Point of contact.

§ 137-4 Electronic submission of applications.

§ 137-5 Review of applications.

§ 137-6 Completeness review.

§ 137-7 Approval or denial of complete applications.

§ 137-8 Fees.

§ 137-9 Initial applicability.

§ 137-1 Purpose and policy.

The purpose of this chapter is to encourage the development of broadband access in the Town of Bloomfield 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 aforesated purpose.

§ 137-2 Definitions.

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

Applicant A person applying for a permit for a broadband network project.

Broadband Internet Project

The construction or deployment of wireline or wireless communications facilities to provide broadband communications services in the Town of Bloomfield.

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.

§ 137-3 Point of contact.

The Town of Bloomfield shall appoint a single point of contact for all matters related to a broadband network project. The Town of Bloomfield 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.

§ 137-4 Electronic submission of applications.

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

§ 137-5 Review of applications.

Notwithstanding any other provision in the Town of Bloomfield's ordinances, resolutions, regulations, policies or practices to the contrary, the following process shall apply exclusively upon receiving a broadband network project application.

§ 137-6 Completeness review.

Upon receiving a broadband network project application, the Town of Bloomfield shall:

A. Determine whether an application is complete and notify the applicant of the determination by the Town of Bloomfield in writing within 10 calendar days of receiving an application. If the Town of Bloomfield does not notify the applicant in writing of its completeness determination within 10 calendar days of receiving the application will be considered complete.

B. If the Town of Bloomfield 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.

§ 137-7 Approval or denial of complete applications.

A. Within 60 calendar days of receiving an application that is complete or considered complete under § 137-6 the Town of Bloomfield shall approve or deny the application and provide the applicant written notification of the approval or denial. If the Town of Bloomfield 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.

B. If the Town of Bloomfield denies an application the written notification of the denial under § 137-6 shall include evidence that the denial is not arbitrary and capricious.

§ 137-8 Fees.

Any fee imposed by the Town of Bloomfield 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.

§ 137-9 Initial applicability.

The treatment of this chapter first applies to applications received by the Town of Bloomfield on or after the date of this chapter.

Adopted this 7th day of November 2023 by the Town Board of Bloomfield.



Mark Stuebs, Chairman



Delmar Behm, Supervisor



Randy Riese, Supervisor

Attested by:



Amy Smith, Clerk