

RESOLUTION NO. 23-10-014

SPONSORED BY: Commissioners Richard Carver and Dyran Bledsoe

A RESOLUTION FOR BROADBAND READY COMMUNITIES

Whereas, Blount County, Tennessee finds that broadband internet availability in the County is of critical importance to all people living, visiting, and doing business in Blount County, Tennessee, and

Whereas, the Tennessee State Legislature recently created the ability for Tennessee communities to be designated as "Broadband Ready Communities" through the Tennessee Department of Economic and Community Development, and

Whereas, Blount County, Tennessee seeks to promote private investment in broadband infrastructure, and

Whereas, Blount County, Tennessee seeks to be designated as a Broadband Ready Community pursuant to Tennessee Public Chapter 228, 4-3-709:

(a)(1) A political subdivision may apply to the department of economic and community development for designation as a "broadband ready community" pursuant to guidelines established by the department. The guidelines for designation must include a requirement that the political subdivision has adopted an efficient and streamlined ordinance or policy for reviewing applications and issuing permits related to projects relative to broadband services.

NOW THEREFORE, BE IT RESOLVED by the Legislative Body of Blount County, Tennessee, assembled in regular session on this the _____ day of _____ 2023.

AN ORDINANCE FOR A BROADBAND READY COMMUNITY

Section 1. As used in this chapter, "permit" means any local permit, license, certificate, approval, registration, or similar form of approval required by policy, administrative rule, regulation, or ordinance 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 in a unit.

Section 3: Notwithstanding any other provision of Blount County's ordinance, the following shall apply to a project:

(1) Blount County, Tennessee has:

(A) Adopted an efficient and streamlined policy for reviewing applications and issuing permits related to projects relative to broadband services.

(B) Appointed a single point of contact in the Blount County for all matters related to a broadband project;

(C) Established procedures to allow all forms, applications, and documentation related to a project be reviewed and either approved or denied within thirty (30) business days after the application is submitted; and to allow the project to be filed or submitted and signed by electronic means, where possible;

(2) Blount County will not:

(A) Require an applicant to designate a final contractor to complete a project;

(B) Impose an unreasonable fee for reviewing an application or issuing a permit for a project. The fee will not exceed one hundred dollars (\$100);

(C) Impose a seasonal moratorium on the issuance of permits for projects; and

(D) Discriminate among communications services providers or utilities with respect to any action related to a broadband project, including granting access to public rights-of-way, infrastructure and poles, and any other physical assets owned or controlled by the political subdivision

(3) Blount County acknowledges that:

(A) Tennessee Certified Broadband Ready Community has an affirmative duty to notify the Tennessee Economic and Community Development Department (TNECD) of any changes to the information submitted as part of its application.

(B) Failure to notify TNECD of changes may result in revocation of Blount County's Broadband Ready Certification.

Section 4. This ordinance shall take effect immediately upon adoption by the governing body upon final reading, the public welfare requiring

DULY AUTHORIZED AND APPROVED, this ____ day of _____ 2023.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

County Mayor

Date

- ☐ Approved
☐ Vetoed