

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 2 -2022

AN ORDINANCE DESIGNATING CLARK COUNTY  
AS AN INDIANA BROADBAND READY COMMUNITY

**WHEREAS**, the Board of Commissioners of Clark County, Indiana (the "Board"), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

**WHEREAS**, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code § 36-1-2-9; and

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

**WHEREAS**, Clark County seeks to be designated as a Broadband Ready Community pursuant to IC 5-28-28.5.

**THEREFORE**, Clark County adopts the following:

An Ordinance For A Broadband Ready Community

**Sec. 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, ordinance, or resolution with respect to a project.

**Sec. 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 IC 8-1-32.5- 3) in a unit.

**Sec. 3.** Notwithstanding any other provision of Clark County's ordinances, regulations, policies or practices, the following shall apply to a project:

The applicable governing body of the unit shall:

- (a) appoint a single point of contact for all matters related to a project;
- (b) establish procedures to allow all 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.

**Sec. 4.** Clark County shall adopt adequate processes and procedures to implement the provisions of Sec. 3. Processes and procedures established hereunder may not do the following:

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

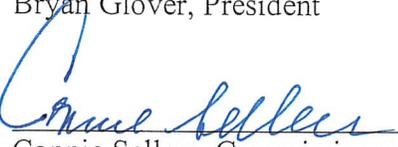
(b) Impose a fee to review an application or issue a permit for a project;

(c) Impose a seasonal moratorium on the issuance of permits for a project;

(d) Discriminate among communications 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 Clark County.

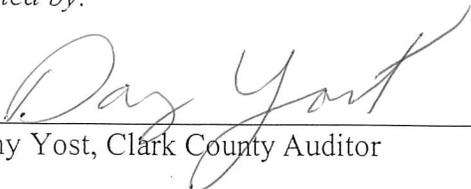
So Ordained this 20th day of January, 2022.

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Bryan Glover, President

  
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Connie Sellers, Commissioner

  
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Jack Coffman, Commissioner

Attested by:

  
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Danny Yost, Clark County Auditor