

a. The name and address of the service provider.
b. Information concerning the marketing of the processed recyclables including: the name and address of the broker, dealer or manufacturing facility where the processed recyclables are being marketed; the cost of selling processed recyclables to the broker, dealer or manufacturing facility where the processed recyclables are being marketed; and information indicating that an effort has been made to find another market for the processed recyclables as evidenced by the names and addresses of other brokers, dealers or manufacturing facilities where the processed recyclables may be marketed.

2. The committee on planning and development shall grant a variance when the requirements in 12.73.700 A. have been met.

3. The committee on planning and development may, on its own initiative, grant a variance to the requirements of 12.73.100 A. and 12.73.100 B. in accord with 12.73.700.A. (Ord.142-60, Secs.4-7, 1998; Ord.141-03, Sec.1, 1997; Ord.140-61, Sec.17, 1996; Ord. 135-79, 1992; Ord. 135-72, Sec. 4, 1991)

12.73.800 Violations -- Penalties.

A. Any person who does not comply with the provision of this chapter of the Eau Claire County Code shall be in violation of this code.

B. Persons who violate the provisions of this chapter shall be subject to the forfeiture schedule cited in 1.50.020.

C. The officers and employees listed at 1.50.030 shall enforce the provisions of this chapter and the corporation counsel shall prosecute all violators. (Ord. 135-72, Sec. 4, 1991)

Chapter 12.74

BROADBAND NETWORK PROJECT APPLICATIONS

Sections:

<u>12.74.001</u>	Purpose and Policy
<u>12.74.002</u>	Definitions.
<u>12.74.003</u>	Point of Contact
<u>12.74.004</u>	Electronic Submission of Applications
<u>12.74.005</u>	Review of Applications.
<u>12.74.006</u>	Fees.
<u>12.74.007</u>	Initial Applicability.

12.74.001 Purpose and policy. The purpose of this chapter is to encourage the development of broadband access in Eau Claire County (County) 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 forestated purpose. (Ord. 163-36, Sec. 1, 2020)

12.74.002 Definitions. For the purpose of this chapter the following definitions shall apply:

- A. "Applicant" means a person applying for a permit for a broadband network project.
- B. "Broadband network project" means the construction or deployment of wireline or wireless communication facilities to provide broadband communication services in the County.
- C. "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 broadband network project.
- D. "Written" or "in writing" means 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. (Ord. 163-36, Sec. 1, 2020)

12.74.003 Point of Contact. The County shall appoint a single point of contact for all matters related to a broadband network project. The County shall provide on its public website the contact information, including the e-mail address, for the point of contact authorized to receive a broadband network project application. (Ord. 163-36, Sec. 1, 2020)

12.74.004 Electronic Submissions of Applications. An applicant may sign and file all forms, applications, and documentation related to a broadband network project electronically. Due to the large size of maps, the applicant shall also submit one hard copy of the application. (Ord. 163-36, Sec. 1, 2020)

12.74.005 Review of Applications. Notwithstanding any other provision in the County's ordinances, resolutions, regulations, policies, or practices to the contrary, the following process shall apply exclusively upon receiving a broadband network project application. Unless noted in this Ordinance, all existing regulatory review and approval processes set forth in County Ordinances are not amended, repealed or otherwise modified. The County shall continue to adhere to all other regulatory requirements set forth in the County Ordinances, the Wisconsin Statutes, the Wisconsin Administrative Codes, or other applicable statutes, codes or laws.

A. Completeness review. Upon receiving a broadband network project application, the County shall:

1. Determine whether an application is complete and notify the applicant of the determination by the County in writing within 10 calendar days of receiving an application. If the County does not notify the applicant in writing of its completeness determination within 10 calendar days of receiving the application, the application shall be considered complete.

2. If the County 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.

B. Approval or denial of complete applications.

1. Within 60 calendar days of receiving an application that is complete, or considered complete under sub. (1), the County shall approve or deny the application and provide the applicant written notification of the approval or denial. If the County 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.

2. If the County denies an application, the written notification of the denial under sub. (1) shall include evidence that the denial is not arbitrary and capricious. (Ord. 163-36, Sec. 1, 2020)

12.74.006 Fees. Any fee imposed by the County 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 \$100.00 is unreasonable. (Ord. 163-36, Sec. 1, 2020)

12.74.007 Initial Applicability. The treatment of this ordinance first applies to applications received by the County on or after the effective date of this ordinance. (Ord. 163-36, Sec. 1, 2020)

