

RESOLUTION NO. 2020-11**RESOLUTION AUTHORIZING THE REQUEST FOR BROADBAND READY COMMUNITY DESIGNATION AND ESTABLISHING A BROADBAND READY COMMUNITY POLICY FOR WEAKLEY COUNTY, TENNESSEE**

WHEREAS, Weakley County, Tennessee finds that broadband internet availability in the county is of critical importance to all people living, visiting, and doing business in Weakley 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, Weakley County, Tennessee seeks to promote private investment in broadband infrastructure; and

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

Public Chapter 228, S 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, that the county legislative body of Weakley County, Tennessee, assembled in regular session on this the 16th day of September, 2019, in Dresden, Tennessee, authorizes and approves the following:

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 Weakley County's ordinance, the following shall apply to a project:

- (1) Weakley 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 and designated the single point of contact in Weakley County as the Weakley County Mayor, to manage 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 by the point of contact within thirty (30) business days after the application is submitted; and to allow the project to be filed or submitted and signed by the designated point of contact by electronic means, where possible;
- (2) Weakley County, Tennessee, will not:
 - (A) Require an applicant to designate a final contractor to complete a project;

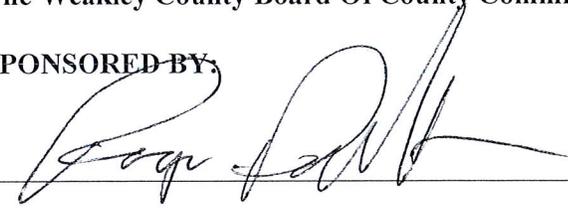
- (B) Impose an unreasonable fee for reviewing an application or issuing a permit for a project. The fee will not exceed one hundred dollars (\$100) to be submitted by the applicant directly to the Weakley County Trustee;
 - (C) Impose a seasonal moratorium on the issuance of permits for projects; and
 - (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) Weakley County, Tennessee, 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 Weakley County's Broadband Ready Certification.

BE IT FURTHER RESOLVED, that this resolution takes effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commission.

BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict with this resolution are hereby repealed.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:



Chairperson, Weakley County Fiber Research Committee

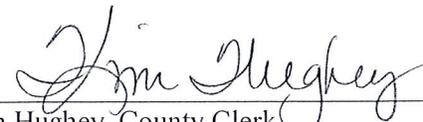
Motion made by Commissioner Eddings that the foregoing resolution be adopted:

Motion seconded by Commissioner Donaldson.

Upon being put to a voice vote, motion carried by a vote of

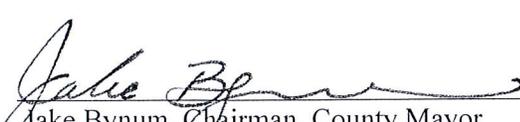
14 Yeas, 0 Nays, 0 Passed, and 4 Absent.

ATTESTED:



Kim Hughey, County Clerk

APPROVED:



Jake Bynum, Chairman, County Mayor

This the 16th day of September, 2019.