

ORDINANCE NO. 2019-3

AN ORDINANCE TO AMEND SUBSECTION 7.07(6)(d) AND SUBSECTIONS 7.07(8)(a) AND 7.087(8)(b) OF THE MUNICIPAL CODE OF THE VILLAGE OF NORTH BAY, WISCONSIN, RELATING TO EQUIPMENT IN THE PUBLIC RIGHTS OF WAY

The Village Board of Trustees for the Village of North Bay, Wisconsin, do ordain as follows:

1. That subsection 7.07(6)(d) of the Municipal Code of the Village of North Bay, Wisconsin, be, and hereby is, amended to read as follows:

“(d) Fees. Applicant must provide an application fee and shall be required to pay all costs reasonably incurred in reviewing the application, including costs incurred in retaining outside consultants. Other than an application to construct a new or replacement utility pole, the application fee shall be \$500 for up to the first five distinct facilities covered by the application, plus \$100 per each additional facility. The application fee for a new or replacement utility pole shall be \$1,000, which fee includes the cost of the facility to be installed on the new or replacement utility pole. The annual right-of-way/public lands access fee shall be \$20 per distinct permitted facility. The annual fee for any location on a Village-owned pole shall be as negotiated by the Village and the applicant. Fees shall be reviewed periodically and raised or lowered based on the costs the Village expects to incur, as permitted by state law.”

2. That subsections 7.07(8)(a) and 7.07(8)(b) of the Municipal Code of the Village of North Bay, Wisconsin, be, and hereby are, amended to read as follows:

“(a) Rejection for Incompleteness. Notices of incompleteness shall be provided in conformity with state, local, and federal law, including, with respect to wireless communication facilities, 47 C.F.R. § 1.6003(d), as amended. Unless a shorter response time is required by federal, state, or local law, or as may otherwise be agreed to by the applicant and the village, an application covered by Wis. Stat. § 66.0414 shall be deemed complete unless the Village gives the applicant a notice of incompleteness within 10 days of submittal.

(b) Processing Timeline. Wireless permit applications (including applications for other permits under Section 6(b)(8) necessary to place or modify the facility) and appeals will be processed in conformity with the shot clocks set forth in state, local, and federal law, as amended. All other permit applications shall be processed within a reasonable time or as otherwise required by state or local law. Unless a shorter response time is required by federal, state, or local law, or as may otherwise be agreed to by the applicant and the village, an application covered by Wis. Stat. § 66.0414 for a collocation on an existing utility pole shall be deemed approved unless acted upon by

the Village within 60 days of the application being deemed complete, and an application involving the construction of a new or replacement utility pole shall be deemed complete unless acted upon by the Village within 90 days of the application being deemed complete.”

3. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of North Bay, Racine County, Wisconsin, this 25th day of November, 2019.

VILLAGE OF NORTH BAY

By: *Roger Mellem*
Roger Mellem
Village President

Attest: *Dori A. Panthofer*
Dori Panthofer
Village Clerk

4089.100 (7.07)

Posted 12.30.2019