

Resolution Halting Fiber Optic Construction

WHEREAS, from telehealth, to remote learning, to work-from-home, people are living increasingly digitally connected lives; and

WHEREAS, the Village encourages private investment in infrastructure, but it cannot be done at the expense of the quality of life of residents; and

WHEREAS, since the state's 2019 broadband investment program, Connect Illinois was approved, \$400 million in matching grants is being made available to internet service providers to enhance high-speed internet throughout the State of Illinois; and

WHEREAS, the current Connect Illinois Round 4 is being supported by the federal Broadband Equity, Access, and Deployment (BEAD) funds made possible by the Infrastructure Investment and Jobs Act of 2021; and

WHEREAS, investment in broadband access is meant to support economic development, education, precision agriculture, and telehealth efforts statewide; and

WHEREAS, the Village is in support of better internet, but it must be done responsibly; and

WHEREAS, the Village has witnessed a sharp increase in resident complaints about unsafe and incomplete work tied to fiber internet installation; and

WHEREAS, to provide internet services utilizing public easements, an internet provider can be approved to construct infrastructure in one of two ways – via a municipal franchise agreement or via state-issued authorization; and

WHEREAS, of all the internet service providers in the Village, only Xfinity operates under a municipal franchise agreement, all other internet service providers utilizing public easements operate under state-issued authorization in accordance with the Illinois Cable and Video Competition Law of 2007; and

WHEREAS, the Illinois Cable and Video Competition Law of 2007 limits the ability of a municipality to regulate internet services providers; and

WHEREAS, the Village's Public Works Department has been utilizing Village resources to review, permit, and monitor construction even though these fiber optic installation projects are not Village-sponsored construction projects; and

WHEREAS, in response to growing concerns across Orland Park, the Village is creating new rules for internet service providers.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF ORLAND PARK:

Section 1. The foregoing Recitals are incorporated herein by reference as though fully set forth.

Section 2. Village staff is directed to withhold permits until the following are addressed: Unrepaired property damage, Utility hits, Open holes, potholes, and sidewalks left unrepaired, Work conducted outside of allowed hours, and Subcontractors working without visible identification.

Section 3. Village staff and the Village Attorney are to draft an Ordinance creating new rules for internet service installations to be presented to the Village Board at a future meeting.