

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by adding Section
5 5-12001.2 as follows:

6 (55 ILCS 5/5-12001.2 new)

7 Sec. 5-12001.2. Regulation of telecommunications
8 facilities; Lake County pilot project.

9 In addition to any other requirements under this Division
10 concerning the regulation of telecommunications facilities,
11 the following applies to any new telecommunications facilities
12 in Lake County that are not AM telecommunications towers or
13 facilities:

14 (a) For every new wireless telecommunications facility
15 requiring a new tower structure, a telecommunications carrier
16 shall provide the county with documentation consisting of the
17 proposed location, a site plan, and an elevation that
18 sufficiently describes a proposed wireless facility location.

19 (b) The county shall have 7 days to review the facility
20 proposal and contact the telecommunications carrier in writing
21 via e-mail or other written means as specified by the
22 telecommunications carrier. This written communication shall
23 either approve the proposed location or request a meeting to

1 review other possible alternative locations. If requested, the
2 meeting shall take place within 7 days after the date of the
3 written communication.

4 (c) At the meeting, the telecommunications carrier shall
5 provide the county documentation consisting of radio frequency
6 engineering criteria and a corresponding telecommunications
7 facility search ring map, together with documentation of the
8 carrier's efforts to site the proposed facility within the
9 telecommunications facility search ring.

10 (d) Within 21 days after receipt of the carrier's
11 documentation, the county shall propose either an alternative
12 site within the telecommunications facility search ring, or an
13 alternative site outside of the telecommunications search ring
14 that meets the radio frequency engineering criteria provided by
15 the telecommunications carrier and that will not materially
16 increase the construction budget beyond what was estimated on
17 the original carrier proposed site.

18 (e) If the county's proposed alternative site meets the
19 radio frequency engineering criteria provided by the
20 telecommunications carrier, and will not materially increase
21 the construction budget beyond what was estimated on the
22 original carrier proposed site, then the telecommunications
23 carrier shall agree to build the facility at the alternative
24 location, subject to the negotiation of a lease with
25 commercially reasonable terms and the obtainment of the
26 customary building permits.

1 (f) If the telecommunications carrier can demonstrate
2 that: (i) the county's proposed alternative site does not meet
3 the radio frequency engineering criteria, (ii) the county's
4 proposed alternative site will materially increase the
5 construction budget beyond what was estimated on the original
6 carrier proposed site, (iii) the county has failed to provide
7 an alternate site, or (iv) after a period of 90 days after
8 receipt of the alternative site the telecommunications carrier
9 has failed, after acting in good faith and with due diligence,
10 to obtain a lease or at a minimum, a letter of intent to lease
11 the alternative site at lease rates not materially greater than
12 the lease rate for the original proposed site; then the carrier
13 can proceed to permit and construct the site under the
14 provisions and standards of Section 5-12001.1 of this Code.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.