

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 5-1192 as follows:

6 (55 ILCS 5/5-1192 new)

7 Sec. 5-1192. County use of utility pole for county public
8 safety.

9 (a) As used in this Section:

10 "Communications space" has the meaning given to that term
11 in the National Electric Safety Code as published by the
12 Institute of Electrical and Electronics Engineers.

13 "Communication worker safety zone" has the meaning given
14 to that term in the National Electric Safety Code as published
15 by the Institute of Electrical and Electronics Engineers.

16 "Electric supply zone" has the meaning given to that term
17 in the National Electric Safety Code as published by the
18 Institute of Electrical and Electronics Engineers.

19 "Public utility" has the meaning given to that term in
20 Section 3-105 of the Public Utilities Act.

21 (b) Subject to the provisions of subsection (c), a county
22 may use a utility pole that is owned by the State or a unit of
23 local government or a public right-of-way that is owned by the

1 State or a unit of local government for county public safety
2 purposes, including, but not limited to, the placement of
3 equipment associated with public safety. The equipment may not
4 be located within or interfere with part of an electric
5 distribution or transmission system within the communication
6 worker safety zone of the pole or the electric supply zone of
7 the pole. The use of the equipment must comply with the
8 applicable codes and local code provisions or regulations that
9 concern public safety.

10 (c) A State agency may, by rule, or a unit of local
11 government may, by ordinance or resolution, create a
12 permitting process to allow a utility pole or a public
13 right-of-way that it owns to be used by a county for public
14 safety purposes.

15 (d) Any fee charged by the owner of a utility pole or
16 right-of-way for use by a county under this Section shall be at
17 the lowest rate charged by the owner and shall not exceed the
18 owner's costs.

19 (e) Nothing in this Section authorizes a county to use
20 property or infrastructure that is owned by a public utility.

21 Section 10. The Illinois Municipal Code is amended by
22 adding Section 11-80-25 as follows:

23 (65 ILCS 5/11-80-25 new)

24 Sec. 11-80-25. Municipal use of utility pole for municipal

1 public safety.

2 (a) As used in this Section:

3 "Communications space" has the meaning given to that term
4 in the National Electric Safety Code as published by the
5 Institute of Electrical and Electronics Engineers.

6 "Communication worker safety zone" has the meaning given
7 to that term in the National Electric Safety Code as published
8 by the Institute of Electrical and Electronics Engineers.

9 "Electric supply zone" has the meaning given to that term
10 in the National Electric Safety Code as published by the
11 Institute of Electrical and Electronics Engineers.

12 "Public utility" has the meaning given to that term in
13 Section 3-105 of the Public Utilities Act.

14 (b) Subject to the provisions of subsection (c), a
15 municipality may use a utility pole that is owned by the State
16 or a unit of local government or a public right-of-way that is
17 owned by the State or a unit of local government for municipal
18 public safety purposes, including, but not limited to, the
19 placement of equipment associated with public safety. The
20 equipment may not be located within or interfere with part of
21 an electric distribution or transmission system within the
22 communication worker safety zone of the pole or the electric
23 supply zone of the pole. The use of the equipment must comply
24 with the applicable codes and local code provisions or
25 regulations that concern public safety.

26 (c) A State agency may, by rule, or a unit of local

1 government may, by ordinance or resolution, create a
2 permitting process to allow a utility pole or a public
3 right-of-way that it owns to be used by a municipality for
4 public safety purposes.

5 (d) Any fee charged by the owner of a utility pole or
6 right-of-way for use by a municipality under this Section
7 shall be at the lowest rate charged by the owner and shall not
8 exceed the owner's costs.

9 (e) Nothing in this Section authorizes a municipality to
10 use property or infrastructure that is owned by a public
11 utility.