

ORDINANCE NO. 15-48
INTRODUCED BY: Mr. Vincent

First Reading June 1, 2015
Second Reading June 15, 2015

AN ORDINANCE
**AUTHORIZING THE CITY TO ENTER INTO A NATURAL GAS
PROGRAM AGREEMENT WITH THE NORTHEAST OHIO PUBLIC
ENERGY COUNCIL (“NOPEC”),
AND DECLARING AN EMERGENCY**

WHEREAS, under Section 4929.26, Ohio Revised Code, the City of Bay Village, Ohio (the “City”) is authorized to establish an opt-out natural gas aggregation program for the benefit of eligible natural gas consumers located within the City;

WHEREAS, under Section 4929.26, Ohio Revised Code, the City may exercise such authority jointly with other political subdivisions in the State of Ohio;

WHEREAS, governmental aggregation provides an opportunity for natural gas consumers collectively to participate in the potential benefits of natural gas deregulation through lower gas rates which they would not otherwise be able to have individually;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. The Council of the City (the “Council”) finds and determines that it is in the best interest of the City and certain natural gas consumers located within the City, to establish an opt-out natural gas aggregation program (the “Gas Aggregation Program”) in the City, and to enter into a Natural Gas Program Agreement with NOPEC in order to establish a Gas Aggregation Program through NOPEC.

SECTION 2. The Council is hereby authorized and desires to execute and deliver the Natural Gas Program Agreement of NOPEC (the “Gas Program Agreement”). The Gas Program Agreement shall be substantially in the form presented to the Board on file with the Clerk, subject to such changes, insertions and omissions which are consistent with this Ordinance and are not substantially adverse to the City and as may be approved by the Council of the City, which approval shall be conclusively evidenced by execution of the Gas Program Agreement.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City’s Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefit through the Gas Program provided by NOPEC, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: June 22, 2015

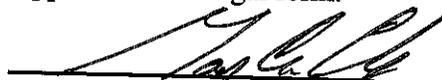

PRESIDENT OF COUNCIL


CLERK OF COUNCIL

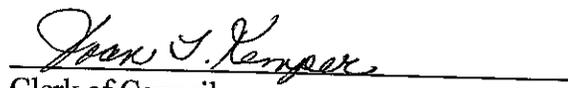
APPROVED: June 23, 2015


MAYOR

Approved as to legal form:


Director of Law

I, Joan Kemper, as Clerk of Council of the City of Bay Village, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance No. 15-48 adopted by the Council of said Municipality on the 22nd day of June, 2015.


Clerk of Council