

## **ORDINANCE NO. 43-2014**

### **AN ORDINANCE ENTERING INTO AND AUTHORIZING THE MAYOR TO EXECUTE A NATURAL GAS PROGRAM AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL AND DECLARING AN EMERGENCY.**

WHEREAS, under § 4929.26 of the Ohio Revised Code, the Village is authorized to establish an opt-out natural gas aggregation program for the benefit of eligible natural gas consumers located within the Village;

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

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 VILLAGE OF MADISON, LAKE COUNTY, STATE OF OHIO:

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

SECTION 2. The Mayor is hereby authorized 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 Council 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 Village and as may be approved by the Council, which approval shall be conclusively evidenced by execution of the Gas Program Agreement.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting 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 § 121.22 of the Ohio Revised Code.

1<sup>st</sup> Reading, December 1, 2014  
2<sup>nd</sup> Reading, December 15, 2014

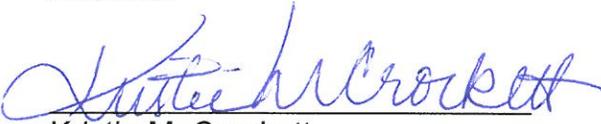
Introduced by: Mayor Britton

SECTION 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefits of gas deregulation through the Gas Aggregation Program of NOPEC, as provided herein; WHEREFORE, this Ordinance shall take immediate effect in accordance with the provisions of Article V, § 5.2 of the Madison Village Charter.

PASSED: 12-15-14

  
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Kenneth D. Takacs,  
President of Council

Attested:

  
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Kristie M. Crockett,  
Fiscal Officer / Clerk of Council

Approved:

  
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Sam Britton Jr.,  
Mayor

12-15-14  
\_\_\_\_\_  
Date