



AN ORDINANCE BY THE VILLAGE OF WILLIAMSBURG

ORDINANCE: 1169-20

AN ORDINANCE AUTHORIZING TO AMEND ORDINANCE 1147-19 ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE CLERMONT COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS.

WHEREAS, the Ohio Legislature has enacted gas deregulation legislation which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate automatically, pursuant to Section 4929.26 of the Ohio Revised Code, subject to opt-out provisions, competitive gas service for the retail gas loads located in the respective jurisdictions and to enter into service agreements to facilitate the sale and purchase of the service for the gas loads; and

WHEREAS, such legislative authorities may exercise such authority jointly with any other legislative authorities;

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

WHEREAS, the Village of Williamsburg Village Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code (the "Aggregation Program") for the residents, businesses and other gas customers in the Village of Williamsburg and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL, VILLAGE OF WILLIAMSBURG, CLERMONT COUNTY, STATE OF OHIO:

SECTION I

This Council finds and determines that it is in the best interest of the Village of Williamsburg, its residents, businesses and other gas consumers located within the corporate limits of the Village of Williamsburg to establish the Aggregation Program in the Village. Provided that this Ordinance and the Aggregation Program is approved by the electors of the Village of Williamsburg pursuant to Section 2 of this Ordinance, the Village of Williamsburg is hereby authorized to aggregate in accordance with Section 4929.26, Ohio Revised Code, the retail gas loads located within the Village of Williamsburg, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of gas. The Village of Williamsburg may exercise such authority jointly with any other municipal corporation, township or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an gas load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Ordinance.

SECTION II

The Board of Elections of Clermont County is hereby directed to submit the following question to the electors of the Village of Williamsburg at the general election on November 3, 2020.

"Shall the Village of Williamsburg have the authority to aggregate the retail gas loads located in the Village, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of gas, such aggregation to occur automatically except where any person elects to opt out?"

The Clerk of this Council is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the County Board of Elections not less than ninety (90) days prior to November 3, 2020. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4929.26 of the Ohio

Revised Code.

SECTION III

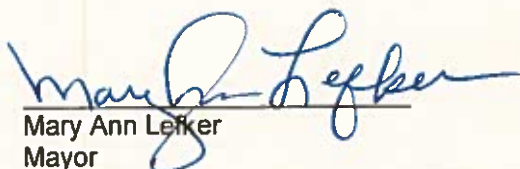
Upon the approval of a majority of the electors voting at the election provided for in Section 2 of this Ordinance, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Village. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Council shall aggregate the gas load of any gas load center within the Village unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. This disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every three years without paying a termination fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided by the gas service company providing distribution service for the person's retail gas load until the person chooses an alternative supplier.

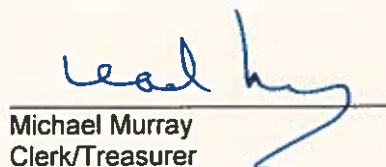
SECTION IV

This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION V

This Ordinance is hereby declared to be an emergency measure necessary for immediate preservation of the health, safety and welfare of the citizens of the Village of Williamsburg and shall take effect immediately.


Mary Ann Leiker
Mayor


Michael Murray
Clerk/Treasurer

August 5, 2020
Date Passed

I, **Michael G. Murray**, Clerk of Council of the Village of Williamsburg, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original **Ordinance 1169-20** now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this **5th day** of August **2020**.

Michael G. Murray - Clerk/Treasurer