

By:

ORDINANCE NO. 05-2023

AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO SUBMIT A BALLOT QUESTION TO THE ELECTORS OF THE VILLAGE OF GRANVILLE AS TO WHETHER THE VILLAGE SHOULD TAKE ALL ACTIONS NECESSARY TO AFFECT THE LOCAL AGGREGATION OF NATURAL GAS WITH OPT-OUT PROVISIONS IN ACCORDANCE WITH § 4926.20 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Legislature has enacted natural 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, the retail natural gas service located in the respective jurisdictions and to enter into service agreements to facilitate the sale of the natural 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 natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually;

WHEREAS, this 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 natural gas consumers in the Village of Granville 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 GRANVILLE VILLAGE COUNCIL, LICKING COUNTY, STATE OF OHIO:

EMERGENCY ORDINANCE

In order to enter into an Aggregation Program for the greatest potential savings for the welfare of the residents of the Village of Granville, given the current energy market, Village Council hereby finds it is appropriate for this to be an Emergency Ordinance in order to have sufficient time to submit the ballot question in Section II of this Ordinance

SECTION I. This Council finds and determines that it is in the best interest of the Village of Granville, OH, its residents, businesses and other natural gas consumers located within the corporate limits of the Village of Granville to establish the Aggregation Program in the Village of Granville. Provided that this ordinance and the Aggregation Program is approved by the electors of the Village of Granville, OH pursuant to Section II of this Ordinance, the Village of Granville, OH is hereby authorized to aggregate in accordance with Section 4929.26, Ohio Revised Code, the retail natural gas loads located within the Village of Granville, OH, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of natural gas. The Village of Granville 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 natural gas proposed to be aggregated and will provide for the opt-out rights described in Section III of this Ordinance.

SECTION II. The Board of Elections of Licking County is hereby directed to submit the following question to the electors of the Village of Granville, OH at the general election on May 2nd, 2023. The Aggregation Program shall not take effect unless approved by a

majority of the electors voting upon this issue at the election held pursuant to this resolution and Section 4929.26 of the Ohio Revised Code.

The form of the ballot to be used in the May 2nd 2023 election shall be substantially as follows:

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

_____ FOR THE GAS AGGREGATION PROPOSAL

_____ AGAINST THE GAS AGGREGATION PROPOSAL

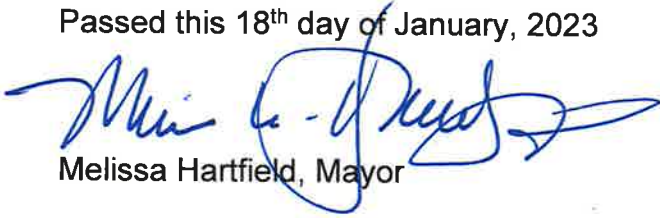
The Clerk of Council is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the County Board of Elections not less than ninety (90) days prior to May 2nd, 2023. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Resolution 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 II 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 three public hearings on the plan. One hearing will be before the election and two hearings will be held after the election. 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 of Granville. 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 natural gas of any natural gas customer within the Village of Granville unless it in advance clearly discloses to the person owning, occupying, controlling, or using the natural gas 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. The 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 two years without paying a switching fee. Any person can also opt-out at any time at no fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the natural gas company providing distribution service for the person's retail natural 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. Notice of the adoption of this Ordinance shall be given once by publishing the title of the Ordinance in an abstract prepared by the Clerk of Council of the Village of Granville, OH.

Passed this 18th day of January, 2023



Handwritten signature of Melissa Hartfield in blue ink.

Melissa Hartfield, Mayor

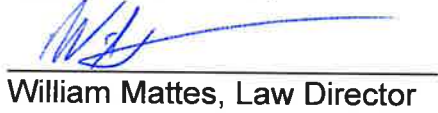
Attest:



Handwritten signature of Autumn Klein in blue ink, positioned above a horizontal line.

Clerk of Council

Approved to Form:



Handwritten signature of William Mattes in blue ink, positioned above a horizontal line.

William Mattes, Law Director

On behalf of the state of Ohio, Licking County, Village of Granville, I, Autumn Klein, duly qualified Clerk of Council for the Village of Granville, do hereby certify that the foregoing is a copy of the original ordinance, 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, WITNESS by my signature, this 18th day of January, 2023.