

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 42 - 2011

6  
7 AN ORDINANCE ENACTING NEW SECTION 933.122 OF TITLE 5,  
8 PART 9 OF THE CODIFIED ORDINANCES, RELATING TO RATES  
9 FOR RENEWABLE ENERGY, AND DECLARING AN EMERGENCY.

10  
11 WHEREAS, pursuant to Ord. No. 32-2011, the City has entered into contract with American  
12 Municipal Power, Inc. in order to purchase, for resale, certain renewable energy products to be known  
13 as the EcoSmart Choice program, and  
14

15 WHEREAS, under the EcoSmart Choice program, residential and commercial customers of the  
16 Cuyahoga Falls Electric System will be offered the option to purchase renewable energy products on a  
17 per kWh basis as part of their base electric load,  
18

19 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of  
20 Summit, and State of Ohio, that:

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22 Section 1. New Section 933.122 of the Codified Ordinances of the City of Cuyahoga Falls is  
23 hereby enacted to read in full as follows:

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25 933.122 RENEWABLE ENERGY SURCHARGE

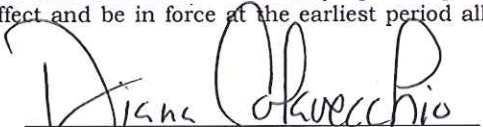
26 To the extent available, a renewable energy choice may be procured by the City and made available  
27 at cost to customers wishing to participate. For those customers choosing the renewable energy  
28 product, the monthly charge will be surcharged at the rate then currently experienced by the City in  
29 procuring the renewable energy product. Participating customers shall be informed of the surcharge  
30 rate in advance, and the customer's participation in the program shall be noted on each bill. The  
31 customer will be provided at least thirty (30) days notice of any changes in the surcharge rate.  
32 Customers may terminate participation in the renewable energy program upon giving thirty (30) days  
33 notice to the City.  
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35 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent  
36 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which  
37 have not previously been repealed are hereby ratified and confirmed.  
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39 Section 3. It is found and determined that all formal actions of this Council concerning and  
40 relating to the passage of this ordinance were taken in an open meeting of this Council and that all  
41 deliberations of this Council and of any committees that resulted in those formal actions were in  
42 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the  
43 Codified Ordinances.  
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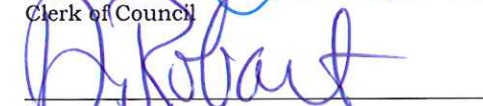
45 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the  
46 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls  
47 and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members  
48 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and  
49 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by  
50 law.  
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53 Passed: 4-25-11

  
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President of Council

  
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Clerk of Council

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61 Approved 4/29/11

  
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Mayor