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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. 101 - 2017  
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9 AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO THE  
10 NORTHEAST OHIO PUBLIC ENERGY COUNCIL ("NOPEC") AND  
11 AUTHORIZING THE EXECUTION AND DELIVERY OF THE  
12 AGREEMENT ESTABLISHING NOPEC AND APPROVING THE  
13 BYLAWS OF NOPEC, AND DECLARING AN EMERGENCY.  
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16 WHEREAS, the Council of the City of Cuyahoga Falls wishes to establish a natural gas  
17 aggregation program pursuant to Section 4929.26, of the Ohio Revised Code (the "Natural Gas  
18 Program"), for the residents, businesses and other consumers located within the City, and for that  
19 purpose, to act jointly with any other City, village, township, municipal corporation, county or  
20 other political subdivision of the State of Ohio, as permitted by law; and  
21

22 WHEREAS, by joining the Northeast Ohio Public Energy Council, the City will be able to act  
23 jointly with other member political subdivisions and thereby maximize the potential benefit of  
24 natural gas deregulation through group purchasing efforts.  
25

26 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
27 of Summit, and State of Ohio, that:  
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29 Section 1. The Council finds and determines that it is in the best interest of the City,  
30 including the natural gas consumers located within the City, to join and to adopt the NOPEC  
31 Bylaws, for the purpose of establishing and implementing the Natural Gas Program within the  
32 City.  
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34 Section 2. The Mayor is hereby authorized and directed to execute and deliver the  
35 Agreement Establishing the Northeast Ohio Public Energy Council (the "NOPEC Agreement").  
36 The NOPEC Agreement shall be substantially in the form presented to this Council and on file  
37 with the Clerk, subject to such changes, insertions and omissions which are consistent with  
38 this Ordinance and are not substantially adverse to the City and as may be approved by the  
39 Mayor, which approval shall be conclusively evidenced by the execution of the NOPEC  
40 Agreement.  
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42 Section 3. The Council hereby approves and adopts the Bylaws of NOPEC (in the form  
43 attached to the NOPEC Agreement).  
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45 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions  
46 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of  
47 ordinances and resolutions not inconsistent herewith and which have not previously been  
48 repealed are hereby ratified and confirmed.  
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50 Section 5. It is found and determined that all formal actions of this Council concerning and  
51 relating to the adoption of this ordinance were adopted in an open meeting of this Council and  
52 all deliberations of this Council and any of its committees that resulted in such formal action  
53 were in meetings open to the public, in compliance with all legal requirements including  
54 Chapter 107 of the Codified Ordinances.  
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56 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the  
57 preservation of the public peace, health, safety, convenience and welfare of the City of  
58 Cuyahoga Falls and the inhabitants thereof and for the further reason that this Ordinance is  
59 required to be immediately effective in order to maximize the potential benefit through the Natural  
60 Gas Program provided by NOPEC, and provided it receives the affirmative vote of two-thirds of  
61 the members elected or appointed to Council, it shall take effect and be in force immediately  
62 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
63 earliest period allowed by law.

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66 Passed: 12-11-17

  
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President of Council

  
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Clerk of Council

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74 Approved 12-12-2017

  
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Mayor

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77 11/20/17

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