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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 102 - 2017
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8
9 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
10 NATURAL GAS PROGRAM AGREEMENT WITH THE NORTHEAST
11 OHIO PUBLIC ENERGY COUNCIL AND DECLARING AN
12 EMERGENCY.
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15 WHEREAS, under Section 4929.26, of the Ohio Revised Code, the City of Cuyahoga Falls,
16 Ohio (the "City") is authorized to establish an opt-out natural gas aggregation program for the
17 benefit of eligible natural gas consumers located within the City; and
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19 WHEREAS, under Section 4929.26, of the Ohio Revised Code, the City may exercise such
20 authority jointly with other political subdivisions in the State of Ohio; and
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22 WHEREAS, governmental aggregation provides an opportunity for natural gas consumers
23 collectively to participate in the potential benefits of natural gas deregulation through lower gas
24 rates which they would not otherwise be able to have individually.
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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 and
30 certain natural gas consumers located within the City, to establish an opt-out natural gas
31 aggregation program (the "Gas Aggregation Program") in the City, and to enter into a Natural Gas
32 Program Agreement with NOPEC in order to establish a Gas Aggregation Program through
33 NOPEC.
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35 Section 2. The Mayor is hereby authorized to execute and deliver the Natural Gas Program
36 Agreement of NOPEC (the "Gas Program Agreement"). The Gas Program Agreement shall be
37 substantially in the form presented to Council on file with the Clerk, subject to such changes,
38 insertions and omissions which are consistent with this ordinance and are not substantially
39 adverse to the City and as may be approved by the Council, which approval shall be conclusively
40 evidenced by execution of the Gas Program Agreement.
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42 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions
43 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of
44 ordinances and resolutions not inconsistent herewith and which have not previously been
45 repealed are hereby ratified and confirmed.
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47 Section 4. It is found and determined that all formal actions of this Council concerning and
48 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
49 all deliberations of this Council and any of its committees that resulted in such formal action
50 were in meetings open to the public, in compliance with all legal requirements including Chapter
51 107 of the Codified Ordinances.
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53 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
54 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga

55 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the
56 members elected or appointed to Council, it shall take effect and be in force immediately upon
57 its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
58 period allowed by law.

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61 Passed: 12-11-17



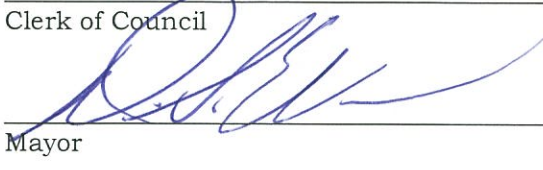
President of Council

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Clerk of Council

Approved 12-12-2017



Mayor