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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 103 - 2017

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9 AN ORDINANCE APPROVING THE PLAN OF OPERATION
10 AND GOVERNANCE FOR THE NOPEC GAS AGGREGATION
11 PROGRAM FOR THE PURPOSE OF JOINTLY
12 ESTABLISHING AND IMPLEMENTING A GAS
13 AGGREGATION PROGRAM, AND DECLARING AN
14 EMERGENCY.

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16 WHEREAS, this Council previously enacted legislation authorizing the City of
17 Cuyahoga Falls (the "City") to establish a Gas Aggregation Program pursuant to Section
18 4929.26, of the Ohio Revised Code (the "Gas Aggregation Program"), for the eligible
19 residents, businesses and other gas consumers in the City, and for that purpose, to act
20 jointly with any other municipal corporation, city, county or other political subdivision of
21 the State of Ohio, as permitted by law; and

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23 WHEREAS, this Council previously enacted legislation authorizing the City to join the
24 Northeast Ohio Public Energy Council so that the City will be able to act jointly with
25 other member political subdivisions and thereby maximize the potential benefits of gas
26 deregulation through group purchasing efforts; and

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28 WHEREAS, on behalf of this Council pursuant to Section 4929.26, Ohio Revised
29 Code, two (2) public hearings have been held on the Plan of Operation and Governance
30 for the NOPEC Gas Aggregation Program.

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

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35 Section 1. This Council finds and determines that it is in the best interest of the
36 City, including the gas consumers located within the City to adopt the Plan of Operation
37 and Governance of the NOPEC Gas Aggregation Program, for the purpose of establishing
38 and implementing the Gas Aggregation Program in the City.

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40 Section 2. Any other ordinances and resolutions or portions of ordinances and
41 resolutions inconsistent herewith are hereby repealed but any ordinances and
42 resolutions or portions of ordinances and resolutions not inconsistent herewith and
43 which have not previously been repealed are hereby ratified and confirmed.

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45 Section 3. It is found and determined that all formal actions of this Council
46 concerning and relating to the adoption of this ordinance were adopted in an open
47 meeting of this Council and all deliberations of this Council and any of its committees
48 that resulted in such formal action were in meetings open to the public, in compliance
49 with all legal requirements including Chapter 107 of the Codified Ordinances.
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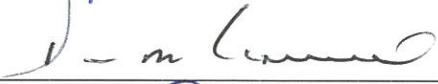
51 Section 4. This ordinance is hereby declared to be an emergency measure
52 necessary for the preservation of the public peace, health, safety, convenience and
53 welfare of the City of Cuyahoga Falls and the inhabitants thereof and for the further
54 reason that this Ordinance is required to be immediately effective in order to maximize
55 the potential benefits of gas deregulation through the Gas Aggregation Program of
56 NOPEC, and provided it receives the affirmative vote of two-thirds of the members
57 elected or appointed to Council, it shall take effect and be in force immediately upon
58 its passage and approval by the Mayor; otherwise it shall take effect and be in force at
59 the earliest period allowed by law.

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Passed: 12-11-17



President of Council



Clerk of Council

Approved 12-12-2017



Mayor