



Introduced: 5/1/2023
Revised:
Adopted:
Effective:

CITY OF PATASKALA

ORDINANCE 2023-4447

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS, PURSUANT TO R.C. 4929.26, AND DIRECTING THE LICKING COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS

WHEREAS, the Ohio General Assembly enacted natural gas deregulation legislation which authorizes Council for the City of Pataskala to aggregate the retail natural gas loads located within the City and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business consumers to participate collectively in the potential benefits of natural gas deregulation through lower natural gas rates which would not otherwise be available to those natural gas customers individually, and

WHEREAS, Council for the City of Pataskala wants to establish a governmental aggregation program with opt-out provisions pursuant to R.C. 4929.26 for the residents, businesses, and other natural gas consumers in the City if the electorate approves such aggregation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING:

Section 1: Council for the City of Pataskala hereby concludes it is in the best interest of the City, its residents, and businesses located within the corporate limits of the City to establish this aggregation program in the City of Pataskala.

Section 2: The aggregation program discussed herein must be approved by the electors of the City pursuant to Section 3 of this Ordinance. Upon approval by the electorate, the City of Pataskala is hereby authorized to automatically aggregate, in accord with R.C. 4929.26, the retail

natural gas loads (customers) located within the City and enter into service agreements to facilitate for those loads the purchase and sale of natural gas. The City of Pataskala may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio.

Section 3: The Board of Elections of Licking County is hereby directed to submit the following question to the electors of at the general election on November 7, 2023:

Shall the City of Pataskala have the authority to aggregate the retail natural gas customers located in the City, and for that purpose, enter into services agreements to facilitate for those customers the sale and purchase of natural gas, conversion to the aggregation program will occur automatically unless the customers choose to opt out of the program.

The Clerk of Council is instructed to immediately file a certified copy of this Ordinance and the proposed form of the ballot question with the Licking County Board of Elections but not less than seventy-five days prior to the general election. The aggregation program shall not take effect unless approved by a majority of the electors voting upon the aggregation program provided for herein at the election held pursuant to this Section and R.C. 4929.26.

Section 4: Upon approval of a majority of the electors voting at the general election provided for in Section 3 of this Ordinance, Council for the City of Pataskala, individually or jointly with any other political subdivision, may develop a plan of operation for the aggregation program. Before adopting this plan Council for the City of Pataskala shall hold at least two public hearings on the plan.

Notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City prior to the first hearing. The notice will summarize the plan and state the date, time, and place of each hearing. No plan adopted by the City of Pataskala shall aggregate the natural gas load of any natural gas load center within the City unless it, in advance, clearly discloses to the person owning, occupying, controlling, or using the load center 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 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 at least once every two years without paying a switching fee. Any person that opts out of the Aggregation Program pursuant to the state procedure shall default to the standard service offer provided under R.C. 4929.26(a) until the person chooses an alternative supplier.

Section 5 It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 6: This Ordinance shall take effect immediately upon its passage, as set forth in Section 4.07(A)(4) of the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk of Council

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director