

Village of Crooksville, Ohio

ORDINANCE NO. 2739

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, AND DIRECTING THE PERRY COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of municipal corporations, Villages and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purpose and sale of electricity; and

WHEREAS, such legislative authorities may exercise such authority jointly with any other legislative authorities; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually; and

WHEREAS, this Village Council seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program"), for the residents, businesses and other electric consumers in the Village of Crooksville and in conjunction jointly with any other municipal corporation, Village, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Crooksville, Perry County, State of Ohio, that:

SECTION 1. This Council finds and determines that it is in the best interests of the Village of Crooksville, its residents, businesses and other electric consumers located within the corporate limits of the Village of Crooksville to establish the Electricity Aggregation Program in the Village. Provided that this Ordinance and the Electricity Aggregation Program is approved by the electors of the Village of Crooksville pursuant to Section 2 of this Ordinance, the Village is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electrical loads located within Village of Crooksville, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. Further, the Village of Crooksville may exercise such authority jointly with any other municipal corporation, Village or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an

electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Ordinance.

SECTION 2. The Board of Elections of Perry County is hereby directed to submit the following question to the electors of Village of Crooksville at the general election on November 5, 2024.

Shall the Village of Crooksville have the authority to aggregate the retail electric loads located in the Village, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, including to exercise such authority jointly with any other municipal corporation, Village or county or other political subdivision of the State of Ohio to the full extent permitted by law, such aggregation to occur automatically except where any person elects to opt out?

FOR THE ELECTRIC AGGREGATION PROPOSAL
AGAINST THE ELECTRIC AGGREGATION PROPOSAL

The Fiscal Officer of this Village is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the County Board of Elections not less than ninety (90) days prior to November 5, 2024. The Electricity Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Electricity Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4928.20 of the Ohio Revised Code.

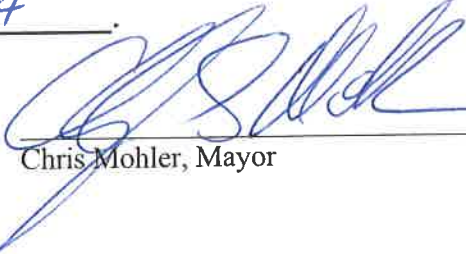
SECTION 3. Upon the approval of a majority of the electors voting at the election provided for in Section 2 of this Ordinance, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Electricity Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Village. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Village 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 Electricity Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so 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 Electricity Aggregation Program the opportunity to opt out of the program every three years without paying a switching fee. Any such person that opts out of the Electricity Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under division (a) of Section 4928.14 or division (d) of Section 4928.35, Ohio Revised Code until the person chooses an alternative supplier.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This Ordinance shall pass as an emergency measure in order to serve the general welfare of the Village of Crooksville in ensuring that the ballot issue is timely submitted to the Board of Elections.

1st Reading: Waived on at least 3/4 Vote ;
2nd Reading: Waived on at least 3/4 Vote ;
3rd Reading: Passed on at least 2/3 Vote .

Passed: 7/29/2024 .


Chris Mohler, Mayor 7/29/2024
Date

ATTESTED:

Courtney Edwards, Fiscal Officer 7/29/24
Date

Posting Certification

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 30 day of July, 2024.

Courtney Edwards
Courtney Edwards, Fiscal Officer