

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE AND DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly has enacted natural gas deregulation legislation (“H.B. No. 9”) authorizing the legislative authorities of municipal corporations to aggregate the retail natural gas loads located in their respective jurisdictions 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 customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually; and

WHEREAS, this Council seeks to establish a natural gas governmental aggregation program with opt-out provisions pursuant to Section 4929.26 of the Ohio Revised Code (the “Aggregation Program”), for the residents, businesses, and other natural gas consumers in the City of Hudson, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, Summit County, Ohio, as follows:

Section 1. This Council finds and determines that it is in the best interest of the City of Hudson, its residents, businesses, and other natural gas consumers located within the corporate limits of the City to establish the Aggregation Program in the City.

Section 2. Provided that this Ordinance and the Aggregation Program is approved by the electors of the City pursuant to Sections 3 and 4 of this Ordinance, the City, including its City Manager and the administration, is hereby authorized to aggregate in accordance with Section 4929.26 of the Ohio Revised Code, the retail natural gas loads located within the City of Hudson, and, for that purpose, to enter into service agreements to facilitate the sale and purchase of the service for the retail natural gas loads. The aggregation described herein shall occur automatically for each person owning, occupying, controlling, or using a natural gas load center proposed to be aggregated that is not under contract and will provide for the opt-out rights described in Section 6 of this Ordinance.

Section 3. The Board of Elections of Summit County is hereby directed to submit the following question to the electors of the City of Hudson at the general election on November 3, 2026 held within the corporate limits of the City of Hudson:

Shall the City of Hudson, Ohio have the authority to aggregate the retail natural gas loads located in the City, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of natural gas, such aggregation to occur automatically for eligible local utility customers except where any person is under contract or elects to opt out, all in accordance with Section 4929.26 of the Ohio Revised Code?

Section 4. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Aggregation Program provided for herein at the election held pursuant to this and Sections 2 and 3 of this Ordinance and Section 4929.26 of the Ohio Revised Code.

Section 5. The Clerk of Council is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the Summit County Board of Elections not less than ninety (90) days prior to November 3, 2026.

Section 6. Upon the approval of a majority of the electors voting at the general election provided for in Sections 2, 3, and 4 of this Ordinance, this Council shall develop a plan of operation and governance for the Natural Gas 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 City and upon the City's website. 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 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 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 Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee as set forth in Rule 4901:1-28-04 of the Ohio Administrative Code.

Section 7. Upon the approval of a majority of the electors voting at the general election provided for in Sections 2, 3, and 4 of this Ordinance, the City Manager is hereby authorized to enter an agreement with Buckeye Energy Brokers for opt-out energy aggregation services and to do all things necessary to implement this Ordinance.

Section 8. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 9. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 10. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety within the City as a natural gas aggregation program will make natural gas more accessible and affordable, improving public health and safety and, thus, the public peace, and to meet the statutory deadlines for elections in Ohio, and shall, therefore, be in full force and effect immediately upon its passage, provided it receives an affirmative vote of at least six (6) members of the Council for its enactment if seven (7) are present, or an affirmative vote of at least five (5) members if only five (5) or six (6) members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 26-99 was duly passed by the Council of said Municipality on _____, 2026.

Aparna Wheeler, Clerk of Council