

**CITY OF SOUTH LEBANON, OHIO  
ORDINANCE NO. 2023-23**

**AN ORDINANCE ADOPTING AND APPROVING A PLAN OF OPERATION AND  
GOVERNANCE FOR NATURAL GAS GOVERNMENTAL AGGREGATION IN  
THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of South Lebanon, Ohio City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other natural gas customers in the City of South Lebanon, Ohio (hereinafter "City", as permitted by law; and

**WHEREAS**, the Council has developed a Natural Gas Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4929.26 of the Ohio Revised Code and the Rules for Formation and Operation of Natural Gas Governmental Aggregations; and

**WHEREAS**, the Council now intends to file for certification as a Governmental Aggregator which requires that the Council first adopt its Plan of Operation and Governance; and

**WHEREAS**, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

**WHEREAS**, to immediately forward the Plan to the Public Utilities Commission of Ohio and proceed with the energy aggregation program, immediate action is required and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

**Section 1.** That the Council adopts and approves a Plan of Operation and Governance with respect to the natural gas governmental aggregation as attached hereto as Exhibit A.

**Section 2.** That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

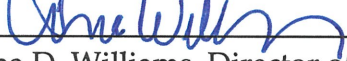
**Ordinance No. 2023-23**

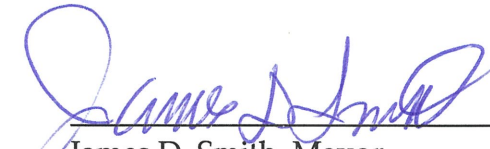
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**Section 3.** That this Ordinance is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare.

**Section 4.** That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 6<sup>th</sup> day of July, 2023.

Attest:   
Petrina D. Williams, Director of Finance

  
James D. Smith, Mayor

Rules Suspended: 7/6/23 (if applicable)

Effective Date -7/6/2023

Vote - 6 Yeas  
      \_\_\_ Nays


First Reading - / /2023  
Second Reading - / /2023

Effective Date - / /2023

Vote - \_\_\_ Yeas  
      \_\_\_ Nays

Prepared by and approved as to form:

ANDREW P. MEIER  
LAW DIRECTOR  
SOUTH LEBANON, OHIO

By:   
Date: 7/6/2023