

RECORD OF ORDINANCES

Ordinance No. 2024-05

Passed May 20, 2024

AN ORDINANCE AUTHORIZING RATES AT WHICH SHELDON GAS COMPANY GAS COMPANY, AN OHIO CORPORATION, ITS SUCCESSORS AND ASSIGNS, SHALL FURNISH GAS SERVICE IN THE VILLAGE OF VANLUE AFTER ACCEPTANCE HEREOF AND UNTIL THREE YEARS THEREAFTER

WHEREAS the Council of the Village of Vanlue, Ohio, hereinafter referred to as the Village, has determined that it is necessary and in the best interests of its inhabitants to establish rates and charges for the natural gas service to be rendered by Sheldon Gas Company, its successors, and assigns, to the Village and its inhabitants.

BE IT ORDAINED by the Council of the Village of Vanlue, Hancock County, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1. REPEAL. That all ordinances in conflict herewith be and the same are hereby repealed.

SECTION 2. Sheldon Gas Company, its successors and assigns hereinafter referred to as the Company, shall, after the passage and acceptance of this Ordinance and until three (3) years thereafter, be entitled to charge the following monthly base rates for gas furnished by it to the Village and its inhabitants:

General Service Rate

Customer Charge	<u>1st 12 Months:</u>	<u>2nd 12 Months</u>	<u>After 24 Months:</u>
	\$18.00 Per Month	\$20.00 Per Month	\$22.00 Per Month

Current Quarterly Volumetric Charge: \$.49657 per hundred cubic feet ("Ccf")

The General Service Rate applies to customers using less than 2,000 Ccf/mo.

Large Volume Rate

Customer Charge	<u>1st 12 Months:</u>	<u>2nd 12 Months</u>	<u>After 24 Months:</u>
	\$18 Per Month	\$20.00 Per Month	\$22.00 Per Month

Volumetric Charge First 2,000 Ccf/Month	\$.4160/Ccf
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Over 2,000 Ccf/Month

\$.3977 /Ccf

SECTION 3. The base rates prescribed in Section 2 shall be charged in addition to the current cost of gas purchased by the Company from its suppliers and also upon the current taxes, maintenance, material and operating costs and expense incident to furnishing service to the Company's customers. Adjustments in such rates may be made for the reasons and in the manner provided in this section.

A. **Gas Cost Adjustment.** The current gas cost will be charged in addition to the volumetric charge in Section 2. Gas costs shall include all costs related to the purchasing, storing and delivering of gas to the city-gate of the Company. These costs shall include all interstate or intrastate pipeline charges approved by the Federal Energy Regulatory Commission or by the Public Utilities Commission of Ohio, respectively. These purchased gas costs, including adjustments for supplier increases and decreases, shall be made, if necessary, not less frequently than monthly, and shall be calculated in accordance with Chapter 4901:1-14 of the Ohio Administrative Code, and shall be subject to Subparagraph B, below. Reference to Chapter 4901:1-14 is for convenience only, does not constitute a submission of the Company to the jurisdiction of the Public Utilities Commission with respect to service under this Ordinance and does not incorporate the same herein.

B. **Tax adjustments.** In addition to and independent of the adjustments provided for in Subparagraph A above, the rates set forth in Section 2 may be adjusted by the Company to allow for any increase or decrease in current taxes, including the Ohio Gross Receipts Tax and Ohio Mcf Tax, experienced by the Company in and as a part of the cost of furnishing service to Vanlue or its inhabitants during the period that the Ordinance is in effect, including, without limitation, increases or decreases associated with increases or decreases in Company's gas costs. In the event that additional taxes should become applicable to the Company for its gas service to the Village, the rates set forth in Section 2 may also be adjusted to allow for the collection of such additional taxes and any increase or decrease in those taxes.

C. **Uncollectible Accounts adjustment.** In addition to and independent of the adjustments provided for in Paragraphs A and B above, the rates set forth in Section 2 will be adjusted by an additional charge of \$.00 per Ccf by the Company to recover costs associated with uncollectible accounts for inhabitants of the Village. No more frequently than annually, the Company may adjust this charge if in the preceding year uncollectible accounts expense was over-recovered or under-recovered by plus or minus ten percent.

The Company shall file with the Village Fiscal Officer, ten (10) days prior to the effective date of any change in the rate schedule determined under Paragraphs A, B and C

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of this section, a notice that such adjusted rates are to apply to all bills rendered on or after the effective date. The Council of Vanlue, or its authorized representative or representatives, shall have the right to examine the books and/or records of the Company, its successors and assigns, as to the basis for and computation of any increase or decrease in the rates provided for by this section or of any refund due Vanlue or its inhabitants pursuant to the terms and provisions hereof.

SECTION 4. In addition to the rates set forth in Section 2 above and the adjustments provided for in Section 3 above, the Company shall be entitled to assess and collect the following charges within Vanlue_:

A. **Late Payment Charge.** A late payment charge not to exceed five percent (5%) of balance due as stated on the monthly bill, but in no event less than One Dollar (\$1), shall be added to the next monthly bill of a customer who fails to pay the monthly bill by the due date. Due date is fourteen (14) days from postmark on bill. This charge does not apply to the deferred unpaid balance of customers enrolled in a payment plan.

B. **Returned Check Charge.** A charge not to exceed Thirty Dollars (\$30) shall be billed for each check returned unpaid to the Company on a customer's account.

C. **Charge for Special Services.** If the Company is called upon to provide service at a service address and the service request is caused by a defect or failure in the customer's equipment, the customer's appliances, house gas lines or customer service line, the customer shall be assessed a special service charge per Company employee of \$40.00 the first hour and \$20.00 each additional hour.

D. **Reconnection Charges.** In the event that a customer has been disconnected involuntarily for nonpayment of the customer's bill, a charge not to exceed Forty Dollars (\$40) shall be assessed prior to reconnection of service. In the event that a customer has voluntarily requested that the Company discontinue service, prior to reconnecting service to the same customer at the same address, the customer shall be required to pay a reconnection charge equal to the applicable "Customer Charge" set forth in Section 2 above multiplied by the number of months (not to exceed twelve (12) months) during which service has been disconnected. For purposes of this paragraph, the term "same customer" shall include any adult person over the age of eighteen (18) years residing at the service address at the time the request for discontinuation of service was made.

E. **Meter Test Charge.** If a customer requests a meter test or replacement of the customer's gas meter, the Company will charge \$40 if the meter tested is found to be accurate within a tolerance of +/- three (3) percent.

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SECTION 5. In addition to providing retail natural gas sales service pursuant to this Ordinance, the Company is entitled to provide transportation service pursuant to rules and regulations established by the Public Utilities Commission of Ohio and Ohio Revised Code Section 4905.31.

Nothing herein contained shall be construed to relieve the customer of his/her obligation to promptly pay the statement as rendered by the Company pending resolution of any dispute, it being understood that any overcharge shall be promptly refunded by the Company or timely credited to the customer's account.

SECTION 6. The Company's policy on bill format and billing procedure shall be consistent with Rule 4901:1-13-11 of the Ohio Administrative Code as amended from time to time. The Company may require a customer to satisfactorily secure an account in accordance with the provisions of Ohio Administrative Code, Rule 4901:1-13-7 or for commercial customers, Ohio Administrative Code, Rule 4901:1-13-08. In the event such security is required, the procedures with respect thereto shall be in accordance with Ohio Administrative Code, Rule 4901:1-17 or Rule 4901:1-13-08, as applicable, and any subsequent amendments thereto, which sections are incorporated by reference herein. The Company complies with the requirements of Ohio Administrative Code Rules 4901:1-17 and 4901:1-18 with respect to establishing credit, availability of payment plans and termination of service, as those rules may be amended from time to time and as reflected in the Company's Residential Credit and Collections Policy. Copies of the applicable rules are available for inspection with the Company's Credit and Collections Policy upon the request or inquiry of any customer or applicant for service.

SECTION 7. Effective Date, Term and Continuation. This Ordinance shall become effective thirty (30) days after its passage, provided that written acceptance thereof has been filed. Should the Company fail or refuse to file such acceptance, the Ordinance shall be deemed null and void as a matter of law. This Ordinance shall have a term expiring three (3) years after the date of acceptance hereof by the Company. Provided, that in the event the Council of the Village and the Company shall not have entered into a new ordinance contract to replace and supersede this Ordinance upon its expiration date, the Company's rates, charges, terms and conditions for service within the Village shall continue to be governed hereby until such time as a new ordinance contract is entered into or until said rates, charges, terms, and conditions of service have changed under the applicable law.

SECTION 8. It is found and determined that all formal actions of the Council concerning and relating to this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, expressly including Section 121.22 of the Ohio Revised Code.

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SECTION 9: Council did declare an emergency and declared this Ordinance effective immediately and further, the Council did waive the three-reading rule and elect to pass by vote of Council this Ordinance after one reading.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED THIS 20 DAY OF May 2024 YEAS: 6 NAYS: 0

ATTEST:

Melinda Boyd
Melinda Boyd, Fiscal Officer

Jeff Wenger
Jeff Wenger, President of Council

Robert Well
Robert Well, Mayor

All terms, conditions, and requirements of Ordinance 2024-05 are hereby agreed to and accepted by Sheldon Gas Company.3

PRESIDENT

Date

VICE PRESIDENT

Date

CERTIFICATE

The undersigned, Fiscal Officer of the Village of Vanlue, Ohio, hereby certifies that on the 21st day of MAY, 2024 did post a copy of the foregoing Ordinance at the following designated places, and that the said copies did remain as posted for a period of fifteen days: 1. Vanlue Town Hall 2. Vanlue Marathon 3. Village of Vanlue website villageofvanlue.com 4. Wildcat Cafe 5. Hendricks Small Engines.

Date _____

Melinda Boyd, Fiscal Officer