

RECORD OF ORDINANCES

367

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 1-81

Passed 1-5

19 81

*Annual Appropriations 1981
on file in Auditor's Office*

RECORD OF ORDINANCES

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 2-81Passed 2-9 1981ORDINANCE NO. 2-81

AN ORDINANCE APPROPRIATING FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE CAPITAL IMPROVEMENT FUND FOR ENGINEERING FEES ON THE MONROE STREET SEWER PROJECT AND THE JACKSON ST. SEWER PROJECT AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO.

SECTION 1: That the sum of \$5,000.00 be and it is hereby appropriated from the Capital improvement fund for engineering fees for the firm of Floyd Brown and Associates for their work on the Monroe Street sewer project and the Jackson Street sewer project.

SECTION 2: That this Ordinance is to be an emergency measure for the preservation of the health, welfare and safety of the residents of the City of Nelsonville, and that it shall be in effect and full force upon its passage and approval by the Mayor for the reason that the sum of \$5,000.00 be appropriated from the Capital Improvement Fund to be paid to Floyd Brown and Associates for their engineering fees.

Carl A. Young
President of Council

APPROVED:

Arthur M. Mader

Mayor

ATTEST:

Jane Heintzelman

CLERK

Passed this 9th day of February 1981.

Ordinance No. 3-81

Passed 2-9

1981

ORDINANCE NO. 3-81

AN ORDINANCE AMENDING ORDINANCE NO. 16-80 IN PART, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I: That Ordinance No. 16-80 of the City of Nelsonville, Ohio, be and it is hereby amended so that Schedule A, metered service for public and private use shall be as follows:

For the first 9,000 gallons per month, \$2.50 per 1,000 gallons or part thereof.

For the next 41,000 gallons per month - \$1.87 per 1,000 gallons or part thereof.

All over 50,000 gallons per month - \$1.14 per 1,000 gallons or part thereof.

SECTION II: The remainder of the Ordinance No. 16-80, including the remainder of Schedule A, Schedule B, Sections 2, 3 and 4 be and they are hereby incorporated as if being rewritten herein.

SECTION III: For the safe, economical and efficient management and protection of the wastewater works system, this Ordinance is declared to be an emergency Ordinance necessary for the public peace, health and safety and shall take effect forthwith upon its adoption, if approved by three-fourths of all members elected to Council concurring otherwise at the earliest period permitted by law.

Carl R. Young
President of Council

ATTEST:

Jane Heintzelman
Clerk of Council

APPROVED:

Arthur W. Wender
Mayor

Passed this 9th day of February 1981.

370

RECORD OF ORDINANCES

National Graphics Corp., Col., O.

Form No. 2806-A

Ordinance No. 3481

Passed defeated 4-2 1981

Defeated

RECORD OF ORDINANCES

371

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 5-81

Passed 4-9

1981

ORDINANCE NO. 5-81

AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH THE COLUMBUS AND SOUTHERN OHIO ELECTRIC COMPANY FOR THE FURNISHING OF ENERGY FOR STREET LIGHTS, DECLARING THE COMPENSATION DUE THEREFORE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I: That the Safety-Service Director be and he is hereby authorized to enter into a contract, a copy of which is attached hereto, providing for the furnishing of energy for the street lights in the City by the Columbus and Southern Ohio Electric Company, and declaring the compensation to be paid therefore.

SECTION II: That this Ordinance is to be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Nelsonville, and that it shall be in effect and full force upon its passage and approval by the Mayor.

Passed this 9th day of March, 1981.

S/Earl Young, Sr.
President of Council

APPROVED:

Robert Menden

Mayor

ATTEST:

Jane L. Heintzelman
Clerk of Council

RECORD OF ORDINANCES

National Graphics Corp., Cos., O.

Form No. 2806-A

Ordinance No. ^{Passed} FOR THE STREET LIGHTING SYSTEM 1980

NELSONVILLE , OHIO

Effective Date: October 1, 1980

This contract is made by and between Columbus and Southern Ohio Electric Company, a public utility incorporated under the laws of the State of Ohio (the "Company") and the City of Nelsonville, Ohio, (City) pursuant to Ordinance No. 5-81 of Nelsonville.

SECTION 1: For a period of five (5) years beginning on the effective date of the above ordinance, the Company shall supply the energy for the street lighting system owned by Nelsonville, Ohio. The term "street lighting system", as used herein, includes the street lighting system of Nelsonville, Ohio in existence on the effective date of the aforementioned ordinance and any extension of or addition to said system made after the effective date by Nelsonville, Ohio.

SECTION 2: The Company shall have the right to charge and receive from Nelsonville, Ohio payment for the energy consumed by the street lighting system in accordance with the following schedule of charges, as the same may be amended as set forth below:

<u>TYPE AND SIZE</u>	<u>AVERAGE KWH PER LAMP PER MONTH</u>	<u>BASE RATE PER LAMP PER MONTH</u>
<u>30 150 Watt Incandescent</u>	<u>50</u>	<u>\$ 1.75</u>
<u>18 100 Watt HPS</u>	<u>45</u>	<u>\$ 1.58</u>
<u>8 100 Watt Incandescent</u>	<u>34</u>	<u>\$ 1.19</u>

RECORD OF ORDINANCES

373

5-81

The above rates are calculated on the basis of 3.5 ¢/kwh19

with an estimated monthly KWH consumption per lamp as shown above. These Base rates are subject to change whenever there is an increase or decrease (exclusive of fuel) in the price per KWH for energy subject to Supplement No. 16 of the Company's filed rate tariff (a copy of which is attached and marked "Exhibit A"). The 3.5 ¢ price per KWH stated above shall be increased or decreased and the base rates adjusted by the same percentage as the increase or decrease (exclusive of fuel) in the price per KWH in Supplement No. 16, as the same may be amended from time to time and approved by the Public Utilities Commission of Ohio (PUCO).

SECTION 3: In addition to the charges set forth above, as the same may be adjusted, the Company will, each month, apply a fuel cost component.

FUEL COST COMPONENT: The fuel cost component charged under this agreement shall be determined in the same manner as the fuel costs for tariffs subject to the jurisdiction of the PUCO.

The amount of energy used by each lamp is calculated on the basis of all night burning every day of the year, or approximately 4000 hours per year (an average of 333.3 hours per month).

SECTION 4: Payments for the services provided hereunder shall be made monthly in accordance with bills rendered by the Company. In the event Nelsonville, O fails to make the monthly payments when due, any such payments shall bear a late payment charge of five (5%) percent of the total amount billed. Should Nelsonville default in making payments for a period of three months, then the Company may, at anytime thereafter, discontinue service without notice until such time as the full amount due has been paid. The Company, at its option, may or may not resume said street lighting.

RECORD OF ORDINANCES

Ordinance No. 5-81

Passed _____ 19 _____

~~SECTION 5: All of the rights, privileges, and obligations~~

granted to or imposed upon the Company, as recited in this Contract, shall inure to the benefit of and be binding upon its successors and assigns.

SECTION 6: The Company shall make every effort to keep the supply of energy contracted for available during the time provided. If, however, the Company fails to do so for more than an aggregate of four (4) hours in any one month, and upon written notice of such aggregate outage furnished to the Company by the Municipality within ten (10) days of the end of such month, there shall be a pro rata reduction from the bill to cover such outages. No liability shall attach to the Company for any outage.

IN WITNESS WHEREOF, the Company has caused this Contract to be executed by its duly authorized officers on this 9th day of March, 19 81. NOV OCT. 1, 1980

Witness:

OF Nelsonville, OHIO

By

Attest:

COLUMBUS AND SOUTHERN OHIO ELECTRIC COMPANY

By _____

Vice President

RECORD OF ORDINANCES

375

Sixth Revised

National Graphics Corp., Cols., O.

SUPPLEMENT No. 16

Form No. 2806-A

Ordinance No. 5-81 to P. U. C. O. No. 1 Passed 19

Columbus and Southern Ohio Electric Company

ELECTRIC SERVICE

**OPTIONAL UNMETERED COMMERCIAL SERVICE SCHEDULE
FOR SMALL FIXED LOADS**

AVAILABILITY

Available to consumers using the Company's standard service for commercial purposes consisting of small fixed electric loads such as traffic signals and signboards which can be served by a standard service drop from the Company's existing secondary distribution system. This service will be furnished at the option of the Company.

CHARACTER OF SERVICE

Alternating current, 60 cycles, at nominal voltages of 120, 120/240 or 120/208 volts single phase, unmetered.

SCHEDULE OF CHARGES (PER MONTH)

Applicable to each supply service.

5.50¢ per KWH of calculated energy use per month.

Minimum charge: \$5.00 per month.

FUEL COST ADJUSTMENT

The above schedule of charges shall be adjusted in accordance with the fuel cost adjustment clause as set forth on Rider No. 1 (Sheet No. 250).

DELAYED PAYMENT CHARGE

The above tariff is net if full payment is received within 15 days of bill. On all accounts not so paid, an additional charge of five per cent (5%) of the total amount billed, but not less than twenty-five cents (25¢) will be made.

SERVICE AND CONTRACT PROVISIONS

Each separate point of delivery of service shall be considered a Contract Location.

Only one supply service will be provided to a consumer under this Schedule at one Contract Location.

Each supply service shall be billed under a separate service contract.

The consumer shall furnish switching equipment satisfactory to the Company.

The consumer shall notify the Company in advance of every change in connected load, and the Company reserves the right to inspect the consumer's equipment at any time to verify the actual load. In the event of the consumer's failure to notify the Company of an increase in load, the Company reserves the right to refuse to serve the Contract Location thereafter under this Schedule, and shall be entitled to bill the consumer retroactively on the basis of the increased load for the full period such load was connected plus three months.

TERM OF CONTRACT

As provided in the individual contract, but in no case less than one year.

Filed pursuant to Order No. 78-1438-E L-AIR

Issued December 20, 1979

Issued by
Ben T. Ray, President
Columbus, Ohio

Effective December 20, 1979

RECORD OF ORDINANCES

Ord 6-81

Passed 12-29-81 override of Mendon

National Graphics Corp., Cos., O.

Form No. 2806-A

The City Council of the City of Nelsonville, Ohio, met

Veto.

in 1981 session on the 13th day of December
Ordinance No. 6-81 with the following members present: 19

Passed
Hollenbaugh, Levering, Tolliver, Wilson, Sheskey and Davis

MR. LEVERING introduced the following Ordinance and moved its adoption:

ORDINANCE NO. 6-81 (as amended)

ORDINANCE AUTHORIZING EXECUTION OF AGREEMENT WITH WILLIAM H. TREMBLY, JR., PERTAINING TO THE FINANCING OF A COMMERCIAL DEVELOPMENT FACILITY WITHIN THE BOUNDARIES OF THE CITY BY LOAN AGREEMENT OR LEASE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Nelsonville, Ohio (herein the "City") by virtue of the laws of the State of Ohio, particularly Chapter 165, Ohio Revised Code, including No. 104 of the 111th General Assembly, and the authorities therein mentioned, desires to take the necessary actions for the issuance of industrial development revenue bonds in an aggregate principal amount now estimated not to exceed \$6,000,000 for the purpose of providing funds for the acquisition, construction and installation of real and personal property comprising a commercial facility (herein the "Project") located within the boundaries of the Issuer, which Project will either be the subject of a loan agreement between the City and William H. Trembly, Jr., and assigns (collectively the "Developer") or the subject of a lease between the City and the Developer;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Nelsonville, in the State of Ohio:

Section 1. That this City Council does hereby find and determine that:

- (a) The Project will be a "project" within the meaning of that term as defined in Section 165.01, Ohio Revised Code; and
- (b) The Project is consistent with the purpose of Section 13 of Article VIII, Ohio Constitution, to create or

preserve jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio.

SECTION 2. That the Agreement by and between the City and the Developer in the form attached hereto as Exhibit A is hereby in all respects approved and the Mayor and/or Clerk of City Council be and they are hereby authorized and directed to execute such Agreement on behalf of the City, and this City Council hereby finds and determines the recitals and facts set forth in the preambles to such Agreement.

SECTION 3. That this City Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Council, and that all deliberations of this City Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety in the City of Nelsonville, Ohio, the reason for such emergency being the urgent necessity to take such actions as will effectuate financing for the Developer of its commercial facility and thus provide employment opportunities and provide additional tax revenues to the City; wherefore, this Ordinance shall take effect and be in force immediately upon its adoption.

SECTION 5. Prior to issuance of the Bonds, The Kroger Co. shall deliver to the City Council a copy of an executed lease agreement between The Kroger Co., as Lessor, and a retail merchant reasonably satisfactory to the City, as Lessee, which lease agreement shall provide for the leasing by the retail merchant named in the lease of the facility presently occupied by The Kroger Co. in the City of Nelsonville, Ohio for a term of not less than three years, and shall further provide that such Lessee shall assume occupancy of premises not more than ninety days following the date The Kroger Co. vacates such premises.

M. R. DAVIS seconded the motion. A roll call being had upon the question of adoption of the foregoing Ordinance the vote thereon resulted as follows:

AYES: 7

NAYS: 0

Whereupon the Ordinance was declared adopted this 14

10

11

12

13

day of December 1, 1981.

Jane Heintzelman
Clerk of Council

Carl R. Young
President of Council

Approved: _____, 1981

Mayor

VETOED by Mayor Mender December 10, 1981.

Council overrode veto by more than two-thirds members elected to council
December 29, 1981.

Jane Heintzelman
Clerk of Council



CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the foregoing Ordinance adopted at a meeting of the City Council of the City of Nelsonville, Ohio, held on the 29 day of December 1981.

Sam Skintzelman
Clerk of Council of the City
of Nelsonville, Ohio



RECORD OF ORDINANCES

377

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 7-81

ORDINANCE NO. 7-81

Passed 4-13

1981

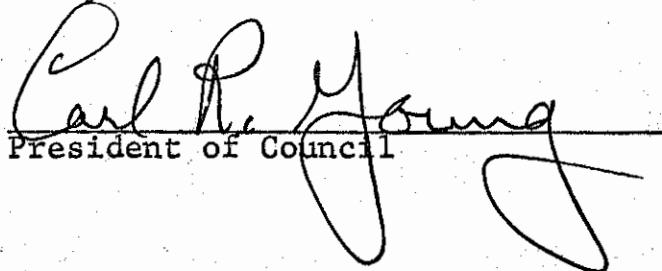
AN ORDINANCE DECLARING THAT SECOND STREET, FROM CHESTNUT STREET TO CANAL STREET, SHALL BE ONE WAY SOUTH, DECLARING THE PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND DECLARING THAT THE ORDINANCE IS AN EMERGENCY MEASURE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

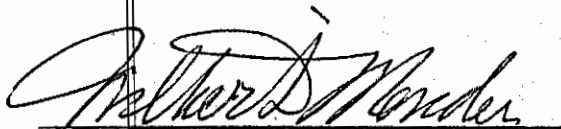
SECTION I. That it shall be unlawful to operate any vehicle in a northerly direction on Second Street from Chestnut Street to Canal Street.

SECTION II. That the penalty for the violation of this Ordinance shall be a minor misdemeanor with a maximum fine of One Hundred Dollars (\$100.00).

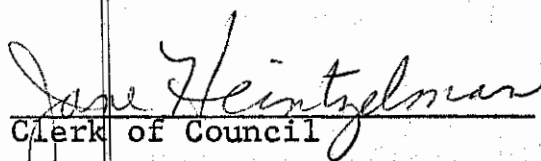
SECTION III. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, and safety in said City and shall be in full force and effect upon its passage and approval by the Mayor.


President of Council

APPROVED:


Mayor

ATTEST:


Clerk of Council

Dated: April 13, 1981

RECORD OF ORDINANCES

National Graphics Corp., Cos., O.

Form No. 2806-A

Ordinance No. 8-81 Passed 8-81 4-13 1981
 ORDINANCE NO. 8-81

AN EMERGENCY ORDINANCE ENACTED BY THE COUNCIL OF THE CITY OF NELSONVILLE, ATHENS COUNTY, OHIO, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT UNDER THE SUPERVISION OF THE DIRECTION OF TRANSPORTATION OF THE STATE OF OHIO.

WHEREAS, The Director of Transportation of the State of Ohio proposes the improvement of the railroad pavement markings, in conformance with the Ohio Manual of Uniform Traffic Control Devices, at certain railroad-highway grade crossings under the jurisdiction of Nelsonville, Athens County in accordance with the plans approved by the Director of Transportation, hereinafter referred to as the improvement, and,

WHEREAS, the 1978 Federal Highway Safety Act and Amended House Bill No. 111 provide funds for the construction as contemplated herein, now therefore

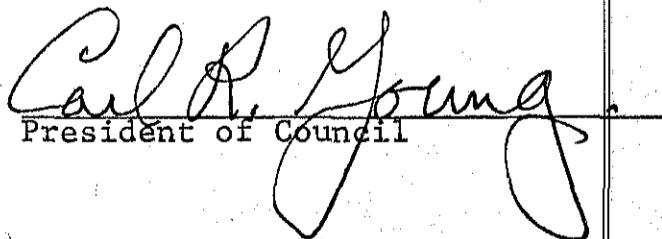
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION 1. It is declared to be in the public interest that the consent of the City be and such consent is hereby given to the Director of Transportation to proceed with the above improvement in accordance with plans, specifications and estimates as approved by the Director, at no cost to the City.

SECTION 2. The City agrees to perpetuate and maintain all pavement markings on the approaches to the at-grade crossing(s) inside the City installed and placed herein conforming to the Ohio Manual of Uniform Traffic Control Devices in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.

SECTION 3. The Clerk of Council is hereby authorized and ordered to furnish the said Director with a certified copy of this ordinance immediately upon its passage.

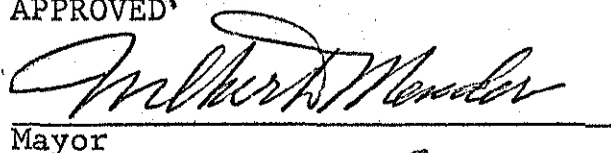
SECTION 4. This ordinance is hereby declared to be an emergency measure by reason of the need for expediting the planning and construction of the aforesaid improvement, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, and upon its acceptance and approval by the Director of Transportation is shall become a binding agreement on the City and the Director.


 President of Council

ATTEST


 Clerk of Council

APPROVED


 Mayor

RECORD OF ORDINANCES

379

National Graphics Corp., Coils., O.

Form No. 2806-A

4-13-81

Ordinance No. 8-81 by Page 2 certifying that the foregoing is a true and correct copy of Ordinance No. 8-81 passed April 13, 1981.

correct copy of Ordinance No. 8-81 passed April 13, 1981.

Accepted and approved
Attest

Sam Feintzelman
Clerk of Council

Director, Ohio Department
of Transportation

Date:

RECORD OF ORDINANCES

National Graphics Corp., Cois., O.

Form No. 2806-A

Ordinance No. 9-81 Passed May 11 1981ORDINANCE NO. 9-81

AN ORDINANCE APPROPRIATING FIVE THOUSAND (\$5,000.00) FROM THE CAPITAL IMPROVEMENT FUND FOR IMPROVEMENTS TO CERTAIN STREETS IN THE CITY OF NELSONVILLE, OHIO, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO.

SECTION 1: That Five Thousand Dollars (\$5,000.00) be and it is hereby appropriated from the Capital Improvement Fund for the resurfacing of County Road 5 (within the limits of the City of Nelsonville, Ohio), Mudsock Hill, Franklin Street from Adams to Dorr Run Road, Dorr Run Road, ME Street, Canal Street (Within the City limits of Nelsonville, Ohio), State Route 78 (Within the limits of the City of Nelsonville, Ohio; and for sealing of East Franklin Street, Fort Street, and Poplar Street.

SECTION 2: This Ordinance is deemed to be an emergency measure necessary for the preservation of the public health, safety, and welfare of the Citizens of Nelsonville, Ohio for the reason that the aforementioned streets are in a dilapidated or deteriorated condition and therefore resurfacing or sealing should be accomplished as soon as possible. Therefore, this measure is declared to be an emergency measure and it shall become effective upon its passage and approval by the Mayor.

Carl R. Young
President of Council

APPROVED:

Arthur W. Menden

Mayor

ATTEST:

Jane Heintzman
Clerk

Passed this 11th day of May 1981

Ordinance No. 10-81

Passed 12-14

1981

ORDINANCE NO. 10-81

Fixing and regulating the price that may be charged by Columbia Gas of Ohio, Inc., its successors or assigns, for gas to the City of Nelsonville, Ohio, and to its inhabitants, for the period of Four (4) Years from and after the effective date of this ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, OHIO:

SECTION 1: That, for the period of One (1) Year from and after the effective date of this ordinance, the maximum price which Columbia Gas of Ohio, Inc., its successors or assigns, shall be permitted to charge for and the minimum price at which it or they shall be required to furnish gas to the City of Nelsonville, Ohio (Municipality), and to its inhabitants, shall be and the same is hereby fixed for each individual consumer, as follows:

Thirty-two and four hundred twenty-one thousandths Cents (32-421/1000¢) per one hundred (100) cubic feet for the first 2,000 cubic feet, used through each meter each month;

Nine and three hundred eighty-five thousandths Cents (9-385/1000¢) per one hundred (100) cubic feet for the next 8,000 cubic feet, used through each meter each month;

Eleven and two hundred ninety-two thousandths Cents (11-292/1000¢) per one hundred (100) cubic feet for all in excess of 10,000 cubic feet, used through each meter each month;

A Minimum Charge for each customer each month of Four Dollars and Fifty Cents (\$4.50) shall be made. If service under this rate schedule is discontinued at the request of customer, the Company shall not be under any obligation to resume service to the same customer on the same premises until the customer has made payment of an amount equal to the minimum monthly charge for each month of the intervening period, but not to exceed twelve (12) months.

From and after the expiration of the aforesaid One Year period and for a further period of One (1) Year thereafter, as follows:

Thirty-four and eight hundred forty-three thousandths Cents (34-843/1000¢) per one hundred (100) cubic feet for the first 2,000 cubic feet, used through each meter each month;

Ten and eight hundred eighty-six thousandths Cents (10-886/1000¢) per one hundred (100) cubic feet for the next 8,000 cubic feet, used through each meter each month;

RECORD OF ORDINANCES

National Graphics Corp., Cois., O. 

Form No. 2806-A

Ordinance No. 10-81Passed 12-14 1981

- 2 -

Twelve and eight hundred sixty-nine thousandths Cents (12-869/1000¢) per one hundred (100) cubic feet for all in excess of 10,000 cubic feet, used through each meter each month;

A Minimum Charge for each customer each month of Four Dollars and Seventy Cents (\$4.70) shall be made. If service under this rate schedule is discontinued at the request of customer, the Company shall not be under any obligation to resume service to the same customer on the same premises until the customer has made payment of an amount equal to the minimum monthly charge for each month of the intervening period, but not to exceed twelve (12) months.

From and after the expiration of the aforesaid One Year period and for a further period of One (1) Year thereafter, as follows:

Thirty-seven and forty-seven thousandths Cents (37-047/1000¢) per one hundred (100) cubic feet for the first 2,000 cubic feet, used through each meter each month;

Twelve and two hundred fifty-two thousandths Cents (12-252/1000¢) per one hundred (100) cubic feet for the next 8,000 cubic feet, used through each meter each month;

Fourteen and three hundred four thousandths Cents (14-304/1000¢) per one hundred (100) cubic feet for all in excess of 10,000 cubic feet, used through each meter each month;

A Minimum Charge for each customer each month of Four Dollars and Eighty-five Cents (\$4.85) shall be made. If service under this rate schedule is discontinued at the request of customer, the Company shall not be under any obligation to resume service to the same customer on the same premises until the customer has made payment of an amount equal to the minimum monthly charge for each month of the intervening period, but not to exceed twelve (12) months.

From and after the expiration of the aforesaid One Year period and for a further period of One (1) Year thereafter, as follows:

Thirty-nine and three thousandths Cents (39-003/1000¢) per one hundred (100) cubic feet for the first 2,000 cubic feet, used through each meter each month;

RECORD OF ORDINANCES

383

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 16-81Passed 12-14 1981

- 3 -

Thirteen and four hundred sixty-four thousandths Cents (13-464/1000¢) per one hundred (100) cubic feet for the next 8,000 cubic feet, used through each meter each month;

Fifteen and five hundred seventy-seven thousandths Cents (15-577/1000¢) per one hundred (100) cubic feet for all in excess of 10,000 cubic feet, used through each meter each month;

A Minimum Charge for each customer each month of Five Dollars (\$5.00) shall be made. If service under this rate schedule is discontinued at the request of customer, the Company shall not be under any obligation to resume service to the same customer on the same premises until the customer has made payment of an amount equal to the minimum monthly charge for each month of the intervening period, but not to exceed twelve (12) months.

The above rates exclude gas costs and the Ohio Gross Receipts Tax. All bills rendered pursuant to this ordinance shall be adjusted to reflect the effect of the Ohio Gross Receipts Tax and are subject to decrease or increase in accordance with the 'Gas Cost Recovery' Provisions of the Company's Rules and Regulations on file with the Public Utilities Commission of Ohio.

SECTION 2: That it is expressly conditioned the service to be rendered by said Company, its successors or assigns, pursuant to this ordinance shall be primarily for domestic and commercial purposes and that service shall not be extended to other consumers of different classes until after all reasonable requirements for domestic and commercial purposes are fully met, and this provision shall be binding upon said Company, its successors or assigns, during each month of each year; but during any month or year, subject to the foregoing limitations and after compliance with the foregoing provisions gas may be delivered to any other consumer and additional classes of consumers at such times and under such conditions and for such rates as may be agreed upon between the Company and such consumer or consumers.

SECTION 3: The terms and conditions of the service to be rendered shall conform with and be subject to the Rules and Regulations for furnishing gas service of the Company on file with and approved by the Public Utilities Commission of Ohio.

SECTION 4: That the gas furnished or delivered pursuant to the terms of this ordinance, by the said Company, shall have an average heating value of 1,000 British thermal units per cubic foot for any consecutive twelve (12) month period subject to a variance of not more than five (5) percent upward or downward.

SECTION 5: In the event the State of Ohio, or the Municipality, should hereafter impose a tax upon the Company that is not now imposed, or should hereafter increase the rate of any tax now imposed upon the Company above the tax rate now existing, other than the rate on property listed in the real estate tax list and duplicate, then the rates prescribed in Section 1 shall be increased to the extent necessary to compensate the Company for the increase in cost due to such new tax or higher tax rate. This shall be done in the following manner:

RECORD OF ORDINANCES

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 10-81

Passed 12-14

19 81

- 4 -

(a) If the new tax or higher tax rate is computed in direct relation to gas sold or revenues received for the sale of gas, the rates set forth herein shall be adjusted to the extent necessary to recompense the Company for the amount thereof.

(b) If the new tax or higher tax rate is not related directly to gas sold or to revenues received for the sale of gas, then the total dollar effect thereof upon the cost of serving gas by the Company in the Municipality shall be determined, based upon operations of the Company in the Municipality during the most recently available twelve month period ending on the last day of the December preceding the effective date of the new tax or higher tax rate; the total dollars so computed shall then be divided by the total sales made to the types of customers covered by this ordinance during the same twelve-month period and the rates prescribed herein shall be correspondingly adjusted.

The adjustment of the rates prescribed in this Ordinance, as provided in subparagraphs (a) and (b) above, shall be made by rounding the mathematical result of the computations so prescribed to the nearest one quarter cent (1/4c) per one thousand cubic feet.

The adjusted rate shall be placed in effect and shall apply to all meter readings occurring on and after the effective date of the statute, ordinance or resolution pursuant to which the new tax or increased tax rate is imposed.

Written notification of the adjustment shall be sent to the Clerk of Council of the Municipality as quickly as possible after the effect of the new tax or higher tax rate can be determined.

SECTION 6: That any ordinance or resolution, or part of an ordinance or resolution, inconsistent herewith, is, to the extent of such inconsistency, hereby repealed.

SECTION 7: That should any section or part of a section or provision of a section of this ordinance be declared void, the remainder of this ordinance shall not be affected thereby.

SECTION 8: That this ordinance shall become effective at the earliest date allowed by law, or upon the expiration of the current ordinance, whichever date is later; provided, however, that this ordinance shall have no force or effect whatsoever unless written acceptance of this ordinance is filed by the Company with the Clerk of Council of the City of Nelsonville, Ohio, prior to the expiration of thirty (30) days from the date this ordinance is passed.

PASSED:

December 14, 1981

Carl R. Journey
PRESIDENT OF COUNCIL

ATTEST:

Jane Heintzelman
CLERK

not signed
MAYOR

12/14/81

RECORD OF ORDINANCES

385

National Graphics Corp., Cols., O. ORDINANCE NO.

11-81

1-11-82

Form No. 2806-A

AN ORDINANCE AMENDING CODIFIED ORDINANCE NUMBER 1-55
RELATIVE TO THE GENERAL OFFENSE CODE AND TRAFFIC CODE OF THE CITY OF NELSONVILLE. 19

Be it ordained by the council of the City of Nelsonville.

State of Ohio:

Section 1. That Title 5 of the Codified Ordinance of the City of Nelsonville, having been revised and organized be, and the same is hereby adopted. Said revisions provide for general provisions, enforcement and prohibition of certain acts and shall be known as the General Offense Code.

Section 2. That Title 7 of the Codified Ordinances of the City of Nelsonville, having been revised and organized be, and the same hereby is adopted. Said revision provides for definitions, enforcement, traffic control, street and traffic control devices, control and operation of motor vehicles, parking rules and regulations and the use of public streets and ways by pedestrians, bicycles and motorcycles.

Section 3. That a copy of said revision of said Title 5 and Title 7 shall be kept on file in the Clerk's Office at the Municipal Building in the City of Nelsonville. The Clerk is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Section 731.23.

Section 4. The Clerk of Council, in addition to the book form copy to be attached hereto pursuant to Section 3 hereof, shall keep one master copy in book form and, in connection therewith or attached thereto in such form and manner as he may determine to be most easily available for ready reference, one copy of all amendments and supplements bearing such code, title, chapter or section designation as may be proper. If in doubt as to such designation, the Clerk of Council shall be guided by the advice of the Law Director.

Section 5. Ordinance Numbers 5-74 and 7-76 are hereby repealed.

Section 6. This ordinance shall take effect and be in full force at 12:01 a.m. o'clock, eastern standard time, February 1, 1982.

Carl R. Young
President of Council


ADOPTED this 11th day of January, 1982

APPROVED:

Arthur Mosler
Mayor

Jean Heintzelman
Clerk

RECORD OF ORDINANCES

National Graphics Corp., Cois., O. 

Form No. 2806-A

Ordinance No. 12-81

Passed

Feb 1-11 1982

RECORD OF ORDINANCES

387

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 13-81

Passed

12/29/81

19

ANNUAL APPROPRIATION FOR 1982 (See Nancy Kern, Auditors Office)

RECORD OF ORDINANCES

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 1-82

Passed

19

Annual Appropriation