

**ORDINANCE NO. 045-13**

**AN ORDINANCE ESTABLISHING A UTILITY BILLING "ROUNDING-UP" PROGRAM FOR THE CITY OF NAPOLEON, ESTABLISHING A PROGRAM FOR ALL MONIES RECEIVED AS A RESULT OF VOLUNTARY PARTICIPATION, AND DIRECTING THAT ALL FUNDS SO RECEIVED BE UTILIZED TO ASSIST UTILITY CUSTOMERS WITH THE PAYMENT OF THEIR UTILITY BILLS**

**WHEREAS**, the City of Napoleon desires to establish a utility "caring Fund" to assist needy Napoleon utility customers with the payment of their Napoleon utility bills; and,

**WHEREAS**, the City desires to fund that program by establishing a utility billing "Rounding-Up" program so that monies will be available to assist Napoleon utility customers with the payment of those bills; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the City of Napoleon does hereby establish a utility "Caring Fund" to assist needy Napoleon utility customers with the payment of their Napoleon utility bills.

Section 2. That, the City of Napoleon does hereby establish a utility billing "Rounding-Up" program for its utility bills, which means that each bill of any City of Napoleon utility customer opting into the program will be "rounded-up" to the next whole dollar.

Section 3. That, all monies generated as a result of the City of Napoleon utility billing "Rounding-Up" program, and any other donations received for the same purpose, shall be deposited into a separate caring fund which shall be called the City of Napoleon "Caring Fund", and said funds shall be kept by the City of Napoleon, or contracted out to a third party for holding in trust and/or expensed, either as deemed by the City's Finance Director.

Section 4. That, all monies deposited into the City of Napoleon "Caring Fund" shall be utilized to assist needy Napoleon utility customers with the payment of their City of Napoleon utility bills.

Section 5. That, any City of Napoleon utility customer that does desire to participate in the City of Napoleon utility billing "Rounding-Up" program shall have the right to "opt in" the program. The City Finance Director shall establish regulations relating to the program.

Section 6. That, the City of Napoleon utility billing "Rounding-Up" program shall commence with the December, 2013, utility bills.

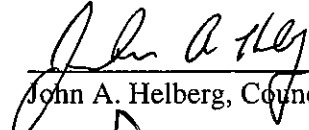
Section 7. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal

requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

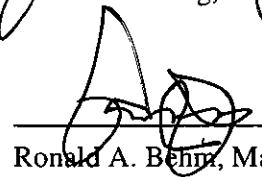
Section 8. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 9. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: October 7, 2013

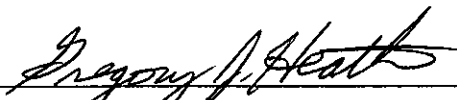
  
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John A. Helberg, Council President

Approved: October 7, 2013

  
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Ronald A. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

  
\_\_\_\_\_  
Gregory J. Heath, Clerk/Finance Director

*I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 045-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

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Gregory J. Heath, Clerk/Finance Director