

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2024-10**

REPEALING AND REPLACING SECTION 1040.13 “UTILITY ROUND UP PROGRAM” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO TO ALLOW FOR THE ROUND UP PROGRAM TO FUNCTION AS AN OPT OUT PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, in 2018, with passage of Ordinance 2018-35, the Village instituted a utility round up program wherein utility customers bills can be rounded up to the nearest whole dollar with the round up funds collecting in a special fund to be used to assist Village utility account holders who are experiencing financial hardship; and,

WHEREAS, Village Council amended the program in 2022 and 2023, and now seeks to amend the procedures for utility round up and related procedures once again in an effort to make the program more sustainable; and,

WHEREAS, all utility account holders have the option to opt out of the round up program at any time by contacting the Village utilities office by calling 937-767-7202 and selecting option 2 during business hours, or by stopping by in person,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. Section 1040.13 entitled “Utility Round Up Program” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1040.13 entitled “Utility Round Up Program” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as follows with new language underlined and **bolded** and deleted language in ~~strike through~~ as shown in the attached Exhibit A.

Section 3. This ordinance is hereby declared to be an emergency measure necessary to preserve the public interest and shall take effect upon adoption.

Kevin Stokes, President of Council

Passed: 9-3-2024

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Kevin Stokes Y Brian Housh Y Gavin DeVore Leonard Y
Carmen Brown Y Trish Gustafson Y

EXHIBIT A to ORDINANCE 2024-10

1040.13 UTILITY ROUND UP PROGRAM.

(a) The Village hereby creates a Utility Round Up Program for the purpose of assisting qualified Village utility customers. All utility account holders in the Village will be enrolled in the utility round up program with the option to opt out at any time by contacting the Village Utilities Office.

(b) Village Council, is hereby authorized to review and amend the procedures by which the program is administered as needed.

(c) To be eligible for the program, a customer must:

(1) Be a residential customer of Village utility services. Commercial customers are not eligible. **Village employees and members of employees' households are not eligible.**

(2) Be under threat of disconnection of utility services due to non-payment.

(3) Agree to go on a payment plan for up to six months for the remaining balance of the past due amount, and adhere to that plan. Failure to adhere to the plan ~~may~~ **will** result in ineligibility for future assistance from the Utility Round Up Program. This requirement shall be waived if written documentation prohibiting participation in a payment plan is provided by a landlord.

(4) Must not have received assistance from the Utility Round Up Program within the last **twelve** ~~six~~ months.

(5) A maximum award of four hundred dollars (\$400.00) per **household** ~~customer~~ per request is permitted.

(6) Applications must be received by the Village Utility Office no later than noon the twentieth day of each month to ensure consideration for that month.

(d) Current procedures are maintained on file with the Village Utility Office.