

ORDINANCE NO. 2026.028

AN ORDINANCE REPEALING ORDINANCE NO. 2001.030 AND AUTHORIZING AND DIRECTING THE FISCAL OFFICER TO TRANSFER FUNDS GENERATED BY THE IMPLEMENTATION OF INSIDE KILOWATT-HOUR DISTRIBUTION TAX FROM THE GENERAL FUND TO THE ELECTRIC ENTERPRISE FUND

WHEREAS, Senate Bill 3, which became effective July 6, 1999, created a kilowatt-hour distribution tax that is to be paid by electric distribution companies to the State of Ohio for electricity distributed to end users; and

WHEREAS, the kilowatt-hour distribution tax is calculated by applying the rates found in Ohio Revised Code § 5727.81 (A) the amount of kilowatt hours of electricity distributed to an end user by an electric distribution company; and

WHEREAS, a municipality that operates a municipally owned electric utility that distributes electricity to an end user comes within the definition of an electric distribution company and is therefore required to calculate the kilowatt-hour distribution tax, in the manner set forth in Ohio Revised Code § 5727.81 (A), on the amount of kilowatt hours of electricity that the municipality distributes to end users both inside and outside the municipal corporate boundaries; and

WHEREAS, Ohio Revised Code § 5727.81 (A)(2) states that a municipal electric utility that is required to calculate the kilowatt-hour distribution tax may retain in the municipality's General Fund that portion of the tax calculated on kilowatt hours of electricity distributed to end users within the boundaries of the municipal corporation, and the tax calculated on kilowatt hours of electricity distributed by a municipal electric utility to end users outside the boundaries of the municipal corporation must be remitted to the state; and

WHEREAS, the Village of Blanchester operates a municipal electric utility that is required to calculate the tax on the kilowatt hours of electricity distributed to end users located inside and outside the municipality's corporate boundaries; and

WHEREAS, the kilowatt-hour distribution tax attributed to the distribution of electricity to end users located within the corporate boundaries of the municipality is deposited in the municipality's General Fund; and

WHEREAS, the Village of Blanchester is cognizant of the real, substantial and uncompensated services and contributions that the municipal electric utility provides to the Village through providing electricity to street lights, traffic signals, and other municipal facilities and water and sewer services to other municipal facilities; and

WHEREAS, it is the desire of the Village of Blanchester to compensate the municipality's electric utility for the services and contributions that it provides the Village by transferring from the municipality's General Fund to the municipality's Electric Enterprise Funds 50 percent (50%) of the amount of the funds received from the implementation of the tax calculated from the amount of kilowatt hours of electricity distributed to end users within the boundaries of the municipal corporation on a yearly basis.

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Blanchester, Clinton County, Ohio that:

SECTION 1.

The existing Ordinance No. 2001.030 is hereby repealed. A true and accurate copy of Ordinance No. 2001.030 is attached hereto as Exhibit A.

SECTION 2.

That the Clerk/Treasurer is authorized and directed to transfer 50 percent (50%) of the funds received into the General Fund generated by the collection of the kilowatt-hour distribution tax on the distribution of kilowatt hours of electricity by end users located within the municipal corporate boundaries in accordance with the provisions of Ohio Revised Code § 5727.80 et. seq. to the Electric Enterprise Fund on a yearly basis.

SECTION 3.

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Council member Ms. Lewis moved to adopt this Ordinance, and Mr. Coffman seconded the motion, and the roll call being called upon its adoption, the vote was as follows:

Ms. Brooker- No
Mr. Coffman- Abstain
Ms. Hanson- Yes
Mr. Hopkins- Abstain
Ms. Lewis- Yes
Mr. Parks- Abstain

Adopted this 8th day of October, 2026.

John M. Carman
John M. Carman, Mayor

Regina Johnson
Attest: Regina Johnson, Fiscal Officer

Fiscal Officer's Certificate:

The State of Ohio, County of Clinton, ss:

I, Regina Johnson, Fiscal Officer of the Village of Blanchester, County of Clinton, and in whose custody the files, journals, and records are required by the laws of the State of Ohio be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with the said Village, that the foregoing Ordinance on has been compared by me and the said original and the same is a true and correct copy thereof, and has been posted as required by law. This Ordinance has been duly published by posting in the following places: Blanchester Municipal Building, 318 E. Main Street, First National Bank, 121 E. Main Street, Blanchester Post Office, 115 S. Wright Street, Tom's Express Mart, 7529 Fairground Road, and at the Blanchester Public Library 110 N. Broadway Street, each for a period of fifteen (15) days commencing on the 15th day of October, 2026.

Witness my signature this 14th day of October, 2026.

Regina Johnson
Fiscal Officer of the Village of Blanchester, Clinton County, Ohio

First Reading: 10.08.2026

Second Reading:

Third and Final Reading: