

BOROUGH OF AVALON
ORDINANCE NO. 1337

AN ORDINANCE OF THE BOROUGH OF AVALON AMENDING ORDINANCE NO. 1293, AS AMENDED, TO ADJUST CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE OF SAID BOROUGH TO PROVIDE FOR A KILLED IN SERVICE BENEFIT IN ACCORDANCE WITH ACT 51

WHEREAS, Act 51 was signed into law by the Governor and became effective October 9, 2009 and provided for certain killed in service benefits funded by the Commonwealth of Pennsylvania; and

WHEREAS, Act 51 repeals the provisions of Act 600 which authorized the killed in service benefit; and

WHEREAS, Section 6.03 of Ordinance 1293, as amended, of the Borough of Avalon Police Pension Plan presently provides for a killed in service survivor benefit; and

WHEREAS, the existing Borough Police Pension Plan killed in service benefit will be replaced and superseded by killed in service benefits provided under Act 51;

The Council of Avalon Borough hereby ordains:

- I. The Avalon Borough Police Pension Plan (“Plan”), which was established under the provisions of Pub. Law 1804, 53 Pa. Con. Stat. Ann. 767, et seq., (sometimes referred to as Act 600) for the benefit of the Borough’s police employees, and which has been amended and restated by ordinances and resolutions of the Borough Council thereafter, shall be, and hereby is, amended and supplemented in the following respects:
 - A. Section 6.03. Killed in Service Survivor Benefit, is hereby repealed in its entirety. In its place a new Section 6.03 is adopted, to read in its entirety:

§ 6.03. Act 51 Killed in Service Survivor Benefit. In the event of the death of a Participant who is killed in service, survivor benefits shall consist of those benefits paid, outside of this Plan, by the Commonwealth under Act 51 of 2009.
- II. Should any portion of this Ordinance be declared legally invalid by a court of competent jurisdiction, that invalidity shall not affect the remaining portions of this Ordinance.

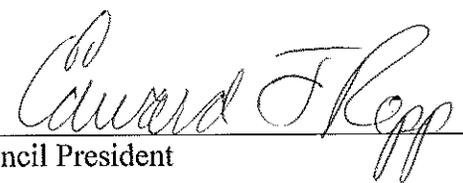
- III. All ordinances or parts of ordinances which conflict with this Ordinance are hereby repealed insofar as the same affects this Ordinance.
- IV. This Ordinance shall take effect upon recordation in the Borough ordinance book.

THIS ORDINANCE adopted by the Council of Avalon Borough at a duly assembled public meeting held this 21 day of February, 2012.

ATTEST:

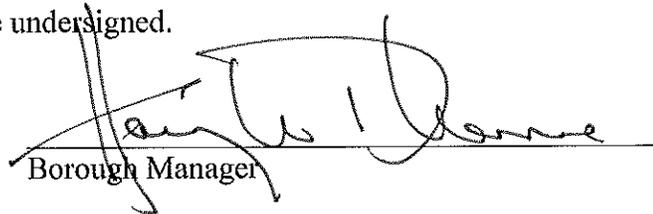
AVALON BOROUGH


Borough Manager

By: 
Council President


Mayor

This Ordinance recorded in the Borough Ordinance book on 23rd February, 2012 by the undersigned.


Borough Manager