

CLARKS SUMMIT BOROUGH

ORDINANCE NO. 2021-02

AN ORDINANCE OF THE BOROUGH OF CLARKS SUMMIT AMENDING ORDINANCE 82-4 DATED JANUARY 6, 1982, AS CODIFIED IN THE CODE OF ORDINANCES, BOROUGH OF CLARKS SUMMIT, CHAPTER 1, PART 5, AND ORDINANCE 96-09. THIS AMENDMENT CHANGES THE RATE OF MEMBER CONTRIBUTIONS TO THE BOROUGH OF CLARKS SUMMIT POLICE PENSION FUND.

The Clarks Summit Borough Council hereby ordains as follows:

SECTION I – Amendment to Borough Ordinance 82-4, dated January 6th, 1982; Pensions. Retirements and Social Security: A. Police Pension Fund; and Ordinance 96-09, dated July 2nd, 1996, which amended portions of Ordinance 82-4.

Section 503 – Funding. The Plan and Fund established by Borough Ordinance 82-4 shall be funded in the following order:

1. By payment made by the State Treasurer to the Borough of Clarks Summit from the money received from taxes paid upon premiums by foreign casualty insurance companies for the purpose of pension retirement for regular full time police officers; and
2. By gifts, grants, devices or bequests to the fund, and
3. By monthly charges against each regular full time police officer/member in an amount equal to Five and Five-Tenths Percent (5.5%) of the gross wages paid (as a payroll deduction); and

If an actuarial study shows that the condition of the Clarks Summit Police Pension Fund is such that payments into the Fund by regular full time police officers/members may be reduced below the percentage here before prescribed, or eliminated, even if the Borough of Clarks Summit must continue to contribute to the Clarks Summit Police Pension Fund, the Borough Council may, on an annual basis, by Borough Resolution, reduce or eliminate payments into the Clarks Summit Borough Police Pension Fund by the regular full time police officers/members; and that an actuarial certification is not required; and

4. When necessary, by annual appropriations made by the Borough Council.

SECTION II – All other provisions of the Borough of Clarks Summit Police Pension Fund remain in full force and effect.

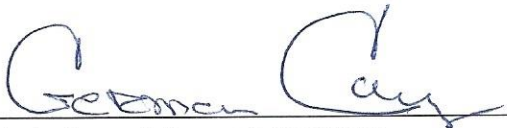
SECTION III – Repealer. Any Resolution, Ordinance or part of any Ordinance or Resolution inconsistent herewith and any amendments thereof are hereby expressly repealed insofar as they affect this Ordinance.

SECTION IV – Severability. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION V – Effective Date. This Ordinance shall become effective January 1, 2021.

SECTION VI – Authority. This Ordinance is enacted by the Council of the Borough of Clarks Summit under the authority of the Act of Legislature, February 1, 1966, P.L (1965) No. 581 Section 1005, as amended 1979, November 2, P.L. 458 No. 94, 8 Pa. C.S.A. § 1005, et seq., known as the "Borough Code" and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

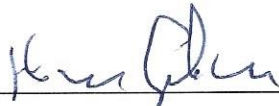
Approved the 7th day of April, 2021.



Clarks Summit Borough President

ATTEST:


Clarks Summit Borough Manager



Mayor
Clarks Summit Borough

Passed by Clarks Summit Borough Council the 7th day of April, 2021, receiving the affirmative votes of 7 negative votes of 0.