

ORDINANCE NO. 172

AN ORDINANCE OF NOCKAMIXON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS POLICE PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW

WHEREAS, the Board of Supervisors (“Board”) of Nockamixon Township (“Township”) may adopt ordinances in which general or specific powers of the township may be exercised under Section 1601 of the Second Class Township Code (53 P.S. § 66601);

WHEREAS, the Township elected to enroll its police officers in the Pennsylvania Municipal Retirement System, as set forth in the Township Code of Ordinances in Chapter 27, Article II;

WHEREAS, the Township agrees to be bound by all provision of the Pennsylvania Municipal Retirement Law as amended and as applicable to member municipalities;

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Pennsylvania law;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED**, by the Board of Supervisors of Nockamixon Township, Bucks County, that the Code of Ordinance of Nockamixon Township is **AMENDED** as follows:

I. **AMEND** the Code of Ordinances in Chapter 27, Art II, to **ADD** the following **Section 27-16**:

§ 27-16 AMENDMENT OF POLICE PENSION PLAN

SECTION I. Nockamixon Township (the Township), having established a police pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Police Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (Retirement Law), and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all obligations, financial and otherwise, placed upon member municipalities.

SECTION II. As part of this Ordinance, the Township agrees that the System shall administer and provide the benefits set forth in the amended Police Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the Township effective as of the date specified in the adoption agreement (the Contract).

SECTION III. The Township acknowledges that by passage and adoption of this Ordinance, the Township officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

SECTION IV. Payment for any obligation established by the adoption of this Ordinance and the Contract shall be made by the Township in accordance with the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act. The Township hereby assumes all liability for any unfundedness created due to the benefit structure set forth in the Contract.

SECTION V. The Township intends this Ordinance to be the complete authorization of the Contract, as amended and it shall become effective as of the date specified in the adoption agreement, which is the effective date of the Contract, as amended.

SECTION VI. A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

II. Partial Repealer

All other provisions of the Nockamixon Township Code of Ordinances, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Township's Code of Ordinances inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

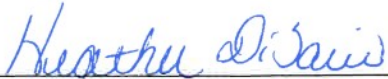
The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED this 17th day of June, 2021.

NOCKAMIXON TOWNSHIP
BOARD OF SUPERVISORS


Heather DiSario, Secretary


William Sadow, Chair

Carl Bahnck, Vice-Chair


David DiPalantino, Member


Lloyd Tavern, Member


John Haubert, Member