

**TOWNSHIP OF FALLOWFIELD
WASHINGTON COUNTY, PENNSYLVANIA
ORDINANCE NO. 199**

**AN ORDINANCE OF THE TOWNSHIP OF FALLOWFIELD,
WASHINGTON COUNTY, PENNSYLVANIA AMENDING THE TOWNSHIP'S
POLICE PENSION ORDINANCE TO REMOVE THE ONE HUNDRED
PERCENT (100%) SURVIVOR BENEFIT FOR POLICE OFFICERS KILLED-
IN-SERVICE AS THE STATE OF PENNSYLVANIA WILL NOW PROVIDE
FOR THIS BENEFIT; REPEALING INCONSISTENT ORDINANCES AND
RESOLUTIONS AND/OR PARTS OF INCONSISTENT ORDINANCES AND
RESOLUTIONS; INCLUDING A SAVINGS CLAUSE, AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, the Board of Supervisors enacted Ordinance No. 142, known as the Township of Fallowfield Police Pension Ordinance, to consolidate, amend, and restate prior Ordinances and Resolutions concerning the Police Pension Plan into a single, unified document; and

WHEREAS, the Board of Supervisors enacted Ordinance No. 173, which amended Ordinance No. 142, to, among other things, add a one hundred percent (100%) survivor benefit for officers who were "killed-in-service"; and

WHEREAS, the General Assembly of Pennsylvania adopted Senate Bill No. 369 a/k/a/ Act 51, which specifically repeals Act 600 to the extent that it required the mandatory 100% survivor benefit for officers "killed-in-service"; and

WHEREAS, Act 51 provides that the Commonwealth of Pennsylvania will now provide for the survivor benefit for officers "killed-in-service"; and

WHEREAS, the Board of Supervisors desire to be in compliance with Act 51, and by adopting this instant Ordinance will be in compliance with said Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Fallowfield, County of Washington, Commonwealth of Pennsylvania, and by this Ordinance it is hereby ordained and enacted as follows:

SECTION 1. DEATH OF PARTICIPANT PRIOR TO RETIREMENT.

Section 6.03 "Killed in Service" in Article VI "Death Benefits" of Ordinance No. 142, which was added by Ordinance No. 173, is hereby deleted and amended as follows:

6.03 Death of a Participant Prior to Retirement

If a Participant shall die before payment of benefits has commenced and without eligibility for a Survivor Benefit under Section 6.01, the Beneficiary shall be eligible to receive a distribution in an amount equal to the Accumulated Contributions of the Participant as of the date of death of the Participant. In addition, the Beneficiary of the deceased Participant would be entitled to the proceeds of those insurance policies funded by the plan.

SECTION 2. REPEALER.

Any and all prior Ordinances and Resolutions and/or any and all portions of prior Ordinances and Resolutions that are in conflict with this Ordinance are hereby repealed to the extent of such conflict. The remaining prior Ordinances and Resolutions and/or portions of prior Ordinances and Resolutions, not modified herein, shall remain the same.

SECTION 3. SAVINGS CLAUSE.

Should any provision or other part of this Ordinance be finally declared to be illegal, unenforceable, void and/or unconstitutional, such shall not affect the remainder of this Ordinance which shall nonetheless be fully valid, binding and enforceable.

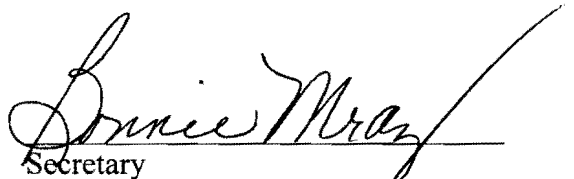
SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect immediately.

ORDAINED AND ENACTED as an Ordinance of the Township of Fallowfield by the Board of Supervisors of the Township of Fallowfield this 28th day of July, 2010.

ATTEST:

TOWNSHIP OF FALLOWFIELD


Secretary

By: 
Chairman, Board of Supervisors

(SEAL)