

BOROUGH OF COALDALE

SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 2019-2

AN ORDINANCE TO THE POLICE PENSION FUND BENEFITS PURSUANT TO ACT 51 OF 2009, AMENDING THE PRE-RETIREMENT SURVIVOR BENEFIT

**WHEREAS**, the Borough of Coaldale, Schuylkill County, Commonwealth of Pennsylvania, did by Ordinance No. 2004-4 restate the Police Pension Plan; and

**WHEREAS**, the Ordinance currently does not comply with the provisions that have been set forth under Act 51 of 2009; and

**NOW THEREFORE, BE IT ENACTED**, the Council of the Borough of Coaldale hereby ordains and enacts that the following section of Ordinance No. 2004-4, shall be amended as follows:

Section 4.5(c) Currently entitled - Killed-in-Service Death Benefit is amended to read as follows:

Pre-Retirement Survivor Benefit. In the event a MEMBER is killed in service, the MEMBER'S family shall receive the benefits provided for and subject to the terms of Act 51 of 2009, which benefits are paid exclusively by the Commonwealth of Pennsylvania with the exception of any pension benefit to which the MEMBER was entitled prior to the MEMBER's death, solely by virtue of the MEMBER's service as a BOROUGH police officer (i.e., either a normal, early, or vested pension benefit). It is understood that family shall refer to the surviving spouse and dependent children. The benefit is payable to the surviving spouse until death, then to the surviving dependent children under the age of eighteen (18) years, or if attending college, under or attaining the age of twenty-three (23) years. The term dependent children and attending college shall be consistent with that of Section 4.5(d) of Ordinance No. 2004-4.

Severable

The provisions of this Ordinance are severable. If

any part of this Ordinance is declared to be unconstitutional, illegal, or invalid, the validity of the remaining provisions shall be unaffected.

Repealer

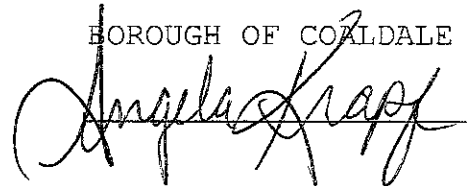
All Ordinances and parts of Ordinances heretofore adopted, to the extent that the same are inconsistent herewith, are hereby repealed.

EFFECTIVE DATE


The effective date of this Ordinance shall be April 9, 2019.

Enacted, Adopted and Ordained this 9<sup>th</sup> day of April 2019.


BOROUGH OF COALDALE



ATTEST:

  
Secretary

Approved this 9 day of April, 2019.

  
Mayor