

COUNCIL BILL NO. 1860
INTRODUCED BY: Jim Aughenbaugh
ORDINANCE NO. 1765

AN ORDINANCE

OF THE CITY OF DUBOIS REAUTHORIZING THE ESTABLISHMENT OF A FUND PREVIOUSLY CREATED AND ESTABLISHED AND KNOWN AS THE "POLICE PENSION FUND"; PROVIDING FOR THE RETIREMENT BENEFITS AND OTHER BENEFITS FOR EMPLOYEES OF THE POLICE DEPARTMENT OF THE CITY OF DUBOIS; PROVIDING RULES AND REGULATIONS FOR THE ADMINISTRATION THEREOF AND THE CONTINUING YEARLY APPROPRIATION THEREFOR.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of DuBois, in Council assembled, and it is hereby enacted and ordained by the City Council of the City of DuBois, Pennsylvania:

Section 1. That there has been created a pension fund of the City of DuBois, known as the "Police Pension Fund" which fund has been created for the allotment of pensions to employees of the City's Police Department, and who has been employed by the City for a period of twenty (20) years or more, and who, by reason thereof, are permitted to take advantage of such pension fund.

Section 2. All employees of the Police Department, with the exception of part-time and civilian employees thereof, shall contribute to the fund five percent (5%) of their monthly wages; such contribution to cease, however, when the employees have been pensioned as herein provided. If, for any cause, any member of the police force contributing to the pension fund shall cease to be a member of the force before he or she becomes entitled to a pension, the total amount of the contribution paid into the pension fund by such member shall be refunded to him or her in full, without interest. If any such member shall have returned to him or her the amount contributed, and shall afterward again become a member of the police force, he or she shall not be entitled to the pension designated until twenty (20) years after his or her reemployment, unless he or she shall return to the pension fund the amount withdrawn, in which event the period of twenty (20) year shall be computed from the time the member first became a member of the police force, excluding therefrom any period of time during which the member was not employed by the police force.

Section 3. The spouse of a member of the police force or a member who retires on pension who dies or if no spouse survives or if such person survives and subsequently dies or remarries, then the child or children under the age of eighteen (18) years of a member of the police force or a member who retires on pension who dies on or after October 4, 1978, shall, during his or her lifetime or so long as such person does not remarry in the case of a surviving spouse or until reaching the age of eighteen (18) years in the case of a child or children, be entitled to receive the pension calculated at the rate of fifty per centum (50%) of the pension the member was receiving or would have been receiving had he or she been retired at the time of his or her death.

Any police officer who has less than ten (10) years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the Duties of a police officer may be entitled to a pension of twenty-five per centum (25%) of his or her annual compensation. For death of injuries received after ten (10) years of service, the compensation may be fifty per centum (50%) of his or her annual compensation.

The disability pension may be payable to the police officer during his or her lifetime, and if he or she shall die, the pension payment that he or she was receiving may be continued to be paid to his or her spouse if such person survives or if such person subsequently dies or remarries, then the child or children under the age of eighteen (18) years of the police officer.

Section 4. Payments for allowances shall not be a charge on any other funds in the treasury of the City or under its control save the police pension fund herein provided for. Allowances and service increments shall be paid to pension employees in accordance with the Act of 1957, June 21, P.L. 378, No. 202, Section 2; as amended by the Act passed in 1970, November 25, P.L. 754, No. 246, Section 1, Sub-section (a) (b) and (1).

Section 5. The Council shall appropriate annually to the Police Pension Fund such sums or sum as they deem proper or necessary to maintain said Police Pension Fund, in accordance with the Act of June 23, 1931, P.L. 932, as amended by Act of June 28, 1951 known as the Third Class Code.

Section 6. All other Ordinances or parts of Ordinances or Resolutions in conflict herewith be and the same are herewith repealed.

Section 7. The within Ordinance shall become effective upon final enactment hereof.

ATTEST:



City Manager

BY: 

Gary Gilbert
Mayor & President of City Council

PASSED BY COUNCIL:

August 8, 2011

APPROVED: 
