

**ADMINISTRATION AND GOVERNMENT
CHAPTER 1, PART 5**

ORDINANCE NO. 2013-02

**AN ORDINANCE OF THE BOROUGH OF CLARKS SUMMIT
AMENDING ORDINANCE 2002-4 OF OCTOBER 2, 2002 AS CODIFIED
IN THE CODE OF ORDINANCES BOROUGH OF CLARKS SUMMIT,
CHAPTER 1, PART 5; AND ORDINANCE 96-09. THE AMENDMENT
WOULD UPDATE SECTION 505.B(2) REGARDING SURVIVOR
BENEFITS.**

The Borough Council hereby ordains:

Section 1. Amendments to Borough Ordinance 82-4, dated January 6, 1982; Pensions, Retirements and Social Security; A. Police Pension Fund; Ordinance 96-09, dated July 2, 1996 which amended portions of Ordinance 82-4; and Ordinance 2002-4 of October 2, 2002.

Section 505.B Survivor Benefits.

1. Any regular full-time police officer/member of the Borough of Clarks Summit Police Pension Plan who is killed in the line-of-duty shall have survivor benefits calculated at One-Hundred Percent (100%) of the monthly pension or retirement benefits defined in Section 505. Survivor benefits are prescribed for the benefit (a) of surviving spouse, and if no surviving spouse or if he/she subsequently dies then (b) of the child or children under the age of 18 years of the deceased regular full-time police officer of the Borough of Clarks Summit; except that if such child or children are attending college then to and including age 23 years.
2. Any regular full-time police officer/member of the Borough of Clarks Summit Police Pension Plan who is killed in the line-of-duty shall have survivor death benefit calculated at One-Hundred Percent (100%) of the full-time police officer's/member's annual salary at the time of death. Survivor death benefit is prescribed for the benefit (a) of surviving spouse, and if no surviving spouse then (b) of the child or children under the age of 18 years of the deceased regular full-time police officer of the Borough of Clarks Summit; except that if such child or children are attending college then to and including age 23 years. The Borough of Clarks Summit may use a private insurance policy (paid by the Borough) to satisfy this requirement, and if such insurance is insufficient to cover this amount then the balance shall be due and payable from the Clarks Summit Borough Police Pension Fund.
3. Any regular full-time police officer of the Borough of Clarks Summit who is retiring on or after January 1, 1996, or who has attained eligibility to retire, shall have survivor benefits calculated at Fifty Percent (50%) of the monthly pension or retirement benefits defined in Section 505. Survivor benefits are prescribed for the benefit (a) of surviving spouse and if no surviving spouse survives or if he/she subsequently dies then (b) of the child or children under the age of 18 years, of the regular full-time police officer of the Borough of Clarks Summit retired on pension; except that if such child or children are attending college, then to and including age 23 years.

ADD:

4. **Attending college shall be defined as follows: Eligible children must be registered at an accredited institution of higher learning and must be carrying a minimum course load of seven (7) credit hours per semester or must be enrolled in and attending high school (secondary school).**

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Section 2. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

Section 3. Effective Date. This ordinance shall be effective ten (10) days after adoption by Borough Council.

**GERRIE CAREY
President of Council**

APPROVED:

Approved this _____ day of _____ 2013.

**HAROLD P. KELLY
Mayor**

ATTEST:

Adopted at a Borough of Clarks Summit Council Meeting conducted on _____
2013.

**VIRGINIA KEHOE
Borough Manager/Secretary**

SEAL