

DARBY BOROUGH  
DELAWARE COUNTY, PENNSYLVANIA  
**ORDINANCE NO. 810**

AN ORDINANCE OF THE BOROUGH OF DARBY,  
DELAWARE COUNTY, PENNSYLVANIA  
AMENDING THE BOROUGH CODE GOVERNING  
POLICE PENSIONS TO AMEND THE ACT 44 DROP  
PROGRAM FROM 36 TO 60 MONTHS

**WHEREAS**, the Borough of Darby, Delaware County, Pennsylvania did, by Ordinance, create a Police Pension Plan; and

**WHEREAS**, certain benefit modifications have made it necessary and desirable to amend the Act 44 Ordinance 786 for the Police Pension Plan for the Borough of Darby; and

**WHEREAS**, based upon an Act 205 cost study, the Council of the Borough of Darby desires to amend the plan; and

**THEREFORE, BE IT ORDAINED**, the Council of the Borough of Darby hereby amends Section I - 4. Written Election of ordinance 786 as follows:

- a. A Police Officer electing to participate in the ACT 44 PROGRAM must complete and execute an "ACT 44 PROGRAM Participation Election Form" prepared by the Borough, which shall evidence the member's election to participate in the ACT 44 PROGRAM. The form must be signed by the Police Officer and be notarized and submitted to the Borough Secretary. The ACT 44 PROGRAM Participation Election Form shall include an irrevocable notice to the Borough, by the Police Officer member, that the Police Officer shall resign from employment with the Police Department effective on a specific date (the "resignation date") that is no later than sixty (60) months from the effective date of ACT 44 PROGRAM Election Form. A Police Officer shall cease to work as and may no longer be employed as a Police Officer on the officer's resignation date, unless the Borough properly terminates or honorably discharges the officer prior to the resignation date. A participant may resign from employment while in ACT 44 PROGRAM status, which shall terminate his/her participation in the ACT 44 PROGRAM.

**Effective Date.** The Effective Date of this ordinance shall be January 1, 2020

**ENACTED AND ORDAINED** this 20th day of March, 2024.

*Lucille Pratt*

Lucille Pratt  
Council President

ATTEST:

*M*

Mark Possenti, Secretary

SEAL

APPROVED:

*Darren B. Burrell*

Darren Burrell, Mayor