

DARBY BOROUGH
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. 811

AN ORDINANCE OF THE BOROUGH OF DARBY,
DELAWARE COUNTY, PENNSYLVANIA
AMENDING THE BOROUGH CODE GOVERNING
POLICE PENSIONS TO AMEND THE SURVIVOR
PENSION BENEFIT FROM 50% TO 75%

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 Ordinance 712A for the Police Pension Plan for the Borough of Darby; and

WHEREAS, 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 ARTICLE V Death Benefits Section 5.02 Pension Benefit to Surviving Spouse and Dependent Children as follows:

5.02 **Pension Benefit to Surviving Spouse and Dependent Children.** If a MEMBER dies survived by a spouse or dependent children, after having become eligible to receive a pension benefit, (i.e., he was eligible because (a) he was already receiving a pension (b) he met the AGE and SERVICE requirements, but he had not yet retired), then a monthly pension benefit shall be provided.

The amount of the monthly pension benefit shall be seventy-five percent (75%) of the pension the MEMBER was receiving or would have been entitled to receive if he had been retired at the time of his death.

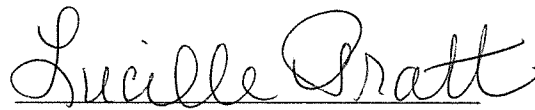
In the event a MEMBER dies after completing twelve (12) or more years of SERVICE but was not yet eligible for normal retirement or pre-retirement survivor benefits, the surviving spouse shall act on behalf of the MEMBER in selecting the alternative addressed in section 6.01(a). If a vested benefit is selected, the surviving spouse shall receive seventy-five percent (75%) of the MEMBER'S vested monthly benefit commencing on the first day of the month following the MEMBER'S NORMAL RETIREMENT DATE.

In the event a MEMBER dies after completing twenty (20) or more years of SERVICE but was not yet eligible for normal retirement or pre-retirement survivor benefits, the surviving spouse shall act on behalf of the MEMBER in selecting the alternative addressed in section 4.02. If an early retirement benefit is selected, the surviving spouse shall receive seventy-five percent (75%) of the MEMBER'S monthly early retirement benefit commencing on the first day of the month following the election of this benefit.

The monthly pension benefit is payable to the surviving spouse until death then to surviving dependent children under the age of eighteen (18) years or if attending college, under or attaining the age of twenty-three (23) years. Attending college shall mean the eligible children are registered at an accredited institution of higher learning and are carrying a minimum course load of seven credit hours per semester. Dependent children shall include step-children, adopted children, and any child conceived before the time of the MEMBER'S date and thereafter born to the MEMBER'S spouse.

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

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



Lucille Pratt
Council President

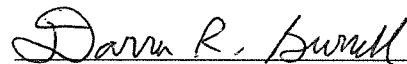
ATTEST:



Mark Possenti, Secretary

SEAL

APPROVED:



Darren Burrell, Mayor