

ORDINANCE NO. 369

**EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF EAST NORRITON TOWNSHIP,
SPECIFICALLY, THE EAST NORRITON TOWNSHIP POLICE PENSION PLAN SET
FORTH IN CHAPTER 26 OF THE EAST NORRITON CODE TO CONFORM THE
PRE-RETIREMENT SURVIVOR BENEFITS TO EXISTING CASE LAW.**

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania under and by virtue of the authority granted by the Second Class Township Code does hereby enact and ordain:

SECTION 1.

The Code of East Norriton Township, Chapter 26, is hereby amended as follows:

Section 26-16. A(1) Is hereby deleted and the following is substituted therefore:

“A surviving spouse of a police officer who is killed in the line of duty and who has not met the age and service requirements for normal retirement as defined in §26-14A, shall receive a monthly pension benefit equal to one-half of the monthly average salary of the deceased officer during his final thirty-six (36) months of employment. For a deceased officer with less than thirty-six (36) months of employment with the Township, the monthly average salary shall be calculated based upon the full term of the deceased officer’s employment with the Township. There shall be a hundred percent (100%) reduction in the pension benefit for any monies received by the surviving spouse from worker’s compensation paid because of the officer’s death and a sixty percent (60%) reduction in the pension benefit for any and all monies received by the surviving spouse under any Federal Social Security laws because of the officer’s death. In the absence of a surviving spouse or if the spouse remarries or dies, the deceased officer’s surviving child or children under the age of eighteen (18) shall receive the same aggregate survival benefit until the surviving child or children reach the age of eighteen (18). The payment of the benefits shall commence on the first day of the month following the death of the officer.”

SECTION 2. Severability.

If any section, subsection, or sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be separate, distinct and independent, and such holdings shall not effect the validity of the remaining portions of this ordinance.

SECTION 3. Ratification.

This ordinance shall in no other way affect, amend or modify the Chapter 26 of the Code of East Norriton Township.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania this 11th day of August, 1997.



BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

By: Joseph C. Ronca, Jr.
Chairman, Joseph C. Ronca, Jr

ATTEST:

Helmuth J. Baerwald
Helmuth J. Baerwald, Secretary