

**BOROUGH OF SWARTHMORE
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. OF 2010

AN ORDINANCE AMENDING CHAPTER 284 (NON-UNIFORMED EMPLOYEES PENSION) OF THE CODIFIED ORDINANCES OF THE BOROUGH OF SWARTHMORE TO CLOSE PARTICIPATION AND MEMBERSHIP IN THE BOROUGH'S NON-UNIFORM PENSION PLAN FOR ANY EMPLOYEE OF THE BOROUGH OF SWARTHMORE OR THE SWARTHMORE PUBLIC LIBRARY HIRED AFTER DECEMBER 31, 2009

BE IT ENACTED AND ORDAINED by the Borough Council and Mayor of the Borough of Swarthmore as follows:

Section 1: Eligibility for Membership in the Plan. Section 284.06(b) of the Codified Ordinances of the Borough of Swarthmore is hereby amended to read as follows:

(b) Each full-time non-uniformed employee of the Borough of Swarthmore or of the Swarthmore Public Library who was hired on or before December 31, 2009 and who works not less than 35 hours per week shall be a Plan Participant. Participation and membership in the Plan shall be closed to any person who commences employment with the Borough or Swarthmore or the Swarthmore Public Library on or after January 1, 2010.

Section 2: Severability. The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

Section 3: Repealer. All resolutions or ordinances, or parts thereof, which are inconsistent herewith are hereby repealed to the extent of the inconsistency.

Section 4: Adoption. This Ordinance shall take effect and be in force from and after its enactment as required by law.

ENACTED AND ORDAINED THIS ____ DAY OF _____, 2010.

SWARTHMORE BOROUGH COUNCIL

BY: _____
SUSAN SMYTHE
PRESIDENT

APPROVED THIS ____ DAY OF
_____, 2010

ATTESTED THIS ____ DAY OF
_____, 2010

BY: _____
RICHARD H. LOWE
MAYOR

BY: _____
JANE C. BILLINGS
BOROUGH MANAGER/SECRETARY