

**KENNETT TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF KENNETT TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Board of Supervisors of Kennett Township, Chester County, Pennsylvania has enacted ordinances to adopt non-uniformed employee pension plans to provide pension benefits to its non-uniformed employees as required by law; and

**WHEREAS**, the Board of Supervisors desires to amend its non-uniformed pension plan as administered by the Pennsylvania Municipal Retirement System, and desires to be bound by all provisions of the Pennsylvania Municipal Retirement Law;

**NOW, THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of Kennett Township as follows:

SECTION I. Kennett Township (the Township), having established a non-uniform pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Non-Uniform Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 53 P.S. §881.101 et seq. (Retirement Law), and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all obligations, financial and otherwise, placed upon member municipalities.

SECTION II. As part of this Ordinance, the Township agrees that the System shall administer and provide the benefits set forth in the amended Non-Uniform Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the Township effective as of the date specified in the adoption agreement (the Contract).

SECTION III. The Township acknowledges that by passage and adoption of this Ordinance, the Township officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

SECTION IV. Payment for any obligation established by the adoption of this Ordinance and the Contract shall be made by the Township in accordance with the Retirement Law and the

Municipal Pension Plan Funding Standard and Recovery Act. The Township hereby assumes all liability for any unfundedness created due to the benefit structure set forth in the Contract.

SECTION V. The Township intends this Ordinance to be the complete authorization of the Contract, as amended and it shall become effective as of the date specified in the adoption agreement, which is the effective date of the Contract, as amended.

SECTION VI. A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

SECTION VII. All ordinance or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

SECTION VIII. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the Code of Ordinances of Kennett Township.

SECTION IX. This Ordinance shall become effective five (5) days following its legal enactment.

**ENACTED** and **ORDAINED** this 7th day of September, 2022.

**ATTEST:**

**BOARD OF SUPERVISORS OF KENNETT  
TOWNSHIP**

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**Eden R. Ratliff, Secretary**

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**Richard L. Leff, Chairman**

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**Scudder G. Stevens, Vice-Chairman**

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**Geoffrey Gamble, Member**