

LYON TOWNSHIP
ROSCOMMON COUNTY, MICHIGAN

ORDINANCE NUMBER 28

ADOPTED: April 1, 1982

AMENDED: August 10, 1988

PENSION PLAN

An ordinance to create and establish an annuity or pension plan for the Township Board of Members of Lyon Township and to authorize the township supervisor and the township clerk to contract, in the name of the township, for such plan; to define those classes of officers and employees who shall be covered.

PURPOSE AND INTENT

An ordinance to create and establish an annuity or pension plan for the Township Board of Members of Lyon Township and to authorize the township supervisor and the township clerk to contract, in the name of the township, for such plan; to define those classes of officers and employees who shall be covered. by such annuity or pension plan ; to set forth the respective per centum shares which Lyon Township shall contribute to the premium or charges arising under such annuity or pension contract; to establish the time at which existing and future employees shall become eligible for such plan to further establish the normal retirement date for all Board Members; to provide a method for non-coverage of an officer or employee of the annuity or pension plan shall a vested right or interest in such plan; to ratify and confirm the validity of any annuity of pension plan in existence on the effective date of this ordinance ; and to repeal all ordinance or parts or ordinance in conflict herewith.

TOWNSHIP OF LYON
ROSCOMMON COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This ordinance shall be known and cited as Lyon Township Pension Plan Ordinance.

SECTION 2

DEFINITIONS

Pursuant to Act #27 of the Public Accts of 1960, as amended, the Township of Lyon hereby creates and establishes and annuity of pension plan and program for the pensioning of its Board Members, and, for such purposes, also hereby authorizes the township supervisor and the township clerk to contract, in the

name of the township subject to the approval of the township board, with any company authorized to transact such business within the State of Michigan, for annuities or pensions.

SECTION 3

REGULATIONS

MEMBERSHIP

The annuity or pension plans created, established and contract for under this ordinance shall cover all members of the Lyon Township Board.

CONTRIBUTIONS; ELIGIBILITY; NOTICE, PERSON DESIRING NOT TO BE COVERED.

A. The township of Lyon shall annually contribute one hundred per centum of that portion of the premium or charges arising under such annuity or pension contract for each person enumerated in Section III hereof. Such contribution shall be secured from the general fund of the township.

B. Each Board member who is employed on the effective date of the annuity or pension plan shall be eligible for coverage on that day provided he or she then meets the following requirements, otherwise to be eligible on the first policy anniversary on which he or she meets them.

1. He or she has completed at least Zero (0) years of continuous employment.
2. His or her age (nearest birthday) is not more than eighty (80) years.

Every Township Board member who subsequently employed shall be eligible on the first policy anniversary on which he or she meets the following:

1. He or she has completed at least (0) years of continuous employment.
2. His or her age (nearest birthday) is not more than eighty (80) years.

A Board Member's normal retirement date shall be the policy anniversary or the annuity or pension plan nearest his or her eightieth (80) birthday.

C. Any person desiring not to be so covered shall give written notice to the township clerk that he desires not to be covered there under. If the notice is received after the individual has become covered, his coverage under the contract shall cease as provided for in the contract.

VESTED RIGHT

Each person so covered under the annuity or pension plan shall have a vested right or interest in such plan zero (0) months from the date the plan becomes effective for such person.

VALIDITY

The Township of Lyon hereby ratifies and confirms the validity of any annuity or pension plan in existence on the effective date of this ordinance.

SECTION 4

VIOLATIONS AND PENALTIES

Any person who violates any of the provisions of this ordinance shall be deemed to be responsible for a Municipal Civil Infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the schedule:

	<u>Minimum Fine</u>	
1 st offense within a 3-year period*		\$ 50.00
2 nd offense within a 3-year period*		\$125.00
3 rd offense within a 3-year period*		\$250.00
4 th or subsequent offense in a three-year period*		\$400.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Lyon Township has been put in connection with the Municipal Civic Infraction.

In addition, any violation of this ordinance is hereby declared to be a public nuisance per se which may be abated in Circuit Court in lieu of or in addition to other civil infractions.

Each day that a violation exists shall constitute a separate offense for enforcement purposes.

SECTION 5

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance.

SECTION 6

REPEAL

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7

EFFECTIVE DATE

This ordinance shall take effect 30-days after publication as required by law.