

ORDINANCE NO. 2021- 08

WHEREAS, the Board of County Commissioners of Carroll County, Maryland (“the Board”) has enacted and codified the “Code of Public Local Laws and Ordinances of Carroll County, Maryland (“the County Code”); and

WHEREAS, the Board has the authority to adopt a defined benefit or pension plan for its appointed officers and employees through Section 3-801 of the Code; and

WHEREAS, the Carroll County Pension Plan (“the County Pension Plan”) was established and adopted by the Board by Ordinance No. 03-15 on July 8, 2003; and

WHEREAS, the Board incorporated the County Pension Plan as part of the County Code as § 35.30; and

WHEREAS, Section 9.1 of the County Pension Plan provides that it may be modified, altered, amended or changed by action of the Employer as defined by the County Pension Plan;

WHEREAS, on September 3, 2009, by Ordinance No. 09-10 the Board adopted the “Carroll County Law Officers Pension Plan” (sometimes referred to as “the Law Officers’ Pension Plan” or “the Public Safety Pension Plan”);

WHEREAS, the Board incorporated the Law Officers’ Pension Plan as part of the County Code as § 35-60;

WHEREAS, Section 9.1 of the Law Officers’ Pension Plan provides that it may be modified, altered, amended or changed by action of the Employer, as defined by the Law Officers’ Pension Plan; and

WHEREAS, the Board now desires to amend the County Code and the County Pension Plan and the Law Officers’ Pension Plan.

NOW, THEREFORE, the County Code and the County Pension Plan and the Law Officers’ Pension Plan are hereby amended as follows:

ARTICLE I. AMENDMENTS.

Section 1. Code of Public Local Laws and Ordinances of Carroll County, Chapter 35, Personnel; Pensions and Retirement, County Pension Plan, § 35.30, Amendment of Plan, is deleted in its entirety and replaced as follows:

§ 35.30. AMENDMENT OF PLAN.

The Carroll County Pension Plan, which is on file in the County Offices, is hereby amended and adopted as the Carroll County Pension Plan, Edition September, 2021. The Plan shall be maintained as set forth within the Plan document.

Section 2. Code of Public Local Laws and Ordinances of Carroll County, Chapter 35, Personnel; Pensions and Retirement, Carroll County Public Safety Pension Plan, § 35.60, Adoption of Plan, and § 35.61, Amendment of Plan are deleted in their entirety and replaced as follows:

§ 35.60. ADOPTION AND AMENDMENT OF PLAN.

Effective beginning October 1, 2009, the Carroll County Certified Law Officers Pension Plan, which is on file in the county offices, is hereby re-named, re-established and re-adopted as the Carroll County Public Safety Pension Plan, Edition September, 2021. The Plan shall be maintained as set forth within the Plan document.

ARTICLE II. SEVERABILITY.

Should any provision, section, paragraph or subparagraph of this Ordinance, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having jurisdiction; the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

ARTICLE III. EFFECTIVE DATE.

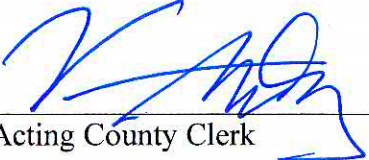
The provisions of this Ordinance are effective as of September 30, 2021.

ADOPTED this 30th day of September, 2021.


(signatures on the following page)

THE COUNTY COMMISSIONERS OF
CARROLL COUNTY, MARYLAND,
a body corporate and politic of the
State of Maryland

ATTEST:



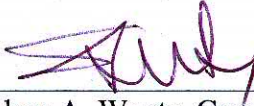
Acting County Clerk



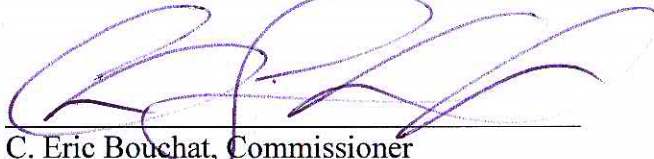
Edward C. Rothstein, President




C. Richard Weaver, Vice President



Stephen A. Wantz, Commissioner

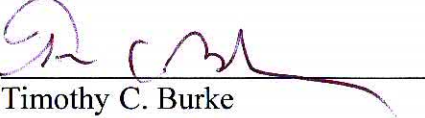


C. Eric Bouchat, Commissioner



Dennis E. Frazier, Commissioner

Approved for legal sufficiency:



Timothy C. Burke
County Attorney