

ORDINANCE NO 1489

AN ORDINANCE OF THE CITY OF LYNDEN AMENDING THE LYNDEN MUNICIPAL CODE TO REFLECT LYNDEN FIREFIGHTERS NO LONGER PARTICIPATE IN SOCIAL SECURITY SYSTEM, CHAPTER 2.16

WHEREAS, Section 2.16.020 of the Lynden Municipal Code states that the City shall extend the benefits of the Social Security System “to its employees and officers”; and

WHEREAS, the law allows firefighters to opt out of the Social Security system; and

WHEREAS, the Lynden Firefighters voted December 19th 2013 to opt out of the Social Security system; and

WHEREAS, shortly thereafter the Fire Chief and Assistant Fire Chief voluntarily chose to withdraw from the Social Security system; and

WHEREAS, the voluntary removal of the Lynden Firefighters and the Fire Chief and Assistant Fire Chief from the Social Security system requires an amendment to Chapter 2 section 16.020; and

WHEREAS, the foregoing recitals are a material part of this ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNDEN, WASHINGTON, DOES ORDAIN THAT:

Section A. Section 2.16.020 is amended with amended language emboldened as follows:

2.16.020—Participation in Social Security System authorized

The city council has ordained that this municipality become a participant in the Social Security System and that the benefits of old age and survivors’ insurance be extended to its employees and officers; **except that, the Lynden Firefighters, the Lynden Fire Chief and Lynden Assistant Fire Chief are not part of the Social Security system and not subject to the provisions of this chapter.**

Section B. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section C. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.


Section D. This ordinance shall be in full effect five (5) days after its passage, approval and publication as provided by law.

PASSED by the City Council this 2 day of November, 2015. Signed by the Mayor on this 3 day of November, 2015.


MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY