

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR

MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 25

An Ordinance providing for a retirement system for deputy sheriffs of Multnomah County.

Multnomah County ordains as follows:

A retirement system for sworn law enforcement personnel of Multnomah County is hereby established in accordance with and under the authority of Section 7.50 of Chapter VII, Multnomah County Home Rule Charter, as prescribed in the following articles:

ARTICLE I. DEFINITIONS.

(1) Sworn law enforcement personnel as used in this ordinance shall mean such employees of Multnomah County assigned to the Department of Public Safety who perform their duties, under an oath administered to law enforcement personnel, and who are required to render service as such to the County not less than thirty-five (35) hours per week exclusive of vacation, sick leave and bona fide leaves of absence, excepting, however, such personnel who hereafter enter County service at any time after the day preceding his thirty-second birthday.

(2) Appointing authority means the Chairman of the Board of County Commissioners.

(3) Continuous Service means successive periods of twelve (12) months' duration during which the employee has been required to render service to the County of not less than thirty-five (35) hours per week exclusive of vacation, sick leave and bona fide leave of absence; provided, however, it shall not be an interruption of continuous service if within five (5) years after such employee is separated from all service entitling him to membership in the Multnomah County Sheriff's Retirement System, he shall restore the amount withdrawn by him at the time of the termination of his service by repaying to the Retirement Fund within six (6) months after entering the County service the full amount so withdrawn.

ARTICLE II.

Section (1) The retirement system herein provided shall be administered by three (3) members to be appointed by and from the Board of County Commissioners who shall serve at the pleasure of that Board and three (3) sworn law enforcement personnel of the County who shall be elected by the members from the sworn law enforcement personnel of the County who shall have terms of one (1), two (2) and three (3) years, respectively.

Section (2) The Retirement Board shall be responsible for the administration of the retirement system herein provided and shall have authority to promulgate and enforce reasonable rules and regulations for the administration of this ordinance.

Section (3) The Board shall have final authority in determining the eligibility and qualification of County personnel entitled to make contributions and receive benefits under the retirement system for sworn law enforcement personnel of Multnomah County.

ARTICLE III.

Section (1) There is hereby established a fund to be known as the Retirement Fund for Multnomah County Deputy Sheriffs which shall consist of the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) to be transferred from the Multnomah County Retirement Fund to the fund hereby established, together with the contributions hereinafter required and such other funds as may be lawfully contributed or transferred to the said Fund.

Section (2) Multnomah County shall contribute to the Retirement Fund hereinbefore established not later than March 1 of each year a sum equal to the gross contributions deducted from the employee's salary during the preceding calendar year, plus 1.8 percent of the gross basic salary.

Section (3) There shall be deducted each month from the gross monthly salary of each sworn law enforcement employee a sum equal to seven percent (7%) of his monthly County salary as the employee's contribution to the said Retirement Fund.

Section (4) The Fund so established shall be administered and accounted for in the same manner as the County handles the Multnomah County Retirement Fund and may be pooled with the County Retirement Fund as a joint account for the investment thereof as provided for the investment of the County Retirement Fund under Multnomah County Ordinance No. 12, provided that one (1) member of the Multnomah County Deputy Sheriffs' Retirement Board shall be considered a member of the Multnomah County Retirement Board in all matters and decisions involving the investment of the pooled retirement funds.

ARTICLE IV.

Any employee of the County who is entitled to the benefits under the Retirement System hereby established shall be retired effective the first day of the month following his fifty-fifth birthday unless the employee shall request in writing at least thirty (30) days before and not later than forty-five (45) days from the effective date of his retirement that he be continued in County service, and such request is approved by the appointing authority.

No employee entitled to benefits under the Retirement System hereby established shall be subject to involuntary retirement prior to January 1, 1970.

The continuation of service shall be for a period of one (1) year, and for each year thereafter a new request must be made and approved as hereinabove provided. No such employee may be continued in service beyond the age of sixty-five (65) years.

ARTICLE V.

Any sworn law enforcement personnel of the Department of Public Safety who retires under Article IV and who has completed at least twenty (20) years of continuous employment by the County, of which at least ten (10) years of such employment shall have been as a sworn law enforcement officer of the County, shall be paid from the Multnomah County Deputy Sheriff's Retirement Fund for the rest of his life a monthly sum equal to fifty percent (50%) of the monthly salary paid to such employee during the last month preceding the date of his retirement.

ARTICLE VI. REFUNDS.

Section (1) Any sworn law enforcement personnel of the County who, while living, is separated from the County employment for any reason whatsoever other than retirement or disability shall be refunded upon demand the actual amount of his contributions or salary deductions under Article III without the addition of interest, upon the employee executing and delivering to the Retirement Board in writing a waiver of all rights to which the employee might be entitled under this Ordinance, within the period of two (2) years. The refund shall be paid by warrant drawn on the Retirement Fund and the refund shall be made under the direction of the Retirement Board. At the end of such two (2) year period, if such waiver has not been executed and delivered, such moneys shall revert to the Retirement Fund.

Section (2) If any such employee dies prior to retirement, such salary deductions shall be paid to a beneficiary previously designated by the employee. If such employee does not designate a beneficiary, then in that event such salary deductions shall be paid to those who would be entitled to receive such amount under the laws of descent and distribution of the State of Oregon in cases where a person dies intestate.

Section (3) If any employee dies after retirement and before he has received the full amount of money he has contributed to the Fund, the remaining balance of his contributions to the Retirement Fund shall be paid to such beneficiary as he shall name or, if none, then to those who would be entitled to receive such amount under the laws of descent and distribution of the State of Oregon in cases where a person dies intestate.

ARTICLE VII.

All rights and benefits pertaining to time in service and credit for contributions heretofore accrued to sworn law enforcement personnel in County service under Chapter 238, ORS, and Multnomah County Ordinance No. 12 shall be preserved and considered in determining the extent of County service and credit for contributions under the system hereby established.

ARTICLE VIII.

Nothing in this Ordinance shall be construed as affecting or changing any of the rights, benefits or privileges of sworn law enforcement personnel heretofore retired under Chapter 230, ORS, and Multnomah County Ordinance No. 12.

ARTICLE IX.

Employee and County contributions to said retirement fund shall be calculated as commencing July 1, 1969.

ARTICLE X.

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect upon its passage.

DATE OF PASSAGE: July 10, 1969.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By M James Gleason
Chairman

By J. W. [unclear]
Commissioner

By [unclear]
Commissioner

By Donald S. Clark
Commissioner

By [unclear]
Commissioner

APPROVED AS TO FORM:

GEORGE VAN HOOMISSEN
District Attorney for
Multnomah County, Oregon

By Willis A. West
Willis A. West
Chief Civil Deputy