

CHAPTER 209. APPEAL PROCEDURE

(Editor's Note: Under the act of July 20, 2016 (P.L. 849, No. 100), the Public Employee Retirement Commission was dissolved transferring certain powers and duties relating to municipal pension reporting and analysis to the Department of the Auditor General. Therefore, Chapter 209 is abrogated. Further information may be found at www.PaAuditor.gov.)

Sec.

209.1. Procedures on petition for appeal.

Authority

The provisions of this Chapter 209 issued under the Municipal Pension Plan Funding Standard and Recovery Act (53 P. S. §§ 895.101—895.803), unless otherwise noted.

Source

The provisions of this Chapter adopted December 18, 1987, effective December 19, 1987, 17 Pa.B. 5234, unless otherwise noted.

§ 209.1. Procedures on petition for appeal.

(a) *Petition for appeal.* Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) is applicable to the activities and proceedings held before the Commission, except as otherwise provided in this chapter.

(b) *Form and content of petition for appeal.* Except as otherwise provided for by statute, a municipality aggrieved by a final decision of the Executive Director may file a written petition with the Commission within 30 calendar days of the decision. The written petition shall contain:

- (1) The name and address of the appealing municipality.
- (2) A statement of the facts forming the basis of the petition.
- (3) A statement that the municipality requests a hearing.
- (4) The signature of the chief administrative officer of the municipality.
- (5) Other information that the Commission may require.

(c) *Designation of presiding officer.* The Commission may appoint a presiding officer.

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(387552) No. 515 Oct. 17

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