

## CHAPTER 2.80

### SOCIAL SECURITY

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#### **2.80.010 Acceptance by City.**

The City of Lincoln, Nebraska, hereby accepts for itself and on behalf of its officials, appointees, and employees, except such as are hereinafter excluded from the provisions hereof, their dependents and survivors, the provisions, benefits, and protection of the Federal Old Age and Survivors Insurance System hereinafter designated the "system," established by Title II of the Social Security Act, the same being Public Law 734 (81st Congress, 2nd Session, H.R. 6000) and to be cited as the "Social Security Act Amendments of 1950."

The term "employee" as used herein shall mean an employee as defined by said Social Security Act and shall include the officers, appointees, and employees of the city. (Ord. 15402 §1; January 8, 1990: P.C. §2.62.010: Ord. 4964 §1; May 21, 1951).

#### **2.80.020 Council; Powers and Duties.**

The City Council shall take such action as may be required and is hereby authorized and directed to enter into such contracts and make such agreements and stipulations with the administrator of said system in and for the State of Nebraska, or such other state agency for the purpose that may hereafter be designated or created, as may be deemed necessary or expedient by said administrator, or other state agency authorized in the premises, as the case may be, or as required by general law, state or federal, or any applicable regulations of said state or federal agency to extend the benefits and protection of such system to the eligible employees of the city, their dependents, and survivors. Such initial agreement shall be made retroactive to January 1, 1951, in all respects.

The City Council shall have power to do and perform all acts and things, whether or not herein specifically designated, that may be required by applicable state or federal laws or regulations to secure coverage of eligible employees of the city under said Social Security Act and amendments thereto, and shall take such action as may be necessary, consistent with the provisions of this chapter to obtain for the eligible

employees of the city the benefits and protection of said system. (Ord. 15402 §2; January 8, 1990: P.C. §2.62.020: Ord. 4964 §2; May 21, 1951).

**2.80.030 Eligible Employees.**

The eligible employees or classes of employees of the city shall include all employees except those employees excluded from participation in said system by the provisions of Section 2.80.040 hereof, and are hereby determined to be within and entitled to the benefits and protection of said system. (Ord. 15402 §3; January 8, 1990: P.C. §2.62.030: Ord. 4964 §3; May 21, 1951).

**2.80.040 Excluded Employees.**

The following employees are hereby determined to be excluded by the terms of this chapter from participation in said system:

(a) Any employees whose services on the effective date hereof are employed in a position which is covered by an existing municipal retirement or pension system or authorized to be so covered by general law.

(b) Any employee with respect to any position not authorized for coverage by applicable state or federal laws or regulations of the federal administrative Agency. (Ord. 15402 §4; January 8, 1990: P.C. §2.62.040: Ord. 4964 §4; May 21, 1951).

**2.80.050 Withholdings Authorized.**

Withholdings from the salaries, wages, and remunerations for employment of eligible employees of the city for the purposes of this chapter are hereby authorized. The city shall impose upon each of its employees as to services that are covered by this chapter, a contribution with respect to his salary, wages, and remuneration for employment. The city shall deduct the amount of such contribution from salaries, wages, and remuneration for employment of eligible employees as and when paid. Such withholding shall be made by the city in such amounts and at such times as may be required by general law, state or federal, and applicable regulations promulgated with respect thereto by state or federal administrative agencies. (Ord. 15402 §5; January 8, 1990: P.C. §2.62.050: Ord. 4964 §5; May 21, 1951).

**2.80.060 Social Security Fund Created.**

There is hereby created in the records of the city, and the City Treasurer is hereby authorized and directed to set up an account to be known as the "Social Security Fund" into which the withholdings authorized by Section 2.80.050 hereof shall be paid; also the proceeds from the tax levy as hereinafter authorized, together with any appropriations from available funds that might be made from time to time by municipal authority for the benefit of said fund. Said fund shall be kept segregated and shall be used for no other purposes than the provisions and obligations of this chapter as herein provided to be accomplished by such fund. (Ord. 15402 §6; January 8, 1990: P.C. §2.62.060: Ord. 4964 §6; May 21, 1951).

**2.80.070 Payment to State Administrator.**

The monies in the Social Security Fund aforesaid shall be paid over to the Tax Commissioner of the State of Nebraska designated by law as the Administrator of the Social Security Act for the State of Nebraska or his successor in function as authorized and provided by regulations promulgated to that end by such administrator. (Ord. 15402 §7; January 8, 1990: P.C. §2.62.070: Ord. 4964 §7; May 21, 1951).

**2.80.080       Records and Reports.**

The city shall keep such records and make such reports relating to the administration of the Social Security Act as may be required by general law, state or federal, or as provided by regulations promulgated by either the state or federal administrator of the system. (Ord. 15402 §8; January 8, 1990: P.C. §2.62.080: Ord. 4964 §8; May 21, 1951).

**2.80.090       Tax Levy Authorized.**

The City Council shall levy a tax, in addition to all other taxes, upon the real and personal property subject to taxation by the city in an amount sufficient to defray the cost of the city in meeting the obligations arising by reason of the contracts, agreements, or stipulations authorized under Section 2.80.020 hereof, provided, the revenue raised by such special levy shall be used for no other purpose. (Ord. 15402 §9; January 8, 1990: P.C. §2.62.090: Ord. 4964 §9; May 21, 1951).

**2.80.100       Severability.**

If any provision of this chapter or any section or sections thereof or the application thereof to any person or circumstance is held to be invalid, the remainder of the chapter and the application of such provisions, section, or sections to other persons or circumstances shall not be affected thereby. (Ord. 15402 §10; January 8, 1990: P.C. §2.62.100: Ord. 4964 §10; May 21, 1951).