

File Reference No.: 20011034

ORDINANCE NO.: 6284**AN ORDINANCE**

AMENDING the defined benefit pension plans to permit City/BWL retirees to return to work part time or temporary for the City/BLW without penalty to their pension benefit.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA:

Section 1: That the first sentence of Section 4-12-4-010, Exhibit A of Ordinance 4022, Article V, Section 6, Suspension of Benefits be amended to read as follows:

A. Any retirement pension payable under this plan to any participant who shall have retired or been retired pursuant to any provisions of article IV or whose service with the city shall have terminated on or after his vesting date shall be suspended as of the date he is reemployed by the city on a full time basis if retired under article IV, sections 1,2,3 and 5 or in any capacity (full time or less than full time) if retired under the provisions of article IV, section 4 or holds an elective office of the governing authority except as otherwise provided herein and shall be resumed as of the first day of the month coinciding with or next following his subsequent retirement.

Section 2: That the first sentence of Section 4-12-5-010, Exhibit B of Ordinance 4532, Article V, Section 18, Return to Employment after Retirement be amended to read as follows:

A. **Re-employment.** Any retirement benefit payable under this plan to any participant who has retired and commenced receiving benefits, shall be suspended as of the month in which he is reemployed as an eligible full time employee or less than full time employee if retired under the provisions of Article V, Section 11, by the employer.

Section 3: That Section 4-12-6-010, Exhibit B - Ordinance No. 4532, Article II, Section 5, Credited Service be amended to read as follows:

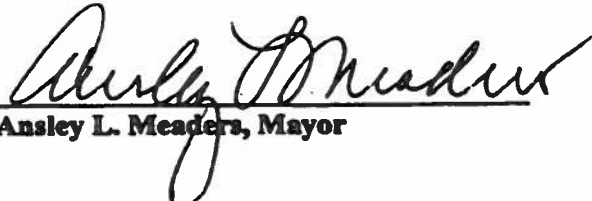
Credited service shall mean the year of credit for full time work except as otherwise specified herein, with an employer which is used to determine the amount of benefits payable under this plan, including past credited service, for work prior to November 1, 1973 and future credited service, for work after November 1, 1973.

Section 4: That the second paragraph of Section 4-12-6-010, Exhibit B - Ordinance 4532, Article VI, Section 6 be deleted in its entirety.


Section 5: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, phrases and words are severable, and if any section, paragraph, clause, phrase or word of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, clauses, phrases or words of this Ordinance.

Section 6: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

DATE: September 12, 2001 **APPROVED:** 
Ansley L. Meaders, Mayor

ATTEST: 
Shelia R. Hill, City Clerk

APPROVED AS TO FORM: 
Douglas R. Haynie, City Attorney