

AN ORDINANCE

Amending Ordinance No. 4022, in part, which adopted a new retirement plan for the employees of the City of Marietta, by amending the definition of disabled for purposes of determining eligibility for disability benefits.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1. Ordinance No. 4022, which adopted a new retirement plan of the employees of the City of Marietta, Georgia, is hereby amended by deleting Article VIII, Section 1, in its entirety, and substituting in lieu thereof a new Article VIII, Section 1, as follows:

"Article VIII, Section 1. Definition. An employee will be considered disabled if unable, solely because of disease or accidental bodily injury, to work at his or her own occupation or at any reasonable occupation for which the employee is engaged, or may reasonably become engaged, fitted by education, training or experience; provided, however, that such disability shall not have been (a) self-inflicted; (b) incurred in military service; (c) incurred in the commission of a felonious enterprise; or (d) the result of the use of narcotics or drugs or habitual drunkenness. Notwithstanding the fact that an employee may initially be determined disabled, disability benefits shall terminate upon the occurrence of any events set forth in Section 5."

Section 2. It is hereby declared to be the intention of this ordinance that it's sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentences, clause or phrase of this ordinance is declared to be unconstitutional or invalid, it shall not effect any of the remaining sections, paragraphs, sentences, clauses or phrases of this ordinance.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall become effective upon the signature or without the signature of the Mayor subject to Georgia laws 1983, Page 4119.

DATE: May 14, 1986

APPROVED:

Vicki Chastain
Vicki Chastain, Mayor

ATTEST:

Lillian Harris
Lillian Harris, City Clerk