

COUNCIL BILL NO. 282988 ORDINANCE NO. 4655

AN ORDINANCE

AMENDING Ordinance No. 4022, in part, which adopted a new retirement plan for the employees of the City of Marietta, by permitting employees that retired prior to January 1, 1984, to be eligible for the death benefits which have been reinstated pursuant to Ordinance No. 4653.

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

Section 1: Ordinance No. 4022, which adopted a new retirement plan for the employees of the City of Marietta, Georgia, is hereby amended by permitting any employee that retired from the City of Marietta, Georgia prior to January 1, 1984, to be eligible to receive the death benefits which have been reinstated pursuant to Ordinance No. 4653. The rights and obligations with respect to any employee or beneficiary that has already commenced to receiving benefits for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such retirement plan as it existed and was in effect at the time said benefits commenced. It is hereby declared to be the specific intention of the Ordinance that no participant or beneficiary shall be eligible or entitled to receive more than one type of benefit from the City of Marietta, Georgia by virtue of the passage of this Ordinance. Rather, it is the intention of this Ordinance to permit employees that retired prior to January 1, 1984, to be eligible for the death benefits which have been reinstated pursuant to Ordinance No. 4653 but not to provide duplicate benefits for any employee or beneficiary that has already commenced receiving benefits prior to the effective date of this Ordinance.

Section 2: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect 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Section 3: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.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 July 15, 1988.

DATE: July 13, 1988

APPROVED: Vicki Kastan
Mayor and Council

ATTEST: William C. Harris

*-Original in Retirement Plan Folder