



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Motion Signature

File Number: 20220165

Pension Plan Amendments (Retirement Applications)

Motion approving an ordinance amending the defined benefit pension plans to clarify that the Pension Board has the authority to act on retirement applications submitted less than 30 days from the applicant's retirement date as forwarded by the Pension Board.

Second Reading

Date April 13, 2022

A handwritten signature in cursive script, reading "R. Steve Tumlin, Jr.", written over a horizontal line.

R. Steve Tumlin, Jr., Mayor

A handwritten signature in cursive script, reading "Stephanie Guy", written over a horizontal line.

Stephanie Guy, City Clerk

LEGISTAR#: 20220165
ORDINANCE NO: 8273

AN ORDINANCE

Amending the defined benefit pension plans to clarify that the Pension Board has the authority to act on retirement applications submitted less than 30 days from the applicant's retirement date.

NOW THEREFORE, THE COUNCIL OF THE CITY OF MARIETTA HEREBY ORDAINS:

Section 1: That Article 4-12-4, Exhibit A to Chapter 4-12, Ordinance 4022, "Retirement Plan for the Employees of the City of Marietta, Georgia," Section 1.C. of Article IV (Retirement Eligibility and Dates) be amended to read as follows:

C. Retirement applications shall be prepared and submitted no earlier than ninety (90) days and no later than thirty (30) days prior to a participant's effective retirement date. Nevertheless, the pension board has discretion to consider an application submitted less than 30 days prior to the effective retirement date in the event of the participant's terminal medical condition, a department head's need to fill a position occupied by the applicant, or other exigent circumstances.

Section 2: That Article 4-12-6, Exhibit B to Chapter 4-12, Ordinance 4532, "Consolidated Retirement Plan for the Employees of the City of Marietta, Georgia," Section 2 of Article IX (Application, Benefit Payments and Claim Procedures) be amended to read as follows:

Section 2. Filing an application for benefits.

A participant must file an application for benefits under the plan no earlier than 90 days and no later than 30 days in advance of the date benefit payments are to commence. Nevertheless, the pension board has discretion to consider an application submitted less than 30 days in advance in the event of the participant's terminal medical condition, a department head's need to fill a position occupied by the applicant, or other exigent circumstances. Such application may be in any form adequate to give reasonable notice to the pension board and shall set forth the basis of such application and shall authorize the pension board to conduct such examinations as may be necessary to facilitate the payment of any benefits to which the participant or beneficiary may be entitled under the plan.

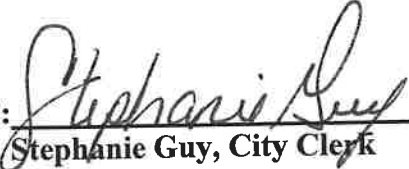
Section 3: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 4: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 5: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

DATE: April 13, 2022

APPROVED: 
R. Steve Tumlin, Jr., Mayor

ATTEST: 
Stephanie Guy, City Clerk

Approved as to Form: 
Douglas R. Haynie, City Attorney