

CITY COUNCIL
ATLANTA, GEORGIA

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AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE

04-0 -2099

AN ORDINANCE TO AMEND THE CITY OF ATLANTA FIREFIGHTERS PENSION FUND SO AS TO PROVIDE FOR REQUIRED MINIMUM DISTRIBUTIONS, LIMIT THE AMOUNT OF CONSIDERED COMPENSATION, CLARIFY THE LIMITATION ON ANNUAL BENEFITS AND MAKE CERTAIN OTHER CHANGES ALL AS REQUIRED BY THE U.S. INTERNAL REVENUE CODE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

That Georgia Laws 1924, p. 167, as amended, codified in Part I (Charter and Related Laws), Subpart B (Related Laws), Chapter 6 (Pensions), Article IV (Firefighters), of the Code of Ordinances of the City of Atlanta, Georgia, is hereby further amended as follows:

Section 1. By deleting the existing Section 6-248 of the Code of Ordinances of the City of Atlanta, Georgia, and by substituting the following:

“Salary and Earnings.

For the purposes of determining any benefit or contribution under this act, 1924 Ga. Laws, page 167, as amended, the “salary,” “earnings” or “wages” or “total” “salary,” “earnings” or “wages” of an officer or employee of the City of Atlanta for any period shall include the base wages or salary paid to such officer or employee (including lump-sum payments thereof); amounts contributed or deferred by the officer or employee and not includable in gross income under sections 125, 132(f) or 457 of the U.S. Internal Revenue Code (the “Code”); amounts contributed by the officer or employee to a governmental qualified retirement plan and treated as employer contributions under Code section 414(h); and amounts credited to the officer or employee for furlough hours. Such salary, earnings or wages shall not include the following amounts: disability insurance payments to an officer or employee; travel, mileage or automobile-related allowances or reimbursements; bonuses (other than sick-leave bonuses) or performance awards; overtime or premium payments; or any other special, unusual or nonrecurring payment.

The City of Atlanta may amend this provision at any time to the extent permitted by applicable law.”