01-O -1723

AN ORDINANCE BY

COUNCILMEMBER C.T. MARTIN

AN ORDINANCE TO AMEND SECTION 6-367 OF THE RELATED LAW SECTION (1978 PENSION ACT) OF THE CHARTER AND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, on February 19, 2001, the Council voted unanimously to amended Section 6-222, 1978 Pension Act, Part (c) that raised the pension benefit for sworn police officers of the Atlanta Police Department; and

WHEREAS, no corresponding increase in pension benefits was included for sworn officers of the Atlanta Fire Department; and

WHEREAS, the Council endeavors to maintain parity between all sworn police and fire officers;

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

SECTION 1.
That Section 6-367 1978 Pension Act, Part (c) which currently states:

(c) All officers and employees, who shall elect or be required to come under the terms of this amendment, may as a matter of right retire from active service and receive a monthly pension benefit hereinafter set forth and referred to hereinafter as a "normal monthly pension benefit," provided such person shall have served 15 years in the active service of such city and shall have attained the age of 55 years prior to commencement of such benefit. Upon such officer or employee retiring as a matter of right, such person shall be paid thereafter a normal monthly pension benefit equal to two percent (2%) of such person's average monthly earnings multiplied by the number of each person's years, or fraction thereof, of creditable service. Average monthly earnings shall be the average of the monthly earnings of the highest three (3) consecutive years' salary or earnings during the term of employment. In computing the average monthly earnings, if the officer or employee shall have received a lump sum payment for compensation, accumulated vacation, sick leave bonus pay, or similar benefits, the amounts of such payments shall be equally distributed over the period of time in which such compensation or benefit was earned or accumulated.

is amended by deleting said subsection and substituting in lieu thereof the following:

(c) All officers and employees, who shall elect or be required to come under the terms of this amendment, may as a matter of right retire from active service and receive a

monthly pension benefit hereinafter set forth and referred to hereinafter as a "normal monthly pension benefit," provided such person shall have served 15 years in the active service of such city and shall have attained the age of 55 years prior to commencement of such benefit. Upon such officer or employee retiring as a matter of right, such person shall be paid thereafter a normal monthly pension **benefit equal to three percent (3%) but not more than 26.67 years of creditable service of such person's average monthly earnings multiplied by the number of such person's years, or fraction thereof, of creditable service.** Average monthly earnings shall be the average of the monthly earnings of the highest three (3) consecutive years' salary or earnings during the term of employment. In computing the average monthly earnings, if the officer or employee shall have received a lump sum payment for compensation, accumulated vacation, sick leave bonus pay, or similar benefits, the amounts of such payments shall be equally distributed over the period of time in which such compensation or benefit was earned or accumulated.

SECTION 2.

This ordinance shall be applicable to all active sworn officers of the Atlanta Fire Department employed as of the effective date of this ordinance.

SECTION 3.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.