

ORDINANCE NO. 2018-2138

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION (a) OF SECTION 17-56 OF CHAPTER 17 OF THE NEW PORT RICHEY CODE OF ORDINANCES; PERTAINING TO ELIGIBILITY AND BENEFIT AMOUNTS AT THE NORMAL RETIREMENT DATE IN THE POLICE OFFICERS' RETIREMENT SYSTEM; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Ordinance 2017-2121 was adopted by the City Council on November 7, 2017;

WHEREAS, the aforesaid ordinance amended several provisions of the Police Officers' Retirement System in the City;

WHEREAS, the aforesaid ordinance contained a typographical error in the normal retirement date eligibility requirements; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

Section 1. Chapter 17, Article IV, Section 17-56, Subsection(a), of the Code of Ordinances, pertaining to benefits and eligibility at the normal retirement date, is hereby amended as follows (strikeout text is deleted and underlined text is added):

- (a) *Normal retirement date.* A member's normal retirement date shall be the first day of the month coincident with, or the next following the earlier of the attainment of age fifty-two (52) and the completion of ten (10) years of credited service, or the completion of twenty-three (23) years of credited service; provided, however, that any member who has completed at least ten (10) years of credited service earned prior to midnight on November 7, 2017 shall be eligible for normal retirement upon the attainment of age fifty (50) and the completion of twenty ten (~~24~~) years of credited service. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become one hundred (100) percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date.

Section 2. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

Section 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 3rd day of April, 2018, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 17th day of April, 2018.

ATTEST:

By: _____
Judy Meyers, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY
FOR THE SOLE USE AND RELIANCE OF THE
CITY OF NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney