

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA AMENDING CHAPTER 2, ARTICLE IV FIREFIGHTERS RETIREMENT SYSTEM, PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 21st, 2022, the City Commission of the City of Clewiston, Florida, adopted ordinance 2022-03 creating and establishing the Clewiston Firefighters Retirement System; and

WHEREAS, The Clewiston Fire Pension Board at the advisement of the board actuary, attorney, and FL League of Cities has requested a change to the definitions section of that ordinance in order to bring stock language from the original document into compliance with current standards and practices.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AS FOLLOWS:

SECTION 1. The Clewiston Code of Ordinances, Section 2-113, Definitions, is hereby amended as follows, additions are denoted by underline, deletions are denoted by strikethrough:

Sec. 2-113. - DEFINITIONS.

As used herein, unless otherwise defined or required by the context, the following words and phrases shall have the meaning indicated:

Actuarial Equivalent means a benefit or amount of equal value, based upon the mortality table, which will be the unisex mortality table that is promulgated by the Commissioner of the Internal Revenue Service from time to time, for purposes of determining lump sum values pursuant to Internal Revenue Code section 417(e)(3), ~~MP-201-8 combined healthy mortality table, blended 50% male and 50% female,~~ with no projection, and an interest rate equal to seven percent (7%) per year.

SECTION 2. Codification. The provisions of this Ordinance shall become and be made part of the Code of Laws and Ordinances of the City of Clewiston.

SECTION 3. Severability. If any phrase, sentence or portion of this Ordinance is, for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and individual provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Repeal of Laws in Conflict. All ordinances of the City of Clewiston, Florida, which are in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and consistent with all requirements of general law.

PASSED on first reading by the City Commission on May 15, 2023.

PASSED AND ADOPTED on second and final reading by the City Commission on June 26, 2023.

ATTEST:

CITY OF CLEWISTON, FLORIDA



Mary K. Combass, City Clerk



James Pittman, Mayor

(MUNICIPAL SEAL)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 

Dylan J. Brandenburg, City Attorney