

ORDINANCE NO. 1208

AN ORDINANCE OF THE CITY OF OKEECHOBEE FURTHER AMENDING THE CITY OF OKEECHOBEE MUNICIPAL FIREFIGHTERS' PENSION FUND, ADOPTED PURSUANT TO ORDINANCE 889, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 8, DISABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Okeechobee Firefighter employees are presently provided pension and certain other benefits under Ordinances of the City of Okeechobee; and

WHEREAS, it becomes necessary from time to time to amend said ordinances in order to clarify or restate certain provisions of the ordinance, or to enact amendments to comply with revised Federal regulations;

NOW THEREFORE, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

SECTION 1: That the City of Okeechobee Municipal Firefighters' Pension Fund, adopted pursuant to Ordinance No. 889, as subsequently amended, is hereby further amended by amending Section 8, Disability, subsection 2., In-Line of Duty Presumptions by adding subsection 2.C., Firefighter Cancer Presumption, to read as follows:

C. Firefighter Cancer Presumption.

The presumption provided for in this paragraph C. shall apply only to "cancer", as defined in F.S. § 112.1816(1)(a), as amended from time to time. Any Member who becomes totally and permanently unable to perform useful and efficient service as a Firefighter due to a diagnosis of cancer or circumstances that arise out of the treatment of cancer will be conclusively presumed to be disabled in-line of duty.

SECTION 2: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Okeechobee.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.


SECTION 4: If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5: That this Ordinance shall become effective upon adoption.

INTRODUCED for First Reading and set for Final Public Hearing on this 17th day of March, 2020.


Dowling R. Watford, Jr., Mayor


ATTEST:


Lane Gamiotea, CMC, City Clerk

PASSED AND ADOPTED after Second and Final Public Hearing this 7th day of April, 2020.


Dowling R. Watford, Jr., Mayor

ATTEST:


Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:


John J. Fumero, City Attorney