

**ORDINANCE NO. 13-2019**

**AN ORDINANCE OF THE CITY OF SEMINOLE, FURTHER AMENDING THE CITY OF SEMINOLE MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND, ADOPTED PURSUANT TO ORDINANCE NO. 18-2000, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 5, CONTRIBUTIONS; AMENDING SECTION 8, DISABILITY, PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA;**

**SECTION 1:** That the City of Seminole Municipal Firefighters' Pension Trust Fund, adopted pursuant to Ordinance No. 18-2000, as subsequently amended, is hereby further amended by amending Section 6, Contributions, subsection 1.A., Member Contributions., to read as follows:

\* \* \* \* \*

1. Member Contributions.

A. Amount. Each Member of the System shall be required to make regular contributions to the Fund in the amount of twelve percent (12%) of his Salary beginning December 16, 2012 and continuing until September 30, 2013. Beginning October 1, 2013, the City of Seminole and the employees will contribute equally to the Pension Trust Fund, in an amount established on October 1<sup>st</sup> of each fiscal year by the Plan's actuary, less funding received by the State of Florida. In no event, however, shall the employee's annual contribution rate exceed twelve and one half percent (12.5%) pre-tax of Salary. Member contributions withheld by the City on behalf of the Member shall be deposited with the Board immediately after each pay period. The contributions made by each Member to the Fund shall be designated as employer contributions pursuant to Section 414(h) of the Code. Such designation is contingent upon the contributions being excluded from the Members' gross income for Federal Income Tax purposes. For all other purposes of the System, such contributions shall be considered to be Member contributions.

\* \* \* \* \*

**SECTION 2:** That the City of Seminole Municipal Firefighters' Pension Trust Fund, adopted pursuant to Ordinance No. 18-2000, as subsequently amended, is hereby further amended by amending Section 8, Disability, subsection 2., In-Line of Duty Presumptions, to add subsection C., Firefighter Cancer Benefit, to read as follows:

\* \* \* \* \*

2. In-Line of Duty Presumptions.

\* \* \* \* \*

- C. Firefighter Cancer Benefit. The benefit 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 made on or after July 1, 2019 or circumstances that arise out of the treatment of such cancer will be considered to be disabled in-line of duty.

\* \* \* \* \*

**SECTION 3:** Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Seminole.

**SECTION 4:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 5:** 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 6:** That this Ordinance shall become effective retroactively to July 21, 2019.


APPROVED ON FIRST READING: October 8, 2019

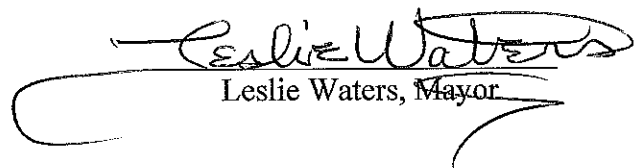
PUBLISHED: November 8, 2018

PASSED AND ADOPTED ON

SECOND AND FINAL HEARING: November 12, 2019

ATTEST:

  
Ann Marie Mancuso, City Clerk

  
Leslie Waters, Mayor