

ORDINANCE 2012-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, AMENDING CHAPTER 16, ARTICLE III OF THE LAKE WALES CODE, TO PROVIDE THAT THE TRUSTEES OF THE FIREFIGHTERS' PENSION PLAN AND TRUST BE IN COMPLIANCE WITH STATE LAW FOR THE DEFINITION OF SALARY; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1: The City Commission of the City of Lake Wales has the authority to adopt this ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes.

SECTION 2: Section 16-161 of the City of Lake Wales Code be amended by adding the underlined language as follows:

Sec. 16-161

Salary prior to July 1, 2011 means the total compensation reported on the member's W-2 form, plus all tax deferred, tax sheltered or tax exempt items of income derived from elective employee payroll deductions or salary reductions. Compensation in excess of limitations set forth in section 401(a)(17) of the Code shall be disregarded. The limitation on compensation for an "eligible employee" shall not be less than the amount which was allowed to be taken into account hereunder in effect on July 1, 1993.

Salary on July 1, 2011 and thereafter means, the fixed monthly remuneration paid a firefighter, provide that when calculating retirement benefits, up to 300 hours per year in overtime compensation shall be included, but payments for accrued unused sick or vacation leave may not be included.


SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

CERTIFIED AS TO PASSAGE this 7th day of August, 2012.

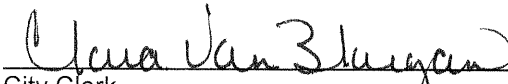
CITY COMMISSION OF THE
CITY OF LAKE WALES, FLORIDA

(SEAL)



Mayor

ATTEST:



City Clerk