

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 50, PERSONNEL, ARTICLE III, PENSIONS AND RETIREMENT, DIVISION 2, MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND, SECTION 50-87, DEATH PRIOR TO RETIREMENT, AND SECTION 50-88, DISABILITY BENEFITS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, amendments to the pension plan are proposed due to changes in the Florida Statutes, Section 112.1816.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The above Whereas clause is ratified and confirmed as true and correct.

SECTION 2. Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund, Section 50-87, Death Prior to retirement, is hereby amended to add subsection (g), Firefighter cancer benefit, to read as follows:

* * * * *

(g) Firefighter cancer benefit. As used in this paragraph (g) the word "cancer" shall apply only to "cancer", as defined in F.S. § 112.1816(1)(a), as amended from time to time. Any member who dies and whose death is a result of cancer or circumstances that arise out of the treatment of cancer will be considered to have died in the line of duty.

SECTION 3. Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund, Section 50-88, Disability benefits, subsection (b), Presumptions regarding certain health conditions, is hereby amended to add subparagraph (b)(3) to read as follows:

* * * * *

(3) Firefighter cancer benefit. As used in this paragraph (3), the word "cancer" 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 considered to be disabled in-line of duty.

* * * * *

SECTION 4. Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Venice.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 6. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance shall not be affected thereby.

SECTION 7. This Ordinance shall take effect immediately upon its adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 10TH DAY OF MARCH, 2020.

First Reading: February 25, 2020

Second Reading: March 10, 2020

Adoption: March 10, 2020

Ron Feinsod, Mayor

Attest:

Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 10th day of March, 2020, a quorum being present.

WITNESS my hand and the official seal of said City this 10th day of March, 2020.

Lori Stelzer, MMC, City Clerk

APPROVED AS TO FORM:

City Attorney