

EFFECTIVE
9-7-77

Introduced: June 21 1977

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Second Published: July 8 1977

CHARTER ORDINANCE NO. 23

A CHARTER ORDINANCE EXEMPTING THE CITY OF HUTCHINSON KANSAS FROM THE PROVISIONS OF K.S.A. 13-14a08 PERTAINING TO PENSION AND DISABILITY BENEFITS TO MEMBERS OF THE POLICE AND FIRE DEPARTMENTS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND AMENDING SECTION 4 OF CHARTER ORDINANCE NO. 19.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HUTCHINSON, KANSAS:

SECTION 1. That the Governing Body of the City of Hutchinson, Kansas, by the power vested in it by Article XII, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and makes inapplicable to it K.S.A. 14a08 pertaining to pensions and disability benefits to members of the police and fire departments and provide substitute and additional provisions as hereinafter provided.

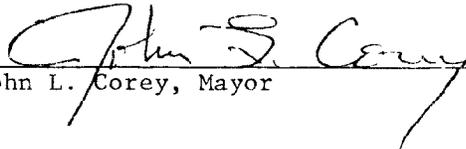
SECTION 2. Section 4 of Charter Ordinance No. 19 is hereby amended to read as follows:

Any officer or member of any such police department or fire department having served twenty-two (22) years or more on such department and having reached the age of fifty (50) years, may make application to be retired, and if such application is made, the respective Board of Trustees shall retire such officer or member and shall pay him monthly payments in the amount as set out herein, or if he be discharged for any reason or if he voluntarily terminates his employment, after having served twenty-two (22) years or more in such department, the respective Board of Trustees shall order and direct that said person, upon attaining the age of fifty (50) years, be paid monthly payments in the amount of one-half (1/2) the monthly salary at the time of retirement or discharge or voluntary termination, or Three-Hundred Fifty Dollars (\$350.00), whichever is more. If any officer or member of any such police or fire department has completed twenty-two (22) years of service and has not reached the age of fifty (50), dies or becomes disabled to the extent he cannot obtain gainful employment, then he shall be paid out of the respective pension fund a monthly sum as specified in this Section; PROVIDED, HOWEVER, the Board of Trustees of the respective pension fund shall determine if the member is so disabled as to prevent gainful employment and may appoint a physician or physicians or other experts necessary to assist in such determination which determination by the Board of Trustees shall be final.

SECTION 3. Monthly payments authorized in Section 2, above, shall be payable from and after January 1, 1977.

SECTION 4. This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication thereof unless a sufficient petition for referendum is filed and a referendum held on the Ordinance, as provided in Article XII, Section 5, Subsection (c), (3), of the Constitution of the State of Kansas, in which case the Ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY, of not less than two-thirds (2/3) of the members-elect voting in favor thereof, this 28th day of June, 1977.



John L. Corey, Mayor

Attest:



Milton N. Martin, City Clerk

C E R T I F I C A T E

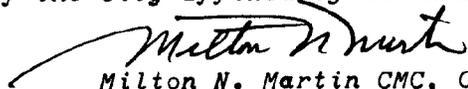
STATE OF KANSAS, COUNTY OF RENO)ss:

I certify the above and foregoing to be a correct copy of Charter Ordinance No. 23 of the City of Hutchinson, Kansas.

I further certify that no petition has been filed demanding that the Charter Ordinance be submitted to a vote of the Electors of the City.

I still further certify that the above Charter Ordinance No. 23 is effective today, September 7, 1977.

Signed and the Official Seal of the City affixed by me on September 7, 1977.



Milton N. Martin CMC, City Clerk
City of Hutchinson, Kansas