



Legislation Text

File #: 020471, Version: 1

020471
SUBSTITUTE 1

THE CHAIR

A substitute charter ordinance relating to ordinary disability retirement benefits for firemen and policemen.

36-05-2-c-3 am

Section 36-05-2-c-3 of the charter provides that firemen and policemen shall receive an additional 2% of final average salary toward an ordinary disability retirement allowance for each year of service in excess of 5 years of service. No provision is made for proration based upon this formula for service for any period less than a full year. This charter ordinance authorizes proration.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 36-05-2-c-3 of the code is amended to read:

36-05. Benefits.

2. ORDINARY DISABILITY RETIREMENT ALLOWANCE.

c. Firemen and Policemen.

c-3. The minimum ordinary disability retirement allowance shall consist of an amount equal to 25% of the member's final average salary provided he >>or she<< has 5 years of service as a fireman or policeman; for each year of service in excess of 5 years of such service as a fireman or policeman, he >>or she<< shall receive an additional 2% of his >>or her<< final average salary. The maximum ordinary disability retirement allowance which shall be payable to any fireman or policeman member on ordinary disability under this subsection shall be limited to 50% of such member's final average salary. >>[Firemen or policemen shall receive a pro rata retirement allowance based upon this formula for service for any period less than a full year.](#)<<

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

TEH/kf
1054-2002-385
6/5/2002 54311

LRB02334-2
TWM/cac
6/27/2002