

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR SURVIVOR BENEFITS FOR THE SURVIVING SPOUSE OF A RETIRED CITY CLERK AS ALLOWED BY ARKANSAS CODE ANN. § 24-12-121; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ark. Code Ann. § 24-12-121(d), the City Council has the option to allow survivor benefits to the surviving spouse of a retired City Clerk, or a surviving spouse of a City Clerk who dies in office after becoming eligible for retirement benefits; and

WHEREAS, pursuant to Ordinance No. 7369, adopted on May 14, 2001, the City Council previously approved survivor benefits for the surviving spouse of a retired Mayor or Mayor who dies in office after becoming eligible for retirement benefits; and

WHEREAS, the City Council finds that it is in the best interest of the City that said survivor benefits be allowed for the surviving spouses of City Clerks.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That this City Council hereby exercises its option pursuant to Ark. Code Ann. § 24-12-121(d), or any sub subsequent legislative enacting pertaining thereto, to allow a surviving spouse of a retired City Clerk, or a surviving spouse of a City Clerk who dies in office after becoming eligible for retirement benefits, to receive one-half (1/2) of the retirement benefits that the City was entitled to receive as long as the surviving spouse and Mayor were married ten (10) years or longer. Additionally, the spouse must also have been married to the City Clerk not less than twelve (12) months prior to the date the City Clerk died in office or the date the City Clerk retired. Upon remarried of the surviving spouse, the benefits shall cease.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases, or provisions.

SECTION 4: It is hereby found and determined that this ordinance is immediately necessary for the public good; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

TERRY C. Hartwick
Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/ABF

FILED	<u>10:45</u>	A.M.	_____	P.M.
By	<u>A. Fields, City Atty</u>			
DATE	<u>11/17/23</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>B. Toyne</u>			