

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE OCEAN CITY-WRIGHT FIRE CONTROL DISTRICT; AMENDING ORDINANCE NO. 10-1 RESTATING THE OCEAN CITY-WRIGHT FIRE CONTROL DISTRICT FIREFIGHTERS' PENSION TRUST FUND; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 8, DISABILITY; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Members through their bargaining agent and the Fire District have recently concluded negotiations of the next collective bargaining agreement; and

WHEREAS, the parties have mutually agreed to revisions of the Retirement Plan; and

WHEREAS, the Board of Trustees has recommended amending the Plan as set forth below to conform with the new collective bargaining agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT BOARD OF FIRE COMMISSIONERS OF THE OCEAN CITY-WRIGHT FIRE CONTROL DISTRICT;

SECTION 1: That the Ocean City-Wright Fire Control District Firefighters' Pension Trust Fund, restated pursuant to Ordinance 10-1, is hereby amended by amending Section 1, Definitions, Average Final Compensation, to read as follows:

SECTION 1. DEFINITIONS.

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~~Average Final Compensation for a Member hired prior to October 1, 2014 means one-twelfth (1/12) of the average annual Salary of the three (3) best years of the last five (5) years of Credited Service prior to Retirement, termination, or death, or the career average as a full-time Firefighter, whichever is greater. A year shall be twelve (12) consecutive months. For a Member hired on or after October 1, 2014, Average Final Compensation means one-twelfth (1/12) of the annual average base pay plus Paramedic or EMT incentive pay. A year shall be twelve (12) consecutive months.~~

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SECTION 2: That the Ocean City-Wright Fire Control District Firefighters' Pension Trust Fund, restated pursuant to Ordinance 10-1, is hereby amended by amending Section 6, Benefit Amounts and Eligibility, subsections 1 and 2, to read as follows:

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SECTION 6. BENEFIT AMOUNTS AND ELIGIBILITY.

1. Normal Retirement Age and Date.

A Member's normal retirement age is the earlier of the attainment of age fifty (50) and the completion of twenty-five (25) years of Credited service or the attainment of age fifty-five (55) and the completion of ten (10) years of Credited Service **or the completion of twenty (20) years of Credited Service, regardless of age.** Each Member shall become one hundred percent (100%) vested in his accrued benefit at normal retirement age. A Member's normal retirement date shall be the first day of the month coincident with or next following the date the Member retires from the District after attaining normal retirement age.

2. Normal Retirement Benefit.

A Member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his Retirement and be continued thereafter during Member's lifetime, ceasing upon death, but with one hundred twenty (120) monthly payments guaranteed in any event. The monthly retirement benefit shall equal three percent (3%) of Average Final Compensation for each year of Credited Service. **Notwithstanding the foregoing, effective October 1, 2025, any Member that retires on or after his normal retirement date shall receive a monthly retirement benefit equal to four percent (4%) of Average Final Compensation for each year of Credited Service. A Member's normal retirement benefit shall not exceed 100% of his Average Final Compensation.**

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SECTION 3: That the Ocean City-Wright Fire Control District Firefighters' Pension Trust Fund, restated pursuant to Ordinance 10-1, is hereby amended by amending Section 8, Disability, subsections 1 and 3, to read as follows:

SECTION 8. DISABILITY.

1. Disability Benefits In-Line of Duty.

Any Member who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a Firefighter, which disability was directly caused by the performance of his duty as a Firefighter, shall, upon establishing the same to the satisfaction of the Board, be entitled to a monthly pension equal to three percent (3%) of his Average Final Compensation multiplied by the total years of Credited Service, but in any event the minimum amount paid to the Member shall be forty-two percent (42%) of the Average Final Compensation of the Member. **Notwithstanding the previous sentence, effective October 1, 2025, any Member that becomes totally and permanently disabled and is granted an In-line of duty disability benefit shall be entitled to a monthly pension equal to four percent (4%) of his Average Final Compensation for each year of Credited Service, but in any event the minimum**

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amount paid to the Member shall be forty-two percent (42%) of the Average Final Compensation of the Member. Terminated persons, either vested or non-vested, are not eligible for disability benefits. Notwithstanding the previous sentence, if a Member is terminated by the District for medical reasons, the terminated person may apply for a disability benefit if the application is filed with the Board within thirty (30) days from the date of termination. If a timely application is received, it shall be processed and the terminated person shall be eligible to receive a disability benefit if the Board otherwise determines that he is totally and permanently disabled as provided for above.

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3. Disability Benefits Not-in-Line of Duty.

Any Member with ten years (10) years or more Credited Service who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a Firefighter, which disability is not directly caused by the performance of his duties as a Firefighter shall, upon establishing the same to the satisfaction of the Board, be entitled to a monthly pension equal to three percent (3%) of his Average Final Compensation multiplied by the total years of Credited Service. **Notwithstanding the previous sentence, effective October 1, 2025, any Member with ten (10) or more years of Credited Service that becomes totally and permanently disabled and is granted a not-in-line of duty disability benefit shall be entitled to a monthly pension equal to four percent (4%) of his Average Final Compensation for each year of Credited Service.** Terminated persons, either vested or non-vested, are not eligible for disability benefits. Notwithstanding the previous sentence, if a Member is terminated by the District for medical reasons, the terminated person may apply for a disability benefit if the application is filed with the Board within thirty (30) days from the date of termination. If a timely application is received, it shall be processed and the terminated person shall be eligible to receive a disability benefit if the Board otherwise determines that he is totally and permanently disabled as provided for above.

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SECTION 4: That if any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

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

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SECTION 6: That this Ordinance shall become effective upon adoption.

PASSED AND ADOPTED , this ____ day of _____, 2025.

Date

Chairman
Board of Fire Commissioners
Ocean City-Wright Fire District

Date

Secretary/Treasurer
Board of Fire Commissioners
Ocean City-Wright Fire District

Coding: Words in ~~strikeout~~ type are deletions from existing text.
Words in **underline** type are additions.