

City of Philadelphia



Philadelphia, September 11, 2003

CERTIFICATION: This is to certify that Bill No. 030339, was presented to the Mayor on the twelfth day of June, 2003, and was not returned to the Council with his signature at a meeting held September 11, 2003 (being more than ten days after it has been presented to him)

THEREFORE, Pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter, the ordinance becomes effective as if the Mayor had approved it.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty
Chief Clerk of the City Council

(Bill No. 030339)

AN ORDINANCE

Amending Title 20 of The Philadelphia Code, entitled "Officers and Employees," by enacting the "W. Thacher Longstreth Memorial Survivors and Dependents Medical Care Ordinance," providing certain health and medical benefits to the spouse and dependent children of deceased City officers and employees, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 20 of The Philadelphia Code is hereby amended to read as follows:

TITLE 20. OFFICERS AND EMPLOYEES.

* * *

CHAPTER 20-800. THE W. THACHER LONGSTRETH MEMORIAL SURVIVORS AND DEPENDENTS MEDICAL CARE ORDINANCE.

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§20-801. Definitions.

(1) *Eligible City Employee.* An employee, officer, or official who is paid from the Treasury of the City and who is eligible for service retirement benefits under the provisions of §22-301 (“Service Retirement Benefits”).

(2) *Eligible Family Member.* A spouse or dependent unmarried child under the age of nineteen, or a dependent unmarried child under the age of twenty-three who is a full time student.

§20-802. Continuation of Health Benefits for Eligible Family Members.

(1) *Upon the death of an Eligible City Employee, the Eligible Family Members of such Eligible City Employee shall receive whatever health and medical benefits they would have received had the Eligible City Employee retired on the date of his or her death. Such Eligible Family Members shall also be entitled to make any elections with respect to such benefits that the Eligible City Employee would have been entitled to make had he or she retired on the date of his or her death.*

* * *

SECTION 2. Effective Date, Retroactivity, and Severability.

(a) The provisions of this Ordinance shall take effect immediately and shall apply retroactively with respect to the spouse and eligible dependent children of any person who died on or after July 1, 2002 and who, immediately prior to his or her death, met the definition of “Eligible City Employee” as set forth in §20-801(1) of The Philadelphia Code as added by Section 1 of this Ordinance.

(b) The provisions of this Ordinance are severable, and if any provision, sentence, clause, subsection or part thereof, including, but not limited to, the effective date and retroactivity provisions set forth in Section 2(a), shall be held illegal, invalid, unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, subsections or parts of this Ordinance or their application to such person or to other persons and circumstances. It is hereby declared to be the legislative intent of Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, subsection or part had not been included therein, and if the person or circumstances to which this Ordinance or any part thereof is inapplicable had specifically been exempted therefrom.

Explanation:

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Italics indicate new matter added.