

account described in section 408(a) of the Code, and individual retirement annuity described in section 408(b) of the Code, an annuity plan described in section 403(a) of the Code, or a qualified trust described in section 401(a) of the Code, that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.

- (3) "Distributee:" A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse or former spouse who is the alternate payee under a domestic relations order determined to be qualified by this Plan, are distributees with regard to the interest of the spouse or former spouse.
- (4) "Direct rollover:" A direct rollover is a payment by the Plan to the eligible retirement plan specified by the distributee.

(B) This Section applies to distributions made on or after January 1, 1993. Notwithstanding any provision of the Plan to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Board of Trustees, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

**Section 12.** This Ordinance may be codified and incorporated into the existing Code of Ordinances of the Town. The Ordinance shall be available from the Office of the Town Clerk at a reasonable price to be determined by the Town Clerk.

**Section 13.** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

\_\_\_\_\_ **Section 14.** This Ordinance shall take effect upon passage and shall be published as required by law.

**Section 15.** That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part to be declared invalid.

Upon First Reading this 1<sup>st</sup> day of October, 2003, the foregoing ORDINANCE was offered by Commissioner Balius who moved its approval. The motion was seconded by Commissioner Longtin, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN		X
COMMISSIONER BILL OTTERSON	X	

Upon Second Reading this 15<sup>th</sup> day of October, 2003, the foregoing ORDINANCE was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO		
VICE MAYOR CHUCK BALIUS		
COMMISSIONER PAUL GARRETSON		
COMMISSIONER JEANINE LONGTIN		
COMMISSIONER BILL OTTERSON		

The Mayor thereupon declared Ordinance No.17-2003 duly passed and adopted this 15<sup>th</sup> day of October, 2003.

TOWN OF LAKE PARK, FLORIDA

BY: \_\_\_\_\_  
Mayor Paul Castro

ATTEST:

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Carol Simpkins, Town Clerk  
(Town Seal)

\_\_\_\_\_  
Thomas J. Baird, Town Attorney