

calendar year.

The amount of disability benefits, both occupational and non-occupational, will be reduced by earnings received from any gainful employment in the preceding calendar year which were in excess of his rate of earnings as of his date of disability plus the benefit of any raises in the pay scale. Gainful employment means employment other than employment for purposes of rehabilitation, as approved by the mayor and aldermen.

The employee will no longer qualify for retirement benefits if:

- a. The Medical Review Board determines the employee to be no longer totally and permanently disabled, or he has sufficiently recovered but refuses to resume his regular occupation or to be re-employed by the City in some other appropriate position: OR
- b. The employee refuses to undergo a medical examination requested by the City: OR
- c. The employee refuses to submit a report of his total earnings when requested by the City.

**SECTION II: AND BE IT FURTHER RESOLVED BY THE MAYOR AND ALDERMEN OF THE CITY OF ANNAPOLIS** that the date of adoption of this Resolution is July 10, 1972, and the amendment of the Charter of the City of Annapolis, hereby enacted shall become effective on August 29, 1972, unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the City Hall, until August 19, 1972, and provided further that a copy of the title of this Resolution shall be published in the "Evening Capital", a newspaper of general circulation in the City of Annapolis, or in any other newspaper of such general circulation, once in each of the weeks, July 17, July 24, July 31, August 7, and August 14, 1972.

**SECTION III: AND BE IT FURTHER RESOLVED** that the Mayor is hereby specifically commanded to carry out the provisions of Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be affixed to the Minutes of this meeting appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and shall declare the Charter change hereby enacted to be effective on August 29, 1972, or following a favorable referendum thereon, by affixing his signature hereto in the space provided on the effective date of change.

**SECTION IV: AND BE IT FURTHER RESOLVED** that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Mayor shall send separately by registered mail, to the Secretary of State of Maryland and to the Department of Legislative Reference of Maryland a clear certified copy of this Resolution showing the number of Aldermen voting for and against it and a report on the votes cast for or against the amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a regular meeting of the Mayor and Aldermen of the City of Annapolis, July 10, 1972, eight (8) Aldermen voting in the affirmative and zero (0) Aldermen voting in the negative, and the said Resolution becomes effective in accordance with law on the 29th day of August, 1972.