

Legislation Text

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Amending Section 21-105 of The Philadelphia Code, entitled "Hero Awards," by increasing the amount that may be awarded under that Section to family members of firefighters, police officers, and prosecution detectives killed in the course of performing heroic deeds, and by making certain technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 21-105 of The Philadelphia Code is hereby amended to read as follows:

§21-105. Hero Awards.

(1) The Council hereby provides that the sum of [ten thousand (10,000) dollars] *twenty-five thousand dollars (\$25,000)* may be awarded to the surviving [widow] *spouse* or dependent children or dependent parents of every [fireman, policeman, park policeman] *firefighter, police officer* and prosecution detective who is killed in the course of performing a heroic deed which, in the judgment of the Hero Award Committee, involves a special hazard or risk; provided, however, that payments of said sum shall be made at the rate of [\$200.] *five hundred dollars (\$500)* per month for a period of fifty months, and shall be subject to the provisions of subsection (6).

(2) There is hereby created a Hero Award Committee consisting of the Chairman of the Committee on Public Safety of the Council, the Police Commissioner, the Fire Commissioner, [the Superintendent of Park Police,] the Managing Director, and the President of the Council, who shall be the chairman of the award committee. Any member of the committee may, from time to time, designate one of his assistants to take his place with full authority to act in his stead. A majority of the members of the committee shall constitute a quorum with full authority to act.

(3) The award committee shall have the sole and exclusive power and authority to determine in each case submitted to it whether the death of any [fireman, policeman, or park policeman] *firefighter, police officer or prosecution detective* resulted from the performance of a heroic act which involved a special hazard or risk, and merits the payment of a hero award. Findings and decisions of the Hero Award Committee shall be final and conclusive.

(4) No payments shall be made pursuant to the terms of this Ordinance unless the Hero Award Committee shall have first certified in writing to the Director of Finance the making of such an award.

(5) The awards herein provided shall be in addition to any rights or benefits to which the heirs, personal representatives, or next of kin may be entitled pursuant to any existing statute or ordinance.

(6) The payments provided for in this Section shall be made in the following order of priority:

(a) surviving [widow] *spouse*, if [she] *the surviving spouse* was living with deceased at the time of his *or her* death, or was actually dependent upon him *or her* at such time; and payments shall continue

so long as [she] *the surviving spouse* remains unmarried;

(b) dependent children, which shall include stepchildren, children to whom deceased stood in loco parentis, and posthumous children;

(c) dependent parents.

If the member or members of any of the above classes fail to qualify or cease to be eligible for the payments herein provided, then such payments shall be made to the member or members of the next lower class qualified to receive payment. If no person in any of the above classes qualifies, then the payments shall cease.

SECTION 2. This Ordinance shall take effect immediately, and the amendments to Section 21-105 of The Philadelphia Code shall apply with respect to any Hero Award made on or after the date this Ordinance became law.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.