

Chapter X - INDEMNIFICATION OF OFFICERS AND EMPLOYEES

SECTION I DEFINITION

- A. The term, “officer” shall include any elected or appointed official of the Town of Londonderry.

- B. The term, “employee” shall include all employees of the Town, whether employed on a full time or part time basis.

SECTION II INDEMNIFICATION

- A. Any officer or employee who is held liable for the payment of any claims or damages, by way of judgment or settlement, shall be entitled to full indemnification by the Town where the acts resulting in such liability arose in the course of the individual’s capacity as a municipal officer or employee. The Town shall indemnify and save harmless for loss or damage any person employed by it and any member or officer of its governing board, administrative staff or agencies from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office.

- B. The Town shall indemnify and save harmless any person employed by it and any member or officer of its governing board, administrative staff, or agencies from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office.

Chapter X - INDEMNIFICATION OF OFFICERS AND EMPLOYEES (con't.)

SECTION III DEFENSE

- A. In the event that any such claim, suit or other action is brought against a municipal officer or employee, the administration of the Town shall arrange for the appropriate defense of that action at no cost to the official or employee; such defense being coordinated with any carrier or provider of applicable municipal insurance.

SECTION IV EFFECT OF REPEAL OF ORDINANCE

- A. This Chapter shall apply to all claims brought or formalized prior or during the effective period of this ordinance and such indemnification shall continue in full force and effect until the repeal of this ordinance, if ever.
- B. The repeal of this ordinance shall not affect the indemnification of any claims brought or formalized prior to the date of repeal.

~~End of Chapter~~