

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

AN ORDINANCE OF MUNICIPAL )  
COUNCIL OF THE MUNICIPALITY OF )  
MONROEVILLE PROVIDING FOR THE ) Ordinance No. 1525  
INDEMNIFICATION OF MUNICIPAL )  
OFFICIALS, EMPLOYEES AND )  
PROFESSIONAL CONTRACTORS )

AND NOW, on May 13, 1986, it is ORDAINED AND  
ENACTED, by Municipal Council of the Municipality of Monroeville as  
follows:

Section 1: With the intent of being legally bound hereby, the Municipality of Monroeville does hereby provide indemnification for occurrences arising on or after January 6, 1986 to all current or former elected officials, appointed officials, appointed members of boards and commissions, appointed professional consultants, Municipal employees and volunteer fireman and ambulance personnel from the cost of a defense to any law suit proceeding and from the imposition of any judgment resulting out of a lawsuit proceeding whenever a lawsuit is entered against any such person provided such person is acting within the scope of such person's duties for or on behalf of the Municipality of Monroeville, and provided the conduct upon which the suit proceeding is based is not perpetrated with an intent to specifically cause harm or with malice.

Section 2: The indemnification provided herein is subject to the person to whom such indemnification is afforded cooperating with the defense. The control of any such defense and the right to enter into a compromise settlement shall remain with the Municipality of Monroeville subject to the approval of Municipal Council.

Section 3: The indemnification provided herein shall be secondary to and in excess of any applicable insurance and shall be limited in accordance with any limitation applicable to the person for whom indemnification is provided herein as set forth in Political Sub-Division Tort Claims Act as amended or herein after amended.

Section 4: In each instance where a lawsuit proceeding is entered against a person for whom the Municipality of Monroeville shall be required to provide indemnification as set forth herein, the Municipality of Monroeville shall investigate and explore any and all grounds for the entry of a counter suit against the claimant initiating lawsuit proceedings against a person entitled to indemnification and to the extent there is a legitimate basis for entering such a counter suit, then such a counter suit shall in fact be entered. Such counter suits shall include, but are not limited to, counter suits for abuse of process, misuse of process, malicious prosecution, bad faith initiation of legal proceedings, defamation, intentional or malicious outrageous conduct, and/or vexatious litigation.

Section 5: Any ordinance or part of an ordinance in conflict with any provision of this ordinance is hereby repealed to the extent of such conflict.

MUNICIPALITY OF MONROEVILLE

Attest:

By Washington C. Blanton By George C. Dale