

**TOWN OF CAREFREE**

**ORDINANCE 2004-13**

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 2 OF THE TOWN CODE, MAYOR AND COUNCIL, SECTION 2-7-2 INDEMNIFICATION AND PROTECTION OF TOWN OFFICIALS SUBSECTIONS A AND B, AND DELETING SUBSECTION F, AND DIRECTING THE TOWN CLERK TO INCORPORATE IT INTO THE TOWN CODE OF THE TOWN OF CAREFREE, AZ.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA AS FOLLOWS:

Section 1

Chapter 2 of the Town Code is hereby amended as follows:

Section 2-7-2 A, B, and F Indemnification and Protection of Town Officials

A. Any town officer and all town officials shall be exonerated, indemnified and held harmless by the town from and against any liability or loss in any manner arising out of, or occasioned by, their service as a town officer or official and based upon any claim by any third-party that the town or such town officer or official, by any action or failure to act, damaged the property or infringed the rights of said third-party, or of any other person on whose behalf said third-party brings a claim or legal action, unless such action or failure to act resulted from willful or wanton misconduct.

B. The right to indemnification provided for in subsection A of this section shall extend as well to any claim brought by, or on behalf of, the town to recover damages alleged to have been occasioned to it, or any of its property, by any act or failure to act of any town officer or official, unless such action or failure to act resulted from willful or wanton misconduct.

C. NO CHANGE

D. NO CHANGE

E. NO CHANGE

F. DELETED

Section 2. The Town Clerk of the Town of Carefree is hereby directed to incorporate this amendment into the Town Code of the Town of Carefree, Arizona. All other provisions of Chapter 2 remain in effect.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Carefree, Arizona this 18<sup>th</sup> day of November, 2004.

For \_\_\_\_\_ Against \_\_\_\_\_ Abstentions \_\_\_\_\_ Absent \_\_\_\_\_

TOWN OF CAREFREE

\_\_\_\_\_  
Edward C. Morgan, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Elizabeth L. Wise, Town Clerk

\_\_\_\_\_  
Tom Chenal, Town Attorney