

2.42.010 – Actions and Claims Against City Employees

- A. Definitions. Words and terms used in this section shall have the meanings ascribed to them by this section.
1. "Employee" includes an officer, member of a board, commission or committee, servant or employee of the city of St. Charles, whether or not compensated, but does not include an independent contractor.
 2. "Injury" means death, injury to a person, or damage to or loss of property. It includes any other injury that a person may suffer to his person, reputation, character or estate which does not result from circumstances in which a privilege is otherwise conferred by law and which is of such a nature that it would be actionable if inflicted by a private person.
- B. Defense of Actions, Payment of Judgments and Settlements. Pursuant to the provisions of 745 ILCS 10/2-302, the city of St. Charles hereby elects that in the event any claim or action is instituted against an employee or former employee of the city of St. Charles arising out of an act or omission occurring within the scope of his employment as such employee, except where the injury results from willful misconduct of the employee, the city of St. Charles shall appear and defend such employee against the claim or action, and pay any judgment based on such claim or action, or pay any compromise or settlement of such claim or action.

(1996-M-53 : § 9; 1986-M-23 : § 1)