



CITY OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3429

A BYLAW OF THE CITY OF CAMPBELL RIVER TO INDEMNIFY MEMBERS OF COUNCIL, OFFICERS AND EMPLOYEES AGAINST DAMAGES AND THE COSTS OF LEGAL PROCEEDINGS.

WHEREAS Section 287.2 of the *Local Government Act* authorizes a municipality to provide by bylaw for the indemnification of its members of council, officers and employees against claims for damages and the legal costs incurred in a Court proceeding arising out of the claim;

NOW THEREFORE the Council of the City of Campbell River, in open meeting assembled enacts as follows:

1. TITLE:

This Bylaw may be cited as the "**Indemnification Bylaw No. 3429, 2010**".

2. INTERPRETATION:

2.1 In this Bylaw:

"Council" means the Council of the City of Campbell River;

"City" means the City of Campbell River;

"City Official" means:

- (a) an officer or employee of the City;
- (b) members of a Commission established by the City under Section 143 of the *Community Charter*;
- (c) members of the City's board of variance;
- (d) members of the City's Advisory Commissions; and
- (e) an election official of the City.

2.2 The words "Council member" and "City official" include persons who were members of Council or a City official as applicable, at the time the cause of action arose in respect of which a claim for damages against that person or against the City is brought or alleged.

3. INDEMNIFICATION:

3.1 The City will indemnify a Council member, or a City official against a claim for damages against him or her arising out of the performance of his or her duties and, in addition, will pay all legal costs incurred in relation to a Court proceeding arising out of the claim.

3.2 Section 3.1 does not apply where the Council member or City official:

- (a) acted dishonestly or has been grossly negligent;
- (b) has been guilty of malicious or willful misconduct; or
- (c) has committed an act of libel or slander.

4.0 INDEMNITY AGAINST MEMBERS OF COUNCIL OR MUNICIPAL OFFICIALS:

4.1 Where any action of a Council member, or a City official, results in a claim for damages against the City, the City may only seek indemnity from that person where a Court determines that the Council member or City official:

- (a) acted dishonestly or was grossly negligent, or
- (b) was guilty of malicious or willful misconduct.

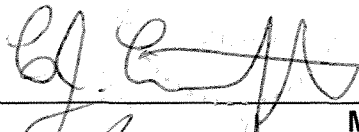
5.0 ENACTMENT

This Bylaw shall come into effect on and after the date of adoption.

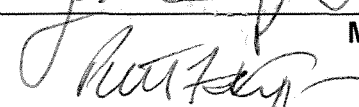
6.0 REPEAL

The District of Campbell River Officer and Employee Indemnification Bylaw No. 719, 1976 is hereby repealed.

Read a first time on the	26th	day of	October,	2010.
Read a second time on the	26th	day of	October,	2010.
Read a third time on the	26th	day of	October,	2010.
Adopted on the	2nd	day of	November,	2010.



MAYOR



CITY CLERK