

VILLAGE OF CHASE

BY-LAW # 405

A By-Law to provide for the indemnifying of Officers, Employees and Municipal Public Officer of the Village of Chase against claims for damages arising out of the performance of their duties and for the payment of legal costs incurred in a Court proceeding arising out of such claims.

WHEREAS Pursuant to Section 262 of the Municipal Act R.S.B.C 1979 Chapter 290 the Council, may by By-law, provide for the Indemnification of its officers, employees and Municipal public officers against a claim for damages against an officer or employee arising out of the performance of his duties and in addition, pay legal cost incurred in a Court proceeding arising out of the claim;

AND WHEREAS, for the good rule and government of the Municipality, it is deemed expedient that all officers, employees and municipal public officers of the Village of Chase shall be afforded such protection in the performance of their respective duties on behalf of the Corporation.

THEREFORE the Council of the Village of Chase in open meeting assembled, ENACTS AS FOLLOWS:

1. This By-law may be cited for all purposes as " THE VILLAGE OF CHASE OFFICERS, EMPLOYEES AND MUNICIPAL PUBLIC OFFICERS INDEMNIFICATION AUTHORIZATION BY-LAW 405 1990."
2. For the purposes of this By-Law officers shall be:
 - (a) A Municipal Public Officer as defined in the Municipal Act.
 - (b) Village Administrator, Village Clerk, Treasurer, Collector Deputy Clerk/Treasurer and Works Foreman.
 - (c) Employee shall be those employees of the Village of Chase.as defined by the " Labour Code " R.S.B.C. 1984 Chapter 212. Municipal Public Officer shall be as defined in Section 755. 1 (2) of the Municipal Act R.S.B.C. 1979 Chapter 290.
3. The Village of Chase shall indemnify its officers, employees and municipal public officers against any claim for damages made by any third party against any such officer or employee and arising out of the performance of his duties within the course and scope of his employment with the Village of Chase and shall, in addition thereto, pay any legal costs incurred by any such officer, employee or municipal public officer in any Court proceeding arising out of any such claim.
4. The Village of Chase will not seek indemnity against any of its officers, employees or Municipal Public Officers where the actions of those officers or employees result in a claim for damages against the Village of Chase by a third party unless the officer, employee or municipal public officer has been grossly negligent or has acted contrary to the terms and conditions of his employment or has acted contrary to an order given to him by a person in authority over him.

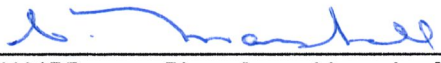
- 5. The provisions of this By-law shall be limited to proceedings arising out of the administration and operations of any department of The Village of Chase and to the conduct of any part of the business thereof but shall not apply to legal costs incurred by or fine imposed on any officer, employee or municipal public officer as a result of his prosecution and conviction for a criminal offence.
- 6. For the purpose of the By-Law the terms "Officer", "Employee" and "Municipal Public Officer" include former officers and employees at the time any claim for damages against them is brought provided that they were officers or employees of the Village of Chase at the time the cause of action arose.

READ A FIRST TIME THIS 8th DAY OF February 1990.

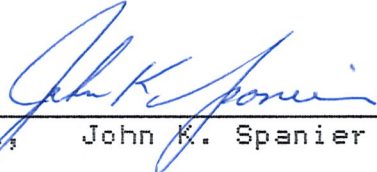
READ A SECOND TIME THIS 8th DAY OF February 1990.

READ A THIRD TIME THIS 22nd DAY OF February .

RECONSIDERED AND FINALLY ADOPTED THIS 8th DAY OF March .

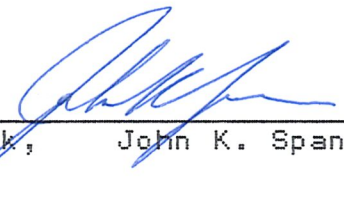


 MAYOR, Charles Marshall



 CLERK, John K. Spanier

Certified to be a true and correct copy of By-Law No. 405 as adopted by Council.



 Clerk, John K. Spanier

A true copy of By-Law No. 405
 registered in the office of the Inspector
 of Municipalities this 12 day of
 April 1990.


 Deputy Inspector of Municipalities