



Indemnification Bylaw No. 9911

The Council of the City of Richmond enacts as follows:

PART ONE: DEFINITIONS

1.1 In this bylaw:

City	means the City of Richmond;
Community Charter	means the <i>Community Charter</i> [SBC 2003] c. 26, as amended;
Council	means council of the City ;
Local Government Act	means the <i>Local Government Act</i> [RSBC 2015] c. 1, as amended;
Municipal Official	means: <ul style="list-style-type: none">(a) a current or former member of Council;(b) a current or former officer of the City;(c) a current or former employee of the City;(d) a member of a City commission established under section 143 of the Community Charter;(e) a member of the City's library board;(f) a member of a City advisory planning commission under section 461 of the Local Government Act;(g) a member of a City board of variance under Division 15 of Part 14 of the Local Government Act;(h) an officer or employee of the City's library board;

- (i) a volunteer firefighter or a special constable;
- (j) a volunteer who participates in the delivery of services by the **City** or a body referred to in paragraphs (d) to (g) above under the supervision of an officer or employee of the **City** or such body; or
- (k) a member of a **City** standing or select committee who is not also a member of **Council**; and

Public Inquiry Act

means the *Public Inquiry Act* [SBC 2007] c. 9.

PART TWO: INDEMNIFICATION

- 2.1 Subject to section 2.2, the **City** will indemnify a **Municipal Official** from and against amounts required or incurred by the **Municipal Official**:
- (a) to defend an action or prosecution brought against the **Municipal Official** in connection with the exercise or intended exercise of the **Municipal Official's** powers or the performance or intended performance of the **Municipal Official's** duties or functions;
 - (b) to satisfy a judgment, award or penalty imposed in an action or prosecution referred to in section (a); or
 - (c) in relation to an inquiry under the **Public Inquiry Act**, or to another proceeding, that involves the administration of the **City** or the conduct of the **City's** business.
- 2.2 The **City** will not indemnify a **Municipal Official** pursuant to this Bylaw in respect to a fine imposed as a result of a **Municipal Official** being convicted an offence that is not a strict or absolute liability offence.
- 2.3 The **City** will not seek indemnity against a **Municipal Official** in respect of any conduct of the **Municipal Official** that results in a claim for damages against the **City**, unless a court makes a finding that the **Municipal Official** has been guilty of dishonesty, gross negligence or malicious or wilful misconduct.

PART THREE: SEVERABILITY AND REFERENCE TO OTHER ACTS

- 3.1 If any section, sub-section, clause or sub-clause of this bylaw is, for any reason, held to be invalid by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.
- 3.2 Any reference to another enactment in this bylaw is a reference to the other enactment as amended or replaced, whether amended or replaced before or after the adoption of this bylaw.

PART FOUR: REPEAL AND CITATION

4.1 Bylaw No. 4896 is hereby repealed.

4.2 This bylaw may be cited as **“Indemnification Bylaw No. 9911”**.

FIRST READING

OCT 15 2019

SECOND READING

OCT 15 2019

THIRD READING

OCT 15 2019

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>OT</i>
APPROVED for legality by Solicitor <i>AC</i>

MAYOR

CORPORATE OFFICER