

**CITY OF PITT MEADOWS
INDEMNIFICATION BYLAW
No. 3016, 2025**

A bylaw to provide for the indemnification of Municipal Officials

WHEREAS the *Community Charter, section 187*, authorizes the City to enact a bylaw to provide indemnity to municipal officers, employees and elected officials;

NOW THEREFORE the Council of the City of Pitt Meadows enacts as follows:

Citation/Title

1. This Bylaw may be cited as "*Indemnification Bylaw No. 3016, 2025*".

Interpretations and Definitions

2. *A reference in this Bylaw to a statute refers to a statute of the Province of British Columbia, and a reference to any statute, regulation, or bylaw refers to that enactment, as amended or replaced from time to time.*
3. *If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion will be severed and the remainder of the bylaw is deemed valid.*
4. In this Bylaw:
 - a) "**City**" means the City of Pitt Meadows;
 - b) "**Council**" means the Council for the City;
 - c) "**Indemnify**" means to pay the amounts required or incurred:
 - i. to defend an action or prosecution brought against a person in connection with the exercise or intended exercise of the person's powers or the performance or intended performance of the person's duties or functions;
 - ii. to satisfy a judgment, award or penalty imposed in an action or prosecution referred to in paragraph (a); or
 - iii. 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 City business;but does not extend to a fine that is imposed as a result of a conviction for an offence, other than a strict or absolute liability offence;

- d) **“Municipal Official”** means:
- i. a current or former member of Council;
 - ii. a current or former employee or officer of the City;
 - iii. a current or former volunteer who participates in the delivery of City services, including firefighters, City committee members, and volunteers who work under the supervision of an officer or employee of the City; or
 - iv. a person who is or was a person referred to in section 738(1) *[immunity for individual local public officers]* of the *Local Government Act*,
but only in relation to the exercise of powers or performance of duties or functions for or on behalf of the City, and does not include an independent service provider, professional advisor or contractor engaged by the City from time to time on a fee for service basis;
- e) **“Willful misconduct”** in relation to a Municipal Official includes, without limitation, willfully acting contrary to the terms of their employment or to a lawful direction or order of a superior.

Indemnification

5. The City will indemnify a Municipal Official against a prosecution or an action brought against them, including, for certainty, reasonable legal costs incurred in relation to the proceeding, if the person to be indemnified:
- a) promptly, after being served with a document initiating an action or prosecution, delivers a copy of same to the City’s corporate officer;
 - b) does not admit or assume liability, enter into a settlement, or enter a guilty plea except with the approval of Council;
 - c) consents in writing to grant the City the sole discretion to appoint and instruct legal counsel, conduct all necessary investigations, and to negotiate and settle the action or prosecution; and
 - d) assists in providing and securing information, evidence, and witnesses, and cooperates with the City and the appointed legal counsel in the defence of the action or prosecution.
6. The City will not seek indemnity against a Municipal Official in respect of any action of the Municipal Official which results in a claim for damages against the City, except where a court of competent jurisdiction makes a finding that the person has been guilty of dishonesty, gross negligence, or malicious or willful misconduct.

Repeal

7. City of Pitt Meadow Indemnification Bylaw No. 2574, 2012, and its amendments, are hereby repealed.

READ a FIRST, SECOND and THIRD time on March 11, 2025.

ADOPTED on [DATE].

Nicole MacDonald
Mayor

Kate Barchard
Corporate Officer