

**GENELLE IMPROVEMENT DISTRICT  
INDEMNIFICATION BYLAW NO. 167**

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**A bylaw to indemnify an officer of the improvement district against a claim for damages arising out of the performance of his/her duties and to pay legal costs incurred in a court proceeding arising out of the claim.**

The trustees of the Genelle Improvement District enact as follows:

**INTERPRETATION**

1. In this bylaw "officer" means:
  - (a) a member of the board of trustees;
  - (b) an appointed member of the improvement district committee;
  - (c) an officer or employee of the improvement district;
  - (d) a volunteer fire fighter of the improvement district;
  - (e) any volunteer who participates in the delivery of services by the improvement district under supervision of an officer or employee of the improvement district.

**INDEMNIFICATION**

2. (a) The improvement district shall indemnify its officers against a claim for damages against them arising out of the performance of their duties and in addition pay the actual costs incurred by the officer in a court proceeding arising out of the claim.
  - (b) Section 2 (a) applies in respect to a person who was an officer at the time he/she performed the duties out of which the claim arose, whether or not he/she is an officer at the time the claim for damages arises or the court proceeding arising out of the claim is commenced, prosecuted or concluded.
  - (c) Where any action of an officer results in a claim for damages against the improvement district, the board of trustees shall seek indemnity or reimbursement from the officer only where:
    - (i) the claim arises out of gross negligence of the officer; or
    - (ii) the officer acted contrary to the terms of his or her employment or an order of a superior in relation to the action that gave rise to the claim.

**CITATION**

3. This bylaw may be cited as the "Indemnification Bylaw No. 167."

**INTRODUCED** and given first reading by the Trustees on the 2<sup>nd</sup> day of July 2001.

**RECONSIDERED** and finally passed by the Trustees on the 2<sup>nd</sup> day of July 2001.

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Chair of the Trustees

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Administrator

I hereby certify under the seal of the Genelle Improvement District that this is a true copy of Bylaw No. 167 of the Genelle Improvement District passed by the Trustees on the 2<sup>nd</sup> day of July 2001.

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Administrator