

# SALT SPRING ISLAND FIRE PROTECTION DISTRICT

## INDEMNIFICATION BYLAW NO. 88

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 Salt Spring Island Fire Protection District enact as follows:

### INTERPRETATION

1. In this bylaw "officer" means:
  - (a) a member of the board of trustees;
  - (b) an appointed member of an 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. 88."

**INTRODUCED and given first reading by the Trustees on the 13<sup>th</sup> of May 2002.**

**RECONSIDERED and finally passed by the Trustees on the 13<sup>th</sup> day of May 2002.**

*A true copy of By-Law No. 88  
registered in the office of the Inspector  
of Municipalities this 21<sup>st</sup> day of  
May 2002*

*[Signature]*  
*Deputy Inspector of Municipalities*

*[Signature]*  
*[Signature]*  
Chairman of the Trustees  
Corporate and Financial Administrator of the Trustees

I hereby certify under the seal of the Salt Spring Island Fire Protection District that this is a true copy of the by-law No. 88 of the Salt Spring Island Fire Protection District, passed by the Trustees on the 13<sup>th</sup> day of May 2002.