

JUMBO GLACIER MOUNTAIN RESORT MUNICIPALITY

BYLAW NO. 0004, 2013

A BYLAW TO PROVIDE INDEMNIFICATION FOR MEMBERS OF COUNCIL, OFFICERS AND
EMPLOYEES AGAINST ACTIONS ARISING FROM THE
PERFORMANCE OF THEIR DUTIES.

The Council of Jumbo Glacier Mountain Resort Municipality, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the “JUMBO GLACIER MEMBERS OF COUNCIL, OFFICERS AND EMPLOYEES INDEMNIFICATION BYLAW NO. 0004, 2013”.

2. In this bylaw unless the context otherwise requires;

“Municipality” - means the Jumbo Glacier Mountain Resort Municipality duly incorporated by Letters Patent pursuant to the *Local Government Act, R.S.B.C 1996*.

“Members of Council, Officers and Employees – means and shall include present Members of Council, officers, employees and former members of Council, officers and employees of the Municipality, including the Interim Corporate Officer appointed by the Province of B.C., against whom any claim for damages is brought arising out of the performance of their duties while members of Council, officers or employees of the Municipality but does not include independent contractors engaged by the Municipality from time to time or professional persons such as lawyers, accountants, architects, planners engineers and others who advise the Municipality from time to time on fee for service basis.

3. The Municipality will indemnify its Members of Council, officers and employees against any claims for damages against a member of Council, officer or employee arising out of the performance of their duty and, in addition, pay legal costs incurred in a court proceeding arising out of the claim.

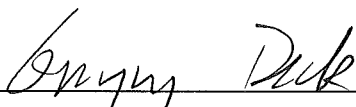
4. The provisions of Section 2 hereof do not apply in any case where a member of Council, officer or employee:
 - a) has been grossly negligent or,
 - b) has willfully acted contrary to the terms and conditions of the employments or,
 - c) has acted contrary to an order given by a superior.

5. The Municipality will not seek indemnity against its Members of Council, officers or employees where the actions of those Members of Council, officers or employees result in a claim for damages against the Municipality by a third party unless the Member of council, officer or employee has been grossly negligent or has willfully acted contrary to the terms of their employment or to an order of a supervisor.

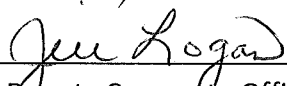
6. If any portion of this Bylaw is held incompetent by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed portion.

Read a first, second and third time this 19th day of February, 2013.

Reconsidered and adopted this 19th day of March, 2013.



Mayor Greg Deck



Acting Deputy Corporate Officer Jill Logan