

MUNICIPAL DISTRICT OF ST. STEPHEN

BYLAW NO. 10-23

A BYLAW RESPECTING THE OFFICIALS OF THE MUNICIPAL DISTRICT OF ST. STEPHEN

BE IT ENACTED BY THE COUNCIL OF THE MUNICIPAL DISTRICT OF ST. STEPHEN AS FOLLOWS:

1. DEFINITION

In this bylaw,

"officials" includes the Mayor, members of Council, all officers and employees of the Municipal District of St. Stephen.

"Municipal District" means The Municipal District of St. Stephen.

2. INSURANCE POLICY

2.01 At all times, there shall be in force a bond or policy of insurance to provide the Municipal District with protection against any loss of money, or any other property, which may be sustained by the Municipal District through any fraudulent or dishonest act or acts committed by any of its officials acting alone or in collusion with others.

2.02 This bond or insurance policy shall be in such amount, as the Council of the Municipal District deems advisable.

3. INDEMNIFICATIONS

3.01 Subject to subsection 3.04 of this bylaw, the Municipal District will indemnify its officials against any claim for damages by a third party against the official arising out of the performance of the duties of the official and the Municipal District will pay the legal costs arising there from.

3.02 Subject to subsection 3.04 of this bylaw, the Municipal District will not seek indemnity against its officials if the actions of the officials result in a claim for damages against the Municipal District by a third party.

3.03 Where the Municipal District indemnifies any of its officials hereunder, the conduct, control and settlement of any such claims shall be at the discretion of the Council.

3.04 Subsections 3.01 and 3.02 of this bylaw, do not apply in any case where an official:

- (1) has been grossly negligent,
- (2) has acted contrary to the terms and conditions of employment,
- (3) has acted contrary to an order given by a person in a position of authority,
- (4) has brought about or contributed to the claim by reason of fraud or dishonesty.

4.01 By-law No. A-3, A By-law Respecting the Indemnification of Town Officials, and any amendments thereto, given third reading on April 19, 2004, is hereby repealed.

4.02 The repeal of By-law No. A-3, A By-law Respecting the Indemnification of Town Officials, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

Read a first time this ____ day of _____, 2023

Read a second time this ____ day of _____, 2023

Read a third time and passed this ____ day of _____, 2023

MAYOR

CLERK