



Indemnification Bylaw No. 666, 2026

Adopted: July 21, 2026

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INDEMNIFICATION BYLAW NO. 666, 2026

A bylaw to provide for the indemnification of municipal officials pursuant to the *Local Government Act*, R.S.B.C. 2015, c. 1

WHEREAS the *Local Government Act* provides that Council may, by bylaw, indemnify municipal officers in connection with the exercise or intended exercise of their powers or the performance or intended performance of their duties or functions;

THEREFORE, the Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

PART 1 – GENERAL ADMINISTRATION

- 1.1 This bylaw may be cited as *Indemnification Bylaw No. 666, 2026*.
- 1.2 The Village of Lions Bay Indemnification By-law No. 172, 1988, and all amendments thereto, are hereby repealed.

PART 2 – INTERPRETATION

- 2.1 In this bylaw the following words, terms, and phrases, wherever they occur, have the following meaning assigned to them:

"**indemnification**" means the payment of amounts, including reasonable legal costs, required or incurred:

- (a) to defend an action or prosecution brought against a person in connection with the exercise or intended exercise of the person's powers as a municipal officer or the performance or intended performance of the person's duties or functions as a municipal officer,
- (b) to satisfy a judgment, award or penalty imposed in an action or prosecution referred to in paragraph (a), or
- (c) in relation to an inquiry under the *Public Inquiry Act*, or to another proceeding, that involves the administration of the Village or the conduct of Village business,

but does not include a fine that is imposed because of a conviction for an offence, other than a strict or absolute liability offence;

“municipal officer” means

- (a) a member of Village Council,
- (b) a commissioner for a Village commission under the *Community Charter*,
- (c) a member of a Village library board under the *Library Act*,
- (d) a member of a Village advisory planning commission under of the *Local Government Act*,
- (e) a member of a Village board of variance under the *Local Government Act*;
- (f) an officer or employee of the Village,
- (g) a Village election official,
- (h) a Village volunteer firefighter or a special constable,
- (i) a volunteer who participates in the delivery of services by the Village under the supervision of an officer or employee of the Village,
- (j) a member of a board of trustees established or appointed by the Village under the *Cremation, Interment and Funeral Services Act*,
- (k) a member of a Village committee who is not also a member of Village Council,

but does not include an independent service provider, professional advisor or contractor engaged by the Village from time to time on a fee for service basis;

“Village” means the Village of Lions Bay.

- 2.2 All words and phrases that are not defined in this bylaw must be construed in accordance with the meanings assigned to them by the *Community Charter*, the *Local Government Act* and the *Interpretation Act*, as the context and circumstances require.
- 2.3 A reference to a statute or regulation in this bylaw refers to a statute or regulation of the Province of British Columbia, and a reference to any enactment refers to that enactment as it may be amended or replaced from time to time.
- 2.4 Words in the singular include the plural and gender specific terms include both genders and corporations.
- 2.7 If any portion of this bylaw is found invalid by a court of competent jurisdiction, that invalid portion is severed and the remainder is deemed to continue as valid.

PART 3 - INDEMNIFICATION

- 3.1 The Village will provide indemnification to any current or former municipal officer in relation to an action, prosecution, or other proceeding that involves the administration of the Village or the conduct of Village business, brought against the municipal officer, if the municipal officer:
- (a) requests indemnification from the Village;
 - (b) promptly, after being served with a document initiating a proceeding delivers a copy of the document to the Village's corporate officer;
 - (c) does not admit or assume liability, enter into a settlement, or enter a guilty plea except with the approval of Village Council;
 - (d) consents in writing to the Village having sole discretion to appoint and instruct legal counsel, conduct all necessary investigations, negotiate or settle the action or prosecution, provided that if the person believes they have an interest that is in conflict with the interest of the Village the person may retain and instruct independent legal counsel at reasonable rates approved by Council; and
 - (e) assists in providing and securing information, evidence, and witnesses, and cooperate with the Village, the Village-appointed legal counsel, and the Village's insurer if applicable, in the defence of the action, prosecution, or other proceeding.
- 3.2 The Village will not seek indemnity against any current or former municipal officer in respect of any conduct of the person that results in a claim for damages against the Village, unless the court makes a finding in the action that the person has been guilty of dishonesty, gross negligence or malicious or wilful misconduct.
- 3.3 The Village's chief administrative officer may authorize settlement up to \$20,000 without seeking direction from Council in relation to any matter subject to indemnification under this bylaw.
- 3.4 This bylaw does not limit the authority of council to provide indemnification by resolution on a case-by-case basis.

READ A FIRST TIME

July 7, 2026

READ A SECOND TIME

July 7, 2026

READ A THIRD TIME

July 7, 2026

ADOPTED

July 21, 2026

Mayor

Corporate Officer

**Certified a true copy of
Indemnification Bylaw No. 666, 2026 as adopted.**

Corporate Officer