

BYLAW A-3

A BYLAW RESPECTING THE OFFICIALS OF THE VILLAGE OF BATH

BE IT ENACTED BY THE COUNCIL OF THE VILLAGE OF BATH:

1. DEFINITION

In This Bylaw:

“officials” includes the Mayor, Members of Council, and officers and employees of the Village of Bath.

2. INSURANCE POLICY

2.01 At all times, there shall be in force a bond or policy of insurance to provide the Village with protection against any loss of money, or any other property, which may be sustained by the Village 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 Finance and Administration Committee of the Council deems advisable.

3. INDEMNIFICATIONS

3.01 Subject to section 3.04 of this bylaw, the Village 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 Village will pay the legal costs arising there from.

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

3.03 Where the Village 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 Sections 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.

READ 1st Time _____ **June 8, 2009** _____

READ 2nd Time _____ **June 8, 2009** _____

READ 3rd Time and Enacted _____ **July 13, 2009** _____

SIGNED: _____

MAYOR

CLERK