



# CITY OF PRINCE GEORGE

City of Prince George  
Indemnification Bylaw No. 8522, 2013

**CONSOLIDATED VERSION**

**CONSOLIDATED FOR CONVENIENCE**

**Revised: July 28, 2025**

**“CITY OF PRINCE GEORGE INDEMNIFICATION****BYLAW NO. 8522, 2013”**

This is a consolidation of the bylaws listed below and includes amendments up to the date noted on the cover page. This document is for convenience only and is not the legal or official version. Certified copies of the original bylaws should be consulted for all interpretations and applications of the subject Bylaw. Copies can be obtained through the Legislative Services Division at City Hall by contacting (250) 561-7792 or [cityclerk@princegeorge.ca](mailto:cityclerk@princegeorge.ca).

<b><u>AMENDING BYLAW</u></b>	<b><u>EFFECTIVE DATE</u></b>	<b><u>AMENDMENT(S)</u></b>
9562, 2025	2025-07-28	Adding new Section 7. Replacing all instances of ‘section 287.2,’ ‘section 287.2 (2)(b),’ and section 287 (1)’ with the words ‘section 740.’

**CITY OF PRINCE GEORGE**  
**BYLAW NO. 8522, 2013**

**Amending  
Bylaw**

**A Bylaw to provide for the indemnification of municipal officials.**

**Bylaw 9562**

**WHEREAS** section 740 of the Local Government Act authorizes the City to enact a bylaw to provide indemnity to municipal officers, employees and elected officials acting reasonably and in good faith in performing the duties and functions of their positions with the City;

**NOW THEREFORE** the Council of the City of Prince George in open meeting assembled **ENACTS AS FOLLOWS:**

**1. Interpretation**

In this bylaw:

- (a) **“City”** means the City of Prince George;
- (b) **“City Manager”** means the City Manager (chief administrative officer) appointed by Council pursuant to the City of Prince George Officer Positions and Delegation of Authority Bylaw No. 8340, 2011, as amended or replaced from time to time;
- (c) **“Council”** means the municipal Council for the City;
- (d) **“indemnify”** means to pay the amounts required or incurred:
  - (i) to defend an action or prosecution brought against a person in connection with the exercise or intended exercise of the person’s powers or the performance or intended performance of the person’s duties or functions;
  - (ii) to satisfy a judgment, award or penalty imposed in an action or prosecution referred to in paragraph (i); or
  - (iii) in relation to an inquiry under the *Public Inquiry Act*, or to another proceeding, that involves the administration of the City or the conduct of City business;

but does not extend to a fine that is imposed as a result of a conviction for an offence, other than a strict or absolute liability offence;

**Amending  
Bylaw****Bylaw 9562**

- (e) “**municipal official**” means:
- (i) a current or former member of Council;
  - (ii) a current or former employee or officer of the City; or
  - (iii) a person who is or was a person referred to in section 740 of the *Local Government Act*, but only in relation to the exercise of powers or performance of duties or functions for or on behalf of the City; but does not include an independent service provider, professional advisor or contractor engaged by the City from time to time on a fee for service basis; and
- (f) “**willful misconduct**” in relation to a municipal official, includes, without limitation, willfully acting contrary to the terms of his or her employment or to a lawful direction or order of a superior.

**2. Indemnification**

The City will indemnify a municipal official against an action or prosecution brought against the municipal official, including, for certainty, reasonable legal costs incurred in relation to the proceeding, if the person to be indemnified:

- (i) promptly after being served with a document initiating an action or prosecution, delivers a copy of the same to the City Manager;
- (ii) does not admit or assume liability, enter into a settlement, or enter a guilty plea except with the approval of Council;
- (iii) consents in writing to the City having sole discretion to appoint and instruct legal counsel, conduct all necessary investigations, and to negotiate and settle the action or prosecution, provided that if the person believes they have an interest that is in conflict with the interest of the City the person is entitled to independent legal counsel; and
- (iv) assists in providing and securing information, evidence, and witnesses, and cooperates with the City and their legal counsel in the defence of the action or prosecution.

**3. Indemnity against a Municipal Official**

Council will not seek indemnity against a municipal official in respect of any action of the municipal official which results in a claim for damages against the City, except where a court of competent jurisdiction makes a finding that the

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Bylaw**

person has been guilty of dishonesty, gross negligence, or malicious or willful misconduct.

**4. Indemnification Process**

Upon receipt of any documents under section 2(i), the City Manager or the Corporate Officer will make a determination as to whether the municipal official is entitled to indemnification pursuant to this bylaw, and in order to make such determination, the City Manager or Corporate Officer may request additional information from the municipal official, which must be provided by the municipal official to the best of their ability.

**5. Specific Case****Bylaw 9562**

Nothing in this bylaw precludes a municipal official from applying for indemnification pursuant to Council's jurisdiction under section 740 of the *Local Government Act* for a resolution indemnifying the municipal official in a specific case.

**6. Application of Bylaw**

This bylaw applies to an action or prosecution commenced against a municipal official after adoption of this bylaw.

**Bylaw 9562****7. No Application to Code of Conduct Investigations**

For clarity, this bylaw does not apply to complaints commenced under the "City of Prince George Council Code of Conduct Bylaw No. 9439, 2023", as amended from time to time.

**8. Repeal**

City of Prince George Indemnification Bylaw No. 5077, 1990, as amended, is hereby repealed.

**9. Citation**

This bylaw may be cited for all purposes as "City of Prince George Indemnification Bylaw No. 8522, 2013".

READ A FIRST TIME THIS           **22<sup>ND</sup>**       DAY OF                   **JULY**           , **2013.**  
READ A SECOND TIME THIS       **22<sup>ND</sup>**       DAY OF                   **JULY**           , **2013.**  
READ A THIRD TIME THIS       **22<sup>ND</sup>**       DAY OF                   **JULY**           , **2013.**

All three readings passed by a           **UNANIMOUS**       decision of Members of City Council  
present and eligible to vote.

ADOPTED THIS       **19<sup>TH</sup>**       DAY OF                   **AUGUST**           , **2013,**  
BY A       **UNANIMOUS**       DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND  
ELIGIBLE TO VOTE.

Shari Green  
\_\_\_\_\_  
MAYOR

Walter Babicz  
\_\_\_\_\_  
CORPORATE OFFICER