



The Corporation of the County of Essex

By-Law Number 2025-20

A By-law to approve and adopt an Indemnification Policy, which provides for the indemnification for current and former members of Council and its Local Boards and the current and former employees of the County with respect to certain actions or proceedings arising from their duties while acting on behalf of the County of Essex.

Whereas Section 279 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes the Council of the Corporation of the County of Essex to pass a by-law for, among other things, the indemnification and protection of members of Council and its Local Boards and the employees of the County, as well as for former members of Council and its Local Boards and the former employees of the County against risks, liability or losses, including the payment of any damages or costs awarded against them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees or as members of Council or its Local Boards, and including the costs of defending them in such an action or other proceeding; and,

Whereas Section 14 of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50 (the "**MCIA**") authorizes the Council of the Corporation of the County of Essex to pass a by-law for, among other things, the indemnification and protection of members of Council and its Local Board, as well as for former members of Council and its Local Boards, who have not been found to have contravened Sections 5, 5.1, 5.2, or 5.3 of the MCIA, against any costs or expenses incurred by the member as a result of a proceeding brought under the MCIA, and for paying on behalf of or reimbursing the member for any such costs or expenses; and,

Whereas the members of Council and its Local Boards and the employees of the County may be exposed to personal liability under various regulations and legislation, which has prompted the Council of the Corporation of the County of Essex to consider implementing an Indemnification Policy to supplement existing insurance coverage; and,

By-Law Number 2025-20

Page 2

Whereas the Council of the Corporation of the County of Essex deems it appropriate to address the formal indemnification of members of Council and its Local Board, as well as employees of the County in a comprehensive manner; and,

Whereas the Council of the Corporation of the County of Essex deems it desirable to put in place appropriate protections against personal liability to ensure that members of Council and its Local Boards and the employees of the County continue to be attracted to serve and/or be employed by the County; and,

Whereas Policy 2025-009 attached to this By-law 2025-20 as **Appendix A**, outlines in detail the Indemnification of Members of County Council and its Local Boards as well as the employees of the County.

Now therefore the Council of the Corporation of the County of Essex hereby enacts as follows:

- 1) **That** the Indemnification Policy bearing Policy Number 2025-009, a copy of which is appended to this By-law 2025-20, be and is hereby approved and adopted.
- 2) **That** this By-law 2025-20 be given three readings, and shall come into force and take effect after the final passing.
- 3) **That** By-law 2025-20 shall take precedence over any by-law deemed to be inconsistent with it.
- 4) **That** the short title for this By-law 2025-20 be the "Indemnification Policy By-law".

Read a first, second and third time and Finally Passed this Seventh day of May, 2025.

Hilda MacDonald, Warden

Katherine J. Hebert, Clerk

Clerk's Certificate

I, Katherine J. Hebert, Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy, of **By-law Number 2025-20** passed by the Council of the said Corporation on this **Seventh day of May, 2025.**

Katherine J. Hebert, Clerk
Corporation of the County of Essex