

**By-Law No. 52**  
**A By-Law Respecting Actions Against Municipal Police Officers**

WHEREAS Section 7 of the Municipalities Act empowers a municipality to provide any service deemed by the Council to be expedient for the peace, order, and good government of the municipality and for promoting the health, safety and welfare of its inhabitants:

The Council of the Town of Woodstock duly assembled, hereby enacts as follows:

1. In this by-law,

"action" means any civil action commenced, by any person against a member of the municipal police force in respect of any alleged tortious act or omission of such member committed in the performance or purported performance of his duties with the Municipality, and occurring before the coming into force of Section 17 of the Police Act, Ch. P-9.2, R.S.N.B. 1973, on June 22, 1977;

"Council" means the mayor and councillors of the Municipality;

"member of the municipal police force" or "member" means any regular or probationary member of the Woodstock Police, duly employed by the Town of Woodstock at the time of the act or omission alleged in the action;

"Municipality" means the Town of Woodstock;

"municipal solicitor" means the officer of the Municipality appointed by Council as its municipal solicitor;

2. (1) Where an action is commenced against a member or members of the municipal police force, Council may by resolution authorize the municipal solicitor to defend such actions at the expense of the Municipality.  
  
(2) An authorization under subsection (1) may be with-drawn at any time, upon resolution by Council, and the Municipality shall only be responsible for such reasonable costs, fees, disbursements or expenses occasioned or attributable to that period prior to actual withdrawal of the authorization to defend the action.
3. Council may by resolution pay any judgment or any portion thereof awarded in any action against a member of the municipal police force, whether or not the same has been defended by the municipal solicitor under subsection 2(1), and whether or not commenced or concluded before or after the coming into force of this by-law.
4. Council may by resolution pay all reasonable attorneys' fees and disbursements, or any portion thereof, incurred by a member of the municipal police force in respect of an action brought against him for an alleged tort committed by him in the performance of or purported performance of his duties with the Municipality, not defended by the municipal

solicitor under subsection 2(1) whether or not commenced or concluded before or after the coming into force of this by-law.

5. In this by-law, the masculine includes the feminine.

Read a First time this 18th day of February, 1980.

Read a Second time this 18th day of February, 1980.

Read in its entirety in Council/in Committee of the whole Council (as the case may be) this 18th day of February, 1980.

Read a Third Time, and enacted this 26th day of February, 1980.

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Mayor

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Clerk