

CHAPTER 22

[Editors Note: Former Chapter 22, Department of Development, adopted 12-3-1974, was superseded by Article XIV of the City Charter, adopted 8-2-1977 as Local Law #5-1977.]

DEFENSE AND INDEMNIFICATION

§ 22-1. **State law benefits conferred**..... 2201

§ 22-2. **Police officers**..... 2201
 [Added 8-6-1992; Editors Note: This resolution also repealed former § 22-2. Publication: when effective.]

[HISTORY: Adopted by the Common Council of the City of Dunkirk 1-18-1983 by resolution. Amendments noted where applicable.]

§ 22-1. State law benefits conferred.

The Dunkirk Common Council hereby confers the benefits of § 18 of the New York State Public Office Law upon its officers and employees of the City of Dunkirk and agrees that the City of Dunkirk be held liable for the cost incurred under the provisions of such section.

§ 22-2. Police Officers. [Added 8-6-1992; Editors Note: This resolution also repealed former § 22-2. Publication: when effective.]

- A. In addition to the requirements of § 50-j, Subdivision 1, of the General Municipal Law, the City of Dunkirk hereby agrees to provide for the defense of any civil action or proceeding brought against a duly appointed police officer of the City of Dunkirk and shall indemnify and save harmless such police officer from any judgment of a court of competent jurisdiction whenever such action, proceeding or judgment is for punitive or exemplary damages, arising out of a negligent act or other tort of such police officer committed while in the proper discharge or his/her duties and within the scope of his/her duties and within the scope of his/her employment. The City of Dunkirk is hereby authorized and empowered to purchase insurance to cover the cost of such defense and indemnification.
- B. The determination of whether any such police officer properly discharged his/her duties within the scope of the officer's employment shall be made in a manner which shall be promulgated by the Mayor and adopted by the Dunkirk Common Council.