

Line Fences Policy

Approved By:
Approval Date:
Effective Date:
Revision Date:

Policy Statement

The Corporation of the Township of Douro-Dummer is committed to ensuring that all Line Fence disputes that are incapable of being resolved privately are resolved efficiently and impartially in accordance with the Township of Douro-Dummer Line Fence By-law.

All Line Fence Viewers will provide impartial and fair service and awards that will be most beneficial for all parties involved. Township staff will ensure that Line Fence Policies, Procedures and Forms are available to the public upon request for ease of access if a Line Fence viewing is absolutely necessary.

Purpose: The purpose of this Policy is to ensure that Line Fence Disputes are resolved efficiently and impartiality within the Township of Douro-Dummer, as per By-law 2024-017.

Application:

To resolve Line Fence disputes within the Township of Douro-Dummer.

Definitions:

"Actual Cost" means the total cost of the construction, reconstruction, maintenance or repair of a line fence, and includes the value of the material used and the value of the labour performed to complete the work;

"Adjoining Owner" means the person(s) who owns land adjoining the land on which another land owner desires to build a line fence;

"Award" means the legally-binding decision or ruling given out by Fence-Viewers;

"Council" or **"Municipal Council"** means the municipal Council for the Township;

"Fence-Viewer" means the person appointed to carry out the duties of Fence-Viewer described in the Line Fences Act, R.S.O. 1990;

"Grade" means the average elevation of the finished surface of the ground beneath the fence;

"Line Fence" means a fence marking the boundary between adjoining parcels of land and located on the actual property line;

"Line Fences Act" means the Line Fences Act, R.S.O. 1990, c. L.17, as amended;

"Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

"Municipal Clerk", "Township Clerk" or "Clerk" means the person appointed by Council to carry out the duties of the Clerk described in Section 228 of the Municipal Act, 2001;

"Owner" means the registered owner of the land and includes the person managing or receiving the rent for the land or premises, and the person who wishes to erect the fence, and;

"Township", "Township of Douro-Dummer" or "Douro-Dummer" means The Corporation of the Township of Douro-Dummer and includes its entire geographic area,

References & Related Policies:

By-law 2024-017 Application of the Line Fences Act in the Corporation of The Township of Douro-Dummer

A Guide to The Line Fences Act (2014) – Ontario Ministry of Agriculture, Food and Rural Affairs

Consequences of Non-Compliance:

Failure to comply with this policy and failure to comply with the Fence Viewers' award may result in the development of legal issues.

Exceptions:

The Line Fences Act 1990 shall solely apply to properties zoned Rural (RU) and Environmental Conservation (EV), or properties that share a line fence with properties zoned Rural or Environmental Conservation (as outlined in the Township Zoning By-Law).

No line fence viewings shall be scheduled between November 1 and March 31 as stated in the Line Fences Act R.S.O 1990, c. L17, s. 5(2) to ensure full visibility of the terrain and the fence.

Review Cycle: This policy will be reviewed once per term of council.