

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

BY-LAW NO. 94-16

**being a by-law to regulate the erection
of fences in the Township of McGarry.**

WHEREAS it is expedient to regulate the erecting of fences in the Township of McGarry;

AND WHEREAS paragraph 25 of Section 210 of the Municipal Act, Chapter M45, authorizes the Municipality to pass such by-laws:

NOW THEREFORE the Council of the Township of McGarry enacts as follows:


1. This by-law be known as the Fence By-law.
2. In this by-law,
 - (a) "Town" shall mean the Corporation of the Township of McGarry.
 - (b) "Fence" shall mean a barrier constructed of chain link metal, or of wood, stone, metal or material having an equivalent degree of strength,
 - (c) "Gate" shall mean a swinging or sliding barrier used to fill or close an access and shall be comprised of like material as the fence.
 - (d) "Person" shall include a firm, partnership, company, corporation, contractor, owner or lessee.
3. This By-law shall be enforced by the Chief Building Official of the Township.
4.
 - (a) No person shall erect or cause to be erected within the Township of McGarry, a fence or fences unless such person shall have first obtained a permit to do so from the Chief Building Official of the Township.
 - (b) Any person desiring to erect a fence or fences shall make application for a permit to do so and the Chief building Official shall have full authority to grant, revise or reject the application.
 - (c) No person shall erect or cause to be erected a fence consisting wholly or partly of barbed wire or any other barbed material except, where under the authority of the Chief Building Official appointed by Council, it is deemed necessary, a fence may consist partly of barbed wire or other barbed material, such use being limited to the top portion of the fence and no barbed wire or other

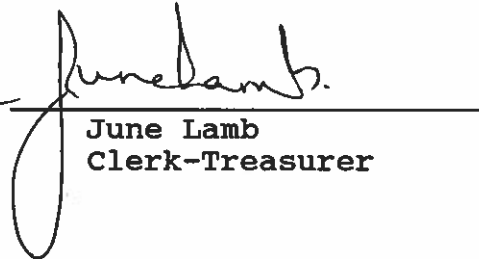
barbed material shall be installed on fences less than 1.82 meters (6 feet) in height.

- (d) Fences shall be constructed in a substantial manner and shall be kept in good repair and free from accident hazards. Failure to keep fence in good repair will necessitate the owner removing same at his expense within 15 days of notification in writing by the municipal building official.
 - (e) No building permit fee shall be charged for the erection of a fence under this By-law.
5. Any person convicted of a breach of any of the provisions of this By-law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty of not more than \$300.00 exclusive of costs and the same shall be recoverable under the provisions of the Summary Convictions Act as provided by the Municipal Act.
6. This By-law shall come into force and have effect immediately on the final passing thereof.

First and second reading this 19th day of December 1994

Third and final reading this 19th day of December 1994


Clermont Lapointe
Reeve


June Lamb
Clerk-Treasurer