

THE CORPORATION OF THE TOWNSHIP OF CRAMAHE

BY-LAW NO. BL-2022-69

Being a By-law to Amend By-Law 2006-28, a By-Law to Prescribe the Height & Description of Lawful Fences in The Township of Cramahe and Repeal By-Law 06-29

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law; and

WHEREAS subsection 10(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

WHEREAS paragraph 10 of subsection 10(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting structures, including fences and signs; and

WHEREAS the Corporation of the Township of Cramahe has enacted and passed Fence By-law 2006-28, to Prescribe the Height & Description of Lawful Fences in The Township of Cramahe; and

WHEREAS section 98 of the Municipal Act, 2001 provides that a municipality may provide that the Line Fences Act, R.S.O. 1990, c. L.17, as amended, not apply to all or any part of the municipality, except where indicated in section 20 of the Line Fences Act; and

WHEREAS it is deemed expedient to amend Fence By-law 06-26 to exclude the Corporation of the Township of Cramahe from the provisions of the Line Fences Act, R.S.O. 1990, c.L.17, as amended, excepting section 20 and providing an apportionment of cost in accordance with section 26.

Now therefore be it resolved that the Council of The Corporation of the Township of Cramahe hereby enacts as follows:

1. **That** a Section 12 “Exemption From Line Fences Act” be added to By-law 06-28, being a by-law to Prescribe the Height & Description of Lawful Fences in the Township of Cramahe, and state the following:
 - 12.1 The Line Fences Act shall not apply to any part of the Township of Cramahe in accordance with the Line Fences Act, R.S.O. 1990, c. L.17, as amended, with the exception of section 20 as it relates to former railway lands.

- 12.2 Where a property owner is desirous of erecting a boundary line fence they shall pay 100% of the cost of any work or erection, repair, replacement or maintenance which has been carried out, unless otherwise agreed upon with the adjoining property owner.
 - 12.3 A boundary fence shall compliance with the provisions of this by-law with respect to the construction, reconstruction or repair and location of a fence, including but not limited to the type of material to be used, the height of the fence and setbacks as required.
2. **That** By-Law 06-29 is hereby repealed.
3. **That** this by-law shall be deemed to be in force and effect the date of its passing.

Read a first, second and third time and finally passed this 20th day of December 2022.



Mandy Martin, Mayor



Holly Grant, Clerk