

## THE CORPORATION OF TRENT HILLS

### BY-LAW 2003-01

being a by-law to regulate the site and construction  
of fences within the Municipality of Trent Hills

WHEREAS Section 8 of the Municipal Act, 2002 provides that the council of a municipality may pass by-laws respecting matters within spheres of jurisdiction;

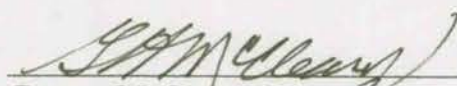
AND WHEREAS under the said Municipal specific powers to pass a by-law with respect to fences is not restricted;

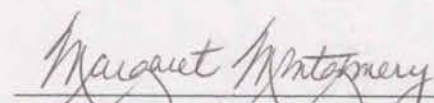
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF TRENT HILLS HEREBY ENACTS AS FOLLOWS:

1. This by-law shall apply to any land that is located within a Residential zone as designated by the comprehensive zoning by-laws for the Municipality of Trent Hills as it may exist from time to time.
2. No person shall construct a fence or cause any fence to be constructed unless it is constructed of galvanized wire or vinyl coated wire, wood, wood type or steel or such other material as may be acceptable to the Chief Building Official.
3. No person shall construct or erect or cause to be constructed or erected a barbed wire fence or a fence with barbs on it or any other type of wire that may cause injury on any land that is located within any Residential zone as designated by the comprehensive zoning by-law.
4. Any fence that is to be constructed or erected within any area that is zoned Residential by the comprehensive zoning by-law shall :
  - (a) Have a height of no more than 1.2 meters from the front face of a building to the front lot line of the lot on which the building is situated;
  - (b) Have a height of no greater than 1.5 meters from the ground from the face of the building to the rear lot line of the lot on which the building is situated;
  - (c) Have a height of 1.8 meters when constructed as a privacy fence. A privacy fence may only be constructed when it can be shown it will not interfere with site lines.
5. Any fence that is constructed or erected in any area that is zoned Residential in the comprehensive zoning by-law shall comply with the following provisions:
  - (a) If the fence is of chain link construction, the fence shall:
    - (i) be constructed of galvanized wire or vinyl coated wire which has a diameter of not less than 11 gauge;
    - (ii) the mesh shall have a diameter no greater than 1 1/4 inches;
    - (iii) the fence shall be supported by solid posts made of either wood or steel for support that are placed no more than ten feet apart which are securely embedded in the ground.

- (b) If the fence is of wood or wood type construction the fence shall be:
- (i) constructed so that the wood is attached to supporting posts;
  - (ii) supported on solid posts that are not more than 10 feet apart and which are securely embedded in the ground;
  - (iii) the support posts shall be located on the inside portion of the fence facing the lot of the property owner responsible for the fence construction.
- (c) If the fence is of steel construction, the fence shall be constructed in such a manner so that there is a space of no more than 4 inches between the vertical posts or any other opening.
6. Fences, where a Residential zone is abutting a zone in which agricultural uses are permitted, may be constructed of page wire.
  7. Any gates that form part of a fence shall be supported on hinges which meet with the approval of the Chief Building Official.
  8. No person shall construct or erect or cause to be constructed or erected a fence that is so close to a building that it prevents proper maintenance of that portion of yard between the building and the fence or the building.
  9. No person shall construct or erect or cause to be constructed or erected a fence that consists of sharpened wood pickets that would be dangerous to the health and safety of people, pets or other animals.
  10. No person shall construct or erect or cause to be constructed or erected a fence on any lot other than the lot owned by that person.
  11. No fence that will facilitate climbing shall be constructed around a pool.
  12. If any section, clause or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and that it is hereby declared to be the intention of Council that all the remaining sections, clauses or provisions of this by-law shall remain in full force and effect until repealed, notwithstanding that one or more provision of this by-law has been declared invalid.
  13. Any person who violates any of the provisions of this by-law shall be deemed to have committed an offence and shall be liable to such penalties and fines as are set out in the provisions of the Provincial Offences Act.

By-law 2003-01 introduced and deemed to be read a first, second and third time, passed and properly signed and sealed this 27<sup>th</sup> day of January, 2003

  
George McCleary (Mayor)

  
Margaret Montgomery (Clerk)