

BY-LAW NUMBER 98-109

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

BEING a By-Law to prescribe the height and description of a lawful fence within the Township of Rideau Lakes.

WHEREAS, pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210 (25), By-Laws may be passed by the Councils of local municipalities for prescribing the height and description of lawful fences.

NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes enacts as follows:

- 1) A lawful fence, for the purposes of The Municipal Act, and of the Line Fences Act, shall be not less than four (4) feet (1.22 meters) in height, and may be constructed of any kind of substantial material (that is wire, wood, steel or aluminum). A lawful fence shall be of one of the following types of construction, unless otherwise herein provided:
 - a) Barbed Wire: shall be installed only by mutual agreement between the parties affected where page wire is not feasible because of the terrain, and when agreed to shall consist of not less than five (5) wires, properly strained, anchored and securely fastened to posts of either wood or metal. Said posts to be not more than 16.5 feet (5.02 meters) apart, and, if of wood, to be not less than four (4) inches (10.16 cm.) in diameter at the small end. The fence shall be not less than four (4) feet (1.22 meters) in height.
 - b) Woven Wire: a woven wire fence shall be not less than seven (7) line fence having a barbed wire on the top but not more than six (6) inches (5.24 cm.) above the uppermost wire of the woven wire fence, all being properly strained, anchored and securely fastened to posts. Said posts to be not more than 16.5 feet (5.02 meters) apart, and, if of wood, to be not less than four (4) inches (10.16 cm.) in diameter at the small end.
 - c) Chain-Link Fence: a chain-link fence shall be not less than four (4) feet (1.22 meters) in height, with a spacing not greater than two (2) inches (5.08 cm.) measured perpendicularly within the link segments and of a wire weight not less than nine (9) gauge. The fence shall be securely attached to metal posts spaced not more than ten (10) feet (3.05 meters) apart. The fence and posts shall be manufactured of either galvanized or vinyl coated steel.

The primary use of chain-link fencing is intended to be for boundary marking purposes in a residential setting and not for the containment of livestock. If it is the intent however, to use chain-link fence for livestock containment, then in addition to the four (4) foot (1.22 meters) height of fence, a single strand of barbed wire shall be strung not more than six (6) inches (15.24 cm.) above the fence and shall be properly strained, anchored and secured to the posts.

- d) Other types of Fence: a line fence built of rails, boards or poles, being horizontally placed, shall have the first three of the said rails, boards or poles not more than six (6) inches (15.24 cm.) apart and in the event of stakes and riders being used, the fence shall be at least four (4) feet (1.22 meters) in height, exclusive of stakes and riders, and a worn-rail (snake) fence shall have a crook of not more than five (5) feet (1.52 meters). Where the manner of construction is such to require the use of posts, to properly support and secure the fence in position, then such posts shall be so placed that the distance between them will not be greater than the length of the boards, rails or poles horizontally placed. In no case, however, shall the distance between posts exceed 16.5 feet (5.02 meters).
2. The provisions and standards of this by-law, as herein set forth, shall be deemed to be 'minimum' only and are not designed or intended to limit or restrict the use of greater or higher degree of standard, both in quality and construction, where the parties affected may so mutually agree amongst them.
3. Any deviation from the terms of this by-law, for construction of a type of fence not set forth in this by-law, shall be allowed only where the parties affected so mutually agree amongst them.
4. All other by-laws, or parts of by-laws, contrary to the provisions set forth herein, are hereby repealed.
5. The provisions of this by-law shall take full force and effect with the passing thereof.

Read a first, second and third time, and finally passed this 5th day of October 1998.

for Paul A. Z. Smith
Howard French
Reeve

Myrna Stearry
Myrna Stearry, A.M.C.T.
Clerk-Coordinator