

TOWN OF CHANNEL – PORT AUX BASQUES FENCE BYLAWS

These Bylaws will be cited as the Town of Channel – Port aux Basques Fence Bylaws 2011.

- (1) Applicability – The requirements of this Regulation shall apply to all fences.
 - (2) Fence – For the purpose of this Regulation a fence includes a vertical physical barrier constructed out of typical fencing materials, and includes hedges, shrubs and landscaping features used for these purposes, and, that portion of a retaining wall which projects above the surface of the ground which it supports.
 - (3) Order to Remove Fence – When in the opinion of the Town, a fence creates a safety hazard or obstruction or impedes snow-clearing due to its location, height or construction material, the Town may issue an order to the property owner stating that the fence or portions thereof be removed, reconstructed or repaired within a specified time in order to correct the safety hazard or obstruction and the cost to remove, construct or repair said fence or part thereof will be at the owner’s expense. In the event that the property owner does not remove the fence within the specified time as ordered, the Town may remove the fence and the cost to remove, reconstruct or repair said fence will be at the owner’s expense.
 - (4) Fence Maintenance – Every person who owns a fence shall maintain such fence in a good state of repair. For the purpose of this Regulation, “good state of repair” shall mean:
 - a) the fence is complete and in a structurally sound condition and plumb and securely anchored;
 - b) protected by weather -resistant materials;
 - c) fence components are not broken, rusted, rotten or in a hazardous condition;
 - d) all stained or painted fences are maintained free of peeling; and
 - e) that the fence does not present an unsightly appearance deleterious to abutting land or to the neighbourhood.
 - (5) Fence Materials – The material or materials used in the erection and repair of a fence, shall only be of a type which meets the approval of the Town and in no instance shall a fence be constructed of materials or in such a fashion as deemed to be unsightly by the Town.
 - (6) Fence Height
 - a) **Sight Lines** – No fence shall be permitted to interfere with traffic sight lines as determined by the Town.
 - b) **Street Line to Building Line** – The maximum height of a fence shall not exceed 1.2 metres between the street line and the building line except where additional height is required by the Town for screening or security, in which case the maximum height of a fence shall not exceed 2.4 metres.
 - c) **Building Line to Rear Property Line** – The maximum height of a fence between the building line and the rear property line shall not exceed 1.8 metres.
 - (7) Electrical Fence and Barbed Wire Fence – *No person shall erect an electrical fence or barbed wire fence on any land.*
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These Bylaws were adopted by a resolution of Council at a meeting held on the 14th day of June, 2011 and shall come into effect the 14th day of June 2011.