

THE CORPORATION OF LOYALIST TOWNSHIP

BY-LAW 2011-112

Being a By-law to establish the Application of the Line Fences Act in limited areas of The Corporation of Loyalist Township, to establish a Fee Schedule and Deposit to be included with all applications under the Line Fences Act

WHEREAS Section 17(1) of The Line Fences Act, R.S.O. 1990, Chapter L.17 authorizes the Council of The Corporation of Loyalist Township to pass a by-law to fix reasonable administrative fees to be paid to the municipality in relation to proceedings under this Act;

AND WHEREAS Section 98(1) of the Municipal Act authorizes a local municipality to provide that the Line Fences Act does not apply to all or any part of the municipality;

AND WHEREAS the Council of The Corporation of Loyalist Township adopted By-law 2002-67 which authorized an administrative fee schedule to be used in conjunction with all Line Fences applications and that fee schedule is now outdated;

AND WHEREAS the Council of The Corporation of Loyalist Township deems it expedient to limit the application of the Line Fences Act to specific areas within The Corporation of Loyalist Township and to restrict the attendance of Fence-Viewers to specific periods of the year;

NOW THEREFORE the Council of The Corporation of Loyalist Township hereby enacts as follows:

1. In this by-law:
 - “Township” means the geographic area of The Corporation of Loyalist Township;
 - “Line Fences Act” means the Line Fences Act, R.S.O. 1990, c. L.17, as amended;
 - “Municipal Act” means the Municipal Act, S.O. 2001, c. 25, as amended;
 - “Fence-viewer” means a person appointed by the municipality by by-law, to act in accordance with the powers and procedures of the Line Fences Act.
2. No arbitration or other proceeding requiring the attendance or re-attendance of a fence-viewer shall be scheduled between the 1st day of November and the 31st day of March in the next following year.
3. Where an application is made under the Line Fences Act, an administrative fee of Three Hundred Dollars (\$300.00) shall be paid to the Township at the time the application is submitted.

4. Estimated Administrative Fees as detailed on Schedule 'A' attached hereto shall be considered the guideline for determining the deposit and allow for any subsequent fees incurred as part of the Line Fences application process.
5. The provisions of the Line Fences Act shall apply only to lands in the Township identified as prime agriculture, restricted agricultural and rural zone in The Corporation of Loyalist Township's Zoning By-law.
6. That By-law 2002-67 and any and all by-laws or parts thereof conflicting with this by-law are hereby repealed.
7. This by-law shall come into force and take effect on the date of its passing.

ENACTED AND PASSED THIS 12TH DAY OF DECEMBER, 2011.

MAYOR

CLERK

