

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NO. 78-68

Being a By-law to regulate the erection
of fences in the Town of Kirkland Lake.

WHEREAS it is expedient to regulate the erecting of fences in the
Town of Kirkland Lake;

AND WHEREAS paragraph 19 of subsection 1 of Section 354 of the
Municipal Act, Chapter 284, authorizes the Municipality
to pass such by-laws:

NOW THEREFORE the Council of the Corporation of the Town of
Kirkland Lake enacts as follows:

1. This by-law be known as the Fence By-law.
2. In this By-law,
 - (a) "Town" shall mean the Corporation of the Town of Kirkland Lake.
 - (b) "Fence" shall mean a barrier constructed of chain link metal or of wood, stone, metal or material having an equivalent degree of strength,
 - (c) "Gate" shall mean a swinging or sliding barrier used to fill or close an access and shall be comprised of like material as the fence.
 - (d) "Person" shall include a firm, partnership, company, corporation or contractor, owner or leasee.
3. This By-law shall be enforced by the Chief Building Official of the Town.
4. (a) No person shall erect or cause to be erected within the Town of Kirkland Lake, a fence or fences having a greater height than 1.2 metres (four feet), unless such person shall have first obtained a permit to do so from the Chief Building Official of the Town.
 - (b) Any person desiring to erect a fence or fences of a greater height than 1.2 metres (four feet), shall make application for a permit to do so and the Chief Building Official shall have full authority to grant, revise or reject the application.
 - (c) ~~No person shall erect or cause to be erected a fence or fences consisting wholly or partly of barbed wire or any other barbed material.~~
 - (d) Fences shall be constructed in a substantial manner and shall be kept in good repair and free from accident hazards. Failure to keep fence in good repair will necessitate the owner removing same at his expense within 15 days of notification in writing by the municipal building official.

*amended
by-law 80-72
(see attached)*

Fence By-law cont'd.

- 5. Any person convicted of a breach of any of the provisions of this By-law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty of not more than \$300.00 exclusive of costs and the same shall be recoverable under the provisions of the Summary Convictions Act as provided by the Municipal Act.
- 6. This By-law shall come into force and have effect immediately on the final passing thereof.
- 7. By-law 801 is hereby repealed.

READ a first time in open Council this 19th day of December 1978

G. Hamilton
Mayor

B. [Signature]
Clerk

READ a second and third time in open Council this 19th day of December 1978

G. Hamilton
Mayor

B. [Signature]
Clerk



CERTIFIED A TRUE COPY

KIRKLAND LAKE,
Dec 19, 1978

[Signature]
CLERK



NOV 6 1980

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NO. 80-72

Being a by-law to amend by-law
No. 78-68 a by-law to regulate
the erection of fences in the
Town of Kirkland Lake

WHEREAS the Council of the Corporation of the Town of Kirkland Lake have received requests to permit the erection of barbed wire fences.

AND WHEREAS Council recognize the need to secure properties.

NOW THEREFORE the Council of the Corporation of the Town of Kirkland Lake enacts as follows:

1. That section 4(c) of by-law 78-68 be repealed and replaced by the following:


"No person shall erect or cause to be erected a fence consisting wholly or partly of barbed wire or any other barbed material except, where under the authority of the Chief Building Official appointed by Council, it is deemed necessary, a fence may consist partly of barbed wire or other barbed material, such use being limited to the top portion of the fence and no barbed wire or other barbed material shall be installed on fences less than 1.82 meters (6 feet) in height.


READ a first time in open Council this 4th day of November 1980


Chairman


Clerk

READ a second and third time in open Council enacted and passed this 4th day of November 1980.


Chairman


Clerk

