

The Corporation of the City of Kawartha Lakes

By-Law 2019-XXX

A By-law to Appoint Fence-Viewers and Adopt a Code of Conduct for Fence-Viewers for the City of Kawartha Lakes

Recitals

1. The Line Fences Act, R.S.O. 1990, c. L.17, s.2 requires that every local municipality shall by by-law appoint such number of fence viewers as are required to carry out the provisions of this Act.
2. Council deems it expedient to appoint Fence-Viewers for the City.
3. This by-law replaces by-law 2015-024.
4. Council deems it appropriate to repeal original Fence-Viewer appointment by-laws.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-014.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Fence-Viewer” means the person appointed to carry out the duties of Fence-Viewer described in the Line Fences Act, R.S.O. 1990;

“Line Fences Act” means the Line Fences Act, R.S.O. 1990, c. L.17, as amended;

“Municipal Act” means the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Fence-Viewer:** The following persons are appointed as Fence-Viewers for Kawartha Lakes for the term January 1, 2019 to December 31, 2022.
- 2.02 **Term Extension:** The persons named as Fence-Viewers in Section 2.01 shall continue to serve beyond the termination of their appointments until the appointments of their successors have been confirmed by Council.
- 2.03 **Code of Conduct:** The persons appointed as Fence-Viewers shall abide by and adhere to the Code of Conduct attached as Appendix A to this by-law.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The City Clerk is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

Section 4.00 Repeals

- 4.01 **Repeal:** By-laws 2015-024 and its amendment, being by-law 2018-115, are repealed.

By-law read a first, second and third time, and finally passed, this 21st day of May, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Appendix A to By-law 2019-XXX



Appendix A - Fence
Viewer Code of Condi