

THE CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP

BY-LAW 2021-11

Being a By-law to Appoint Fence Viewers

WHEREAS, Section 2 of the *Line Fences Act*, R.S.O. 1990 Chapter L.17, as amended, provides that the Council of every local municipality shall by by-law appoint such number of fence-viewers as are required to carry out the provisions of the Act and the by-law shall fix the remuneration to be paid;

AND WHEREAS Section 5(2) of the *Line Fences Act*, R.S.O. 1990, c. L.17, as amended, provides that Council may establish the time of year during which no arbitration or other proceedings requiring the attendance or re-attendance of Fence Viewers shall be scheduled;


AND WHEREAS Section 17(1) of the *Line Fences Act*, R.S.O. 1990, c. L.17, as amended, authorizes Council to establish administrative fees to be paid to the municipality in relation to proceedings under the Act;

NOW THEREFORE the Council of the Corporation of the Township of North Algona Wilberforce hereby enacts as follows:

1. THAT those persons who are employed by the Corporation of North Algona Wilberforce Township to perform the duties as fence viewers shall be appointed annually as identified in the Township's Appointment By-law.
2. THAT the said viewers shall be guided in the performance of their duties by the provisions of the *Line Fences Act*.
3. THAT no arbitration, or other proceeding requiring the attendance or reattendance of fence viewers shall be scheduled between the 1st day of November and the 31st day of March in the next following year.
4. THAT the said viewers shall be entitled to be paid at the rate of \$17.76 per hour, and that mileage relating to their attendance be reimbursed at the Township's prescribed rate.
5. THAT all costs incurred by the Clerk in processing a Request for Fence Viewers, including the Clerk's time at the then current salary rate, be logged as an acceptable administrative cost, and along with the application fee be billed to the parties as directed by the Fence Viewers in their final determination of the application.
6. THAT should any sections of this by-law be declared by a court of competent jurisdiction to be ultra vires; the remaining sections shall nevertheless remain valid and binding.
7. THAT any other by-laws inconsistent herewith are hereby repealed.
8. THAT this by-law shall come into force and take effect on the final passing thereof.

READ A FIRST AND SECOND TIME this 2nd day of February 2021.

READ A THIRD TIME AND PASSED this 2nd day of February 2021.



MAYOR James Brose



CLERK-TREASURER Michelle Mantifel