



FENCE REGULATIONS

Pursuant to the power conferred by Part XVI – Regulations. Section 414, number (2) hh of the Municipalities Act 1999, the Rocky Harbour Town Council has made the following regulation.

REGULATIONS

1. Interpretation: In these regulations unless context otherwise requires:
 - (a) “Act” means, The Municipalities Act, 1999, Chapter M-24.
 - (b) “Council” means, Town Council of Rocky Harbour
 - (c) “Town” means, The Town of Rocky Harbour as defined in Order-of-Council dated the 25th day of March 1966 or any amendments thereto, make or continued under the provision of the Act.
 - (d) “Town Clerk” means, Town Clerk of the Town of Rocky Harbour.
2. All fences erected or repaired within the Town limits shall be constructed of material which meets the approval of Council.
3. All fences erected or repaired within the Town limits shall require a written permit from Council prior to work starting.
4. All fences are to be constructed a minimum distance of 25 feet from the centerline of any secondary street and a minimum of 33 feet from the centerline of primary streets (Main Street North, Main Street South, Payne’s Path, Pond Road, West Link Road), unless otherwise approved by Council.
5. All fences are to be constructed on owner’s property therefore; all side and rear fence construction must be installed on the owner’s property lines.
6. Fence height is to be measured from the ground to the top of the fence.
 - (a) Fences fronting on a street shall be constructed to a maximum height of 4 feet.
 - (b) Fences siding on adjacent properties and back lots shall be constructed to a maximum height of 6 feet.



- (c) Any variance from (a) or (b) shall only be approved by a motion of Council.
7. All shores and supporting posts for fence construction are to be placed on the inside portion of the fence and pickets are to be placed on the outside portion towards road/ adjacent properties.
 8. In older areas of Town where land is not available to meet regulations set out in number 4, fence construction approval will be at the discretion of Council.
 9. In the event that a property owner is given permission to construct a fence closer than regulations set out in number 4, the property owner takes full responsibility for any damage done due to snow clearing and road work, even if given special approval by Council.
 10. In the event that a fence is deemed, by Council, to be in a state of disrepair, Council has the authority to request an upgrade or demolition of the fence. Otherwise, the Town will take the necessary action to remove the fence and charge all costs back to the property owner.
 11. Notwithstanding the provisions of these regulations, any fence, which is considered a hazard or interferes with pedestrians or vehicular traffic, shall be removed upon an order of Council.
 12. Any person who violates any of the provisions of these regulations shall be guilty of an offense and shall be liable on summary of conviction to a fine not exceeding Two Hundred Dollars (\$200.00).
 13. These regulations were amended and adopted by Council at a meeting held on November 8, 2022 and will come into effect immediately, and may be cited as the Town of Rocky Harbour's (FENCE REGULATIONS, 2022).

The Town of Rocky Harbour adopted its Fence Regulations on 8th day, November, 2022.

Moved by: Deputy Mayor Granter

Second by: Councillor Payne

Mayor's Signature: *Mayor Jason Cullihall*