

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2002-84

**Being a By-law prescribing the height and
description of lawful fences**

WHEREAS Section 210(25) of the Municipal Act, R.S.O. 1990, Chapter M45, empowers Council to pass By-laws prescribing the height and description of lawful fences; and

WHEREAS Council deems it appropriate to enact such a By-law

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF
THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

1. That in this By-law, the word "fence" shall be deemed to include a "wall".
2. That words and phrases used in this By-law shall have a similar meaning and interpretation as those contained within the Town of Amherstburg By-law 1999-52 as amended.
3. That no person shall construct, install, or maintain any fence in a defined yard in a Residential Zone unless it is in accordance with the following provisions:
 - (i) In a front yard, the maximum height of any fence shall not exceed 0.915 metres above average grade, save and except within a required sight triangle where the maximum height shall be 0.6 metres.
 - (i) In a side yard or rear yard, the maximum height of any fence shall not exceed 2.0 metres.
4. That every person who contravenes any of the provisions of this By-law is guilty of an offence and shall upon conviction thereof forfeit and pay a penalty of not more than TWO THOUSAND (\$2,000.00) DOLLARS for a first offence and not more than TWO THOUSAND (\$2,000.00) DOLLARS for a second offence or subsequent offences, exclusive of costs, and every such fine is recoverable under the Provincial Offences Act.
5. That By-law No. 2257 of the former Town of Amherstburg, By-law 1899 of the former Township of Malden and By-law 2791 of the former Township of Anderdon are hereby repealed.
6. That this By-law shall come into force and take effect immediately upon passing thereof.

Read a first, second time and third time and finally passed this 16th day of December, 2002.



MAYOR



CLERK