

Request for Decision

Appointment of Additional Fence Viewers

Presented To:	Nominating Committee
Presented:	Tuesday, Oct 06, 2015
Report Date	Thursday, Sep 10, 2015
Type:	Managers' Reports

Recommendation

THAT the City of Greater Sudbury appoints _____ and _____ as Fence Viewers, for the term ending November 30, 2015.

Background

The purpose of the Line Fences Act, 1990 (the Act) is to provide a procedure for the resolution of line fence disputes between the owners of adjoining properties. At the January 27, 2015 Nominating Committee meeting three (3) Fence Viewers were appointed in accordance with subsection 2 the Act, which requires a municipal council to appoint fence viewers to arbitrate and provide resolution to these disputes.

Subsection 4(2) requires that the Clerk or their designate set the date and time of the viewing, which is held on the lands of the two adjoining owners. Subsection 4(3) specifies that the date of a viewing must be "*not more than thirty days*" from the date that the Form 1 is submitted to the Clerk. Additionally, subsection 4(2) of the Act requires that three fence viewers attend a viewing.

At the January 27, 2015 meeting the minimum number of three (3) fence viewers were selected. Due to conflicting schedules of property owners and fence viewers it has become difficult to arrange for a viewing to take place within the legislated timeline working with three fence viewers.

The Nominating Committee is being asked to appoint an additional two (2) fence viewers to act on behalf of the City of Greater Sudbury from the remaining list of applicants from the January 27, 2015 meeting. These two additional fence viewers will serve as alternates at those times when we are unable to convene the original three fence viewers within the legislated timelines.

Signed By

Report Prepared By

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Division Review

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Recommended by the Department

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