

THE LINE FENCES ACT and YOU

Frequently Asked Questions/Answers

Q. Do I have to advise my neighbour if I wish to put a fence on the boundary line?

A. Because you and your neighbour share a common property line, you should advise your neighbour of your intention to construct a fence along the boundary line.

Q. Can I build a fence off the boundary line entirely on my property?

A. Yes, a fence can be constructed a few inches from the boundary and the fence will have to be maintained by you.

Q. What is the Line Fences Act?

A. The Line Fences Act is provincial legislation which is designed to solve disputes between neighbours regarding fencing on the boundary line.

Q. Can my neighbour have my share of the cost of the constructed fence added onto my taxes?

A. No. The only method of having the cost of the fence added to your taxes is by applying under the Line Fences Act.

Q. Can I apply if the fence is already constructed?

A. No, if the fence is already constructed, you may not apply under the Act. If there are issues, after the fence is built it may become a civil matter and you should consult a lawyer.

Q. May I file an application if all of the property bars are not visible OR if the boundary line is in dispute?

A. No, all of the property bars must be visible and shown on your most current survey. If the boundary line is in dispute between the property owners, the issue will have to be resolved prior to filing an application.

Q. What time of the year can the fence viewers arbitrate?

A. No arbitration, proceeding, attendance or re-attendance shall be scheduled between November 1 and March 31.

Q. Do I qualify to file an application?

A. The procedure is applicable where one owner wants to construct, repair or maintain a fence on the property boundary line AND is unable to reach an agreement with the other owner on the type of fence to be erected and/or sharing the costs of the fence.

Q. How can I apply?

A. Application may be made at the Township of Tiny Office. There is a \$200.00 application fee which must be submitted with the application. "Owner's request for fence viewers – dispute" Form 1.

Q. Are there any other costs?

A. Yes, the Fence Viewers in any award may determine the costs of the proceedings and by which of the owners or in what proportion the costs of the proceedings are to be paid.

Q. How long will the process take?

A. The process from the time the application is made (depending on the time of year) usually takes 6-8 weeks before construction may commence. If an appeal is made, the process will be longer.

Q. How high can I build my fence?

A. As there are different height restrictions that may affect your specific lot. It is suggested you consult with the Township of Tiny Planning Department.

Q. Do I need a building permit to construct a fence?

A. No.

Q. Does the good side of the fence have to face my neighbour's' property?

A. There is no by-law restriction on which way the "good side" faces.

Q. Do pools require a fence?

A. Yes, please contact the Township of Tiny Building Department to find out more information.

For further information, please call the Township of Tiny Clerk's Department at (705) 526-4204.