



STAFF REPORT TO COUNCIL

Report No: AD-2022-18

May 9, 2019

From: Sarah Huskinson, Chief Administrator Officer

RE: Fence Viewers and Livestock Valuers By-laws

Recommended Motion:

THAT Council of the Township of North Glengarry receives Staff report AD-2022-18;

And THAT Council adopts by-law 41-2022 being a by-law to appoint Fence Viewers;

And THAT Council adopts by-law 42-2022 being a by-law to appoint Livestock Valuers;

And THAT by-law 41-2022 and 42-2022 be read a first, second, third time and enacted in Open Council this 28th day of November 2022.

Background / Analysis:

Fence Viewers

Section 2 of the Line Fences Act RSO 1990, states 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 this Act and the by-law shall fix the remuneration to be paid to the fence-viewers and the remuneration may be fixed on an hourly or daily rate or a rate for each attendance or reattendance by the fence-viewers”. The power and purpose of the fence viewer position is also defined and described within the Line Fences Act. An owner of a property may “construct and maintain a fence to mark the boundary between the owner’s land and adjoining lands”. The owner may then request through the clerk a fence viewer to arbitrate a process to attribute the costs of construction and maintenance of such fence.

In 2018, the Township appointed four fence viewers, three of which have indicated they are no longer interested in holding the position. As such, the attached by-law appoints three new fence viewers as Bernard St. Denis, Blain McMath, and Marc Carriere.

Livestock Valuers

Section 4 of the Livestock, Poultry and Honey Bee Protection Act, RSO 1990, states that “The council of every local municipality shall appoint one or more persons as valuers of livestock and poultry for the purposes of this Act”. Subsection 2 of the same Section goes on to describe the process “where the owner of livestock or poultry discovers that any of the owner’s livestock or poultry has been killed or injured and to the best of the owner’s knowledge and belief such killing or injuring was done by a wolf or by a dog other than the owner’s dog or habitually kept upon the owner’s premises, the owner shall immediately notify a valuer for the local municipality in which the livestock or poultry were killed or injured or the clerk of such municipality who shall forthwith notify a valuer, and such valuer shall immediately make full investigation and shall make a report in writing within ten days thereafter to the clerk of the municipality giving in detail the extent and amount of the damage and his or her award therefor, and shall at the same time forward a copy of such report to the owner of the livestock or poultry”. The clerk processes the application and forwards to OMAFRA, who reimburse the farmer for the cost of the livestock and valuer.

The Township adopted a by-law in 2018 appointing two livestock valuers, one of which is no longer being used. As such, the attached by-law is to appoint two valuers, Bernard St. Denis and Marc Carriere.

Alternatives:

None. This is a legislated by-law.

Financial Implications:

None.

Attachments & Relevant Legislation:

Line Fences Act, RSO 1990

Livestock, Poultry and Honey Bee Protection Act, RSO 1990

Others Consulted:

Reviewed and Approved by:
Sarah Huskinson, CAO/Clerk