



## **TOWN OF BURIN FENCING REGULATIONS**

### **PUBLISHED BY AUTHORITY**

Pursuant and by virtue to the powers conferred by Section 8 of the Towns and Local Service Districts Act, Chapter T-6.2, the Town of Burin hereby enacts the following Regulations which were adopted at a Public Council Meeting held on **May 20, 2026**.

#### **1. TITLE**

These Regulations shall be known and cited as the **“Town of Burin Fencing Regulations.”**

#### **2. INTERPRETATIONS**

1. In these Regulations, the following words, unless the context otherwise requires, shall have the following meanings:
  - (a) **“Council”** means the Town Council of the Town of Burin.
  - (b) **“Act”** means the Towns and Local Service Districts Act, Chapter T-6.2
  - (c) **“Town”** means the Town of Burin as defined by Paragraph 2 of an Order-in-Council dated the 18<sup>th</sup> day July A.D., 1950.
  - (d) **“Persons”** shall mean any person, firm, partnership, association, corporation, company or organization of any kind.
  - (e) **“Fence”** means any structure or material used to divide or separate one piece of property from another.
  - (f) **“Road Reserve”** or **“Road Reservation”** means the area which shall be determined by Council and shall be measured from the centre line of the travelled portion of any road, street, lane or other public way.
  - (g) **“Town Manager”** shall mean the Town Manager of the Town of Burin or his duly authorized representative.

### 3. FENCING REQUIREMENTS

For the purpose of this Regulation a fence includes a vertical physical barrier constructed out of typical fencing materials and includes hedges, shrubs and landscaping features used for these purposes, and, that portion of a retaining wall which projects above the surface of the ground which it supports.

1. All fences erected or repaired on lots within the limits of the Town shall be constructed only of material which meets with the approval of the Council.
2. All fences shall be erected or repaired only after a permit in writing has been issued by Council.
3. A permit may be given to erect a fence or to repair an existing fence within a minimum of 5.84 metres (17.5 ft.) from the centre-line, where there is a minimum 35 ft. right-of-way of the road reserve, subject to the owner accepting full responsibility for its repair or replacement at no cost to the Town in the event it becomes damaged due to snow clearing activities undertaken by the Town's snow clearing equipment.
4. In developed areas where the road width does not enable compliance with these Regulations, particularly in the older sections of Town, approval of applications for the erection of fences and the repairs of same shall be at the discretion of Council.
5. **Fence Height – Sight Lines** – Except as otherwise provided, no fence shall be erected with a height greater than 0.75 metres above the grade of the street line within the triangle formed by two street lines and a line connecting two points on the two street lines located 15 metres from the point of intersection of the two street lines where one of the streets is an arterial or collector street, or 8 metres from the point of intersection of the two street lines where the two streets are local streets. Also, except as otherwise provided, no fence shall be erected at a height greater than 0.75 metres above the grade of the street line at the intersection of a driveway and a road where, in the opinion of the Council, it impedes sight lines.
6. **Maximum Height – Building Line and Street Line** – Unless required for screening or safety purposes, no fence shall be greater than 0.75 metres in height between the building line and the street line.
7. **Maximum Height** – The maximum height of a fence shall not exceed 1.8 metres (6 ft.) except where additional height is required by the Town for screening or security, in which case the maximum height of a fence shall not exceed 2.4 metres (7.5 ft.).

#### **4.ROAD RESERVATIONS**

- (1) No house, building, or part thereof, or any erection or projection whatsoever shall project into or over any land reserved for a road, street, lane or sidewalk or other public way.
- (2) Road reservations shall be established from centre line of established roadways. Accurate, detailed, certified land surveys shall not be undertaken merely to establish fence lines. Any person wishing to challenge the centre line location or any road reservation line shall, at their own expense, produce survey data, markers, boundary and other pertinent information for the examination and decision of the Council, at no cost to the Council.
- (3) Trees or shrubs planted on private or public land within 3 metres of the road reserve shall be maintained at the owner's expense and shall be maintained in such condition as to ensure that branches and leaves do not become a hazard to vehicular or pedestrian traffic.

#### **5.ELECTRICAL FENCE OR BARBED WIRE FENCE**

- (1) No person shall erect an electrical fence on any land, unless required for the containment of livestock or the protection of crops from marauding animals.
- (2) No person shall erect a fence consisting wholly or partly of barbed wire or other barbed material, except along the top of any fence in excess of 2.1 metres enclosing a lot used for commercial or industrial purposes, provided the industrial or commercial lot does not abut a residential lot or residential use zone.

#### **6.SNOW FENCE**

No person shall erect or maintain a snow fence for the period May 1<sup>st</sup> to October 31<sup>st</sup> in any year on land used for residential or commercial purposes.

#### **7. DAMAGES**

The Town shall not be liable for any damages for the repair of any fence whatsoever where the Town, its employees or agents or otherwise, have acted without negligence within the road easement.

#### **8. ORDER TO REMOVE FENCE**

When, in the opinion of the Town, a fence creates a safety hazard or obstruction or impedes snow clearing due to its location, height or construction material, the Town may issue an order to the property owner stating that the fence, or portions thereof, be removed, reconstructed or repaired within a specified time in order to correct the safety hazards or obstruction. The cost to remove, construct or repair said fence, or part thereof, will be at owner's expense. In the event that the property owner does not comply within the specified time as ordered, the Town may remove the fence, and the cost will be at the owner's expense.

## **9. FENCE MAINTENANCE**

Every person who owns a fence shall maintain such fence in a good state of repair. For the purpose of this Regulation, "good state of repair" shall mean:

- The fence is complete and in a structurally sound condition, plumb and securely anchored
- Protected by weather-resistant materials
- Fence components are not broken, rusted, rotten or in hazardous condition
- All stained or painted fences are maintained free of peeling; and
- The fence does not present an unsightly appearance deleterious to abutting land or to the neighbourhood.

## **10. PUBLIC AUTHORITIES**

The provision of these Regulations shall apply to all public authorities except in those cases where an exception from the Regulations is required to respond to an emergency or for a public purpose.

## **11. ENFORCEMENT OF REGULATIONS**

It is hereby made the duty of the Town Manager, or his/her duly appointed agent, to enforce all the provisions of this Regulation, and for this purpose they shall have the right and are hereby empowered to enter upon any premises on which any business or otherwise is located, or about to be located, and inspect the same at any reasonable time,

## **12. PENALTY**

Every person who contravenes or fails to comply with any of the provisions of these Regulations is guilty of an offence and liable on summary conviction to a penalty as prescribed by the Act.

## **13. REVIEW AND AMENDMENTS**

All section of these Regulations have been developed in accordance with the Towns and Local Service Districts Act. These Regulations are reviewed as required following new information or knowledge.

## **14. PUBLICATION**

These Regulations will be published on the Town of Burin website in 2026.

**15. ENACTMENT**

All previously adopted Fencing Regulations for the municipality are hereby repealed.

These Regulations came into effect once adopted by motion of Council (**Motion #202605-081**), voted on by the majority of Councillors in attendance at the Town Public Council meeting on **May 20, 2026**.

IN WITNESS WHEREOF, the Seal of the Town of Burin has been hereunto affixed, and these Regulations have been signed by the Town Manager and the Mayor on behalf of the Council.

Town Manager: Leo Hartson  
Date: May 20, 2026

Mayor: Kevin Lundugan  
Date: May 20, 2026

