



DISTRICT OF BARRIERE

COUNCIL POLICY MANUAL

Page 1 of 3
Approval Date: DRAFT

NO: 46 DRAFT
DEPARTMENT: PUBLIC WORKS
SUBJECT: FENCING ADJACENT TO DISTRICT OWNED LAND

1.0 Guiding Principle

The placement and cost sharing of fencing to District owned land will balance user safety, crime prevention, and protection of private property with available fiscal resources and maintenance capability considerations.

2.0 Purpose:

This policy is to address fencing needs and maintenance between the boundary of District owned land and private property.

3.0 Application:

This policy applies to all District owned land and crown land currently leased by the District for parkland or recreational purposes. This policy does not apply to fencing adjacent to a road right-of-way, laneway or any accesses that are dedicated as road.

4.0 Definitions:

- i. **CAO:** The District of Barriere Chief Administrative Officer.
- ii. **Council:** The Council of the District of Barriere
- iii. **District:** The District of Barriere
- iv. **Fence:** a structure used as a barrier, enclosure or boundary, and is usually composed of metal (chain link) or wood. Does not include vegetation used as a visual blockade or boundary.

DRAFT – Fencing Adjacent to District Owned Land Policy #46

Approved by:

Date of Approval:

- v. **Walkway:** A District owned pathway for public, pedestrian access; does not include an easement, right-of-way, laneway or riparian area.

5.0 Policy:

- i. For new public land or walkways created by development, or existing public lands bordered by new development, fencing to delineate borders is paid for and installed by developers if it is a condition of development.
- ii. The minimum standard for fencing between District owned land and private property is galvanized chain link, 1.52m tall. This fencing is chosen because it is long lasting and durable, it is difficult to vandalize and does not hinder sightlines into public spaces.
- iii. Fencing that is required solely for the benefit of the District (e.g. to protect user safety or for the security of District assets), will be fully funded by the District, whereas fencing that is required for the security and privacy of a private property will not be funded by the District and will be fully funded by the private property owner.
- iv. Cost sharing of a new or replacement fence adjacent to residential properties may occur at the sole discretion of the District if the fencing is in need of repair or replacement, if it provides mutual benefits, and funding is available.
- v. Any new or replacement fence must meet the minimum standard to be eligible for cost sharing (e.g. wooden fences will not normally be eligible). Where an adjacent property owner requests a District-funded fence to be built to a higher standard and/or with added embellishments, the private property owner will be responsible to build the fence but will only be compensated to 50% of the minimum standard (as determined through three quotes obtained by the property owner), provided that the fence meets the requirements of the Zoning Bylaw.
- vi. The provision of access gates or locks is the sole responsibility of the property owner.
- vii. Fencing that borders District and private properties shall be placed 15cm (6 inches) inside private property lines, except where it is in the District's interest to own the fence. Fencing on private property remains the property of the private property owner, who is solely responsible for replacement, repair and maintenance. Fencing is not permitted in a road right-of-way or riparian area.

DRAFT – Fencing Adjacent to District Owned Land Policy #46

Approved by:

Date of Approval:

viii. If a fence directly adjacent to a District walkway is damaged or vandalized by the public, the District will pay the private property owner 50% of the cost of repair to the minimum fencing standard, as determined by three quotes.

6.0 Process:

- i. A private property owner requesting that the District share in the cost of a new or replacement fence shall make the request in writing and submit it to the District of Barriere for staff review and confirmation of eligibility.
- ii. The private property owner making the request is responsible for including in their application a site plan, design concept and three quotes for the minimum standard fencing. Should the applicant be planning on installing a higher than standard fence, the minimum standard fencing quotations are still required as that is what the eligible 50% cost sharing is based upon.
- iii. Applications are processed by District staff and approved or denied by the CAO.
- iv. Denied applicants may appeal the decision to Council. The appeal decision of Council is final.
- v. Denied applicants may re-submit an application no sooner than twelve (12) calendar months from the date of decision.
- vi. The eligible and approved applicant is responsible for notifying the District of installation completion by including copies of receipts in order to be reimbursed within 30 days of their notification.

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