

FENCE SHARING BY-LAW

BY-LAW NO. 2012-121



TOWNSHIP OF UXBRIDGE



What is the Fence Sharing By-law?

The Fence Sharing By-law provides a fair and consistent process for sharing the costs of building, repairing, or replacing fences between neighbouring property owners.

This by-law replaces most provisions of the Line Fences Act in Uxbridge and establishes who pays what, when, and how.

Key Definitions

- **Division Fence:** A fence that marks the boundary between two properties not under common ownership.
- **Owner:** The person initiating the fence work.
- **Adjoining Owner:** The person who owns the neighbouring property.
- **Basic Cost:** The cost of a standard 1.2m chain-link fence.
- **Actual Cost:** The full cost of the fence being proposed or built.

Do I Need My Neighbour's Consent?

YES – If you want to share costs and your neighbour agrees in writing, then each party pays 50% of the actual cost (or as otherwise agreed).

NO – If your neighbour does not provide written agreement, you may still proceed if you:

1. Serve notice by registered mail at lead 19 days before work starts.
2. Include:
 - A copy of the Fence Sharing By-law,
 - Proposed start date,
 - Two estimates,
 - Cost breakdown,
 - Request for payment.

In this case:

- The neighbour pays 50% of the basic cost or 50% of the actual cost, whichever is less.
- You cover the balance.

What if I am Replacing a Fence?

- If the neighbour agrees in writing → 50/50 split of actual cost.
- If no written agreement → 50/50 split still applies.
- If one party desires fence upgrades → they pay 100%.

What if there is Damage?

- Damage caused by a natural disaster is a 50/50 split.
- If damage is caused by an owner or invitee, that owner pays 100% of that repair cost.
- If a tree falls and causes damage, the tree owner must pay the full repair cost and remove the tree.

Notices and Enforcement

- Notices must be sent by registered mail and are deemed effective:
 - On delivery date, or
 - 5 days after mailing.
- If the other owner doesn't pay within 30 days, you may recover costs through legal action or by adding it to the tax roll (if you're the Township).

Exceptions

- This by-law does not apply to:
 - Public highways or unopened road allowances.
 - Lands zoned: Shoreline Residential, Residential Cluster, Estate Residential, Hamlet Residential, Environmental Protection, or Rural.
 - Situations where an owner upgrades a fence already in good repair.
 - Fences legally required by another law.

Need More Information?

Visit:

www.uxbridge.ca → By-laws & Enforcement.

View the full by-law online:
By-law No. 2012-121

Contact:

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