

**ONTARIO COURT OF JUSTICE**

**PROVINCIAL OFFENCES ACT**

**PART I**

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and **By-law 047-2023 of the Township of Guelph/Eramosa** attached hereto are the set fines for those offences.

This Order is to take effect November 21st, 2023.

Dated at London this 21st day of November 2023.

*K. McHugh*

Kevin McHugh  
Acting Regional Senior Justice  
Ontario Court of Justice

**SCHEDULE 'C' TO BY-LAW NO. 47/2023**

**THE TOWNSHIP OF GUELPH/ERAMOSIA**

**PART 1 PROVINCIAL OFFENCES ACT BY-LAW 47/2023: FENCING BY-LAW**

A By-law to Regulate Fences, and Swimming Pool Enclosures in The Township of Guelph/Eramosa.

<b>Item #</b>	<b>Short Form Wording</b>	<b>Provision Creating or Defining Offence</b>	<b>Set Fine</b>
1	Fail to maintain fence free of deterioration.	Section 4.5	\$300.00
2	Fail to maintain fence in a structurally sound condition.	Section 4.6(a)	\$300.00
3	Fail to maintain fence in a good state of repair.	Section 4.6(b)	\$300.00
4	Fail to maintain fence free from cracks, missing, broken or warped components.	Section 4.6(b)	\$300.00
5	Fail to maintain fence free from hazards.	Section 4.6(d)	\$300.00
6	Fail to maintain fence free from posters, signs, notices or advertising materials.	Section 4.6(e)	\$300.00
7	Fail to maintain fence in a plumb condition.	Section 4.6(f)	\$300.00
8	Fail to maintain fence in uniform appearance.	Section 4.6(g)	\$300.00
9	Fail to maintain fence to prevent an unsightly appearance.	Section 4.6(h)	\$300.00
10	Own, construct, erect, maintain or keep a Fence in contravention of the By-law	Section 6.1	\$500.00
11	Own, construct, erect, maintain or keep a Fence in a manner that impedes, or obstructs or alters the flow of water drainage	Section 6.2	\$500.00
12	Own, construct, erect, maintain or keep a Fence not constructed of durable materials	Section 6.3	\$500.00
13	Own, construct, erect, maintain or keep a Fence not suitable for its intended use.	Section 6.3	\$500.00
14	Own, construct, erect, maintain or keep a Fence not capable of supporting the intended structural loads.	Section 6.3	\$500.00
15	Erect a fence on a municipal road allowance without permission.	Section 6.4	\$500.00
16	Own, construct, erect, maintain or keep a Fence used as a support for another structure exerting lateral force against that fence.	Section 6.5	\$500.00
17	Own, construct, erect, maintain or keep a Fence used as a support for another object exerting lateral force against that fence.	Section 6.5	\$500.00
18	Use barb wire or barbed or sharp materials in the erection or construction of a fence.	Section 6.6	\$500.00

<b>Item #</b>	<b>Short Form Wording</b>	<b>Provision Creating or Defining Offence</b>	<b>Set Fine</b>
19	Permit a fence or attachment to a fence as a conductor of electrical current.	Section 6.7	\$500.00
20	Erect a fence where a maintenance easement exists	Section 6.8	\$500.00
21	Erect or maintain a fence constructed with plywood, railway ties, scrap or hazardous material	Section 6.9	\$500.00
22	Construct a fence over a drainage easement or watercourse without adequate drainage	Section 6.10	\$500.00
23	Erect a division fence greater than 20.0 cm wide	Section 6.12	\$500.00
24	Erect, own or maintain a fence of sheet metal, corrugated metal panels or materials not used for permanent fencing.	Section 6.13	\$500.00
25	Install a gate in a fence adjacent to a park.	Section 6.14	\$300.00
26	Erect, construct or maintain a fence that exceeds the maximum heights in Table A.	Section 7.1	\$500.00
27	Excavate or erect, or cause or allow excavation for the erection of a swimming pool without a permit.	Section 11.1	\$500.00
28	Use a retaining wall as a swimming pool enclosure	Section 11.2	\$500.00
29	Fail to erect a temporary fence prior to excavation or erection related to a swimming pool	Section 11.3	\$500.00
30	Place water in an outdoor swimming pool without an approved swimming pool enclosure.	Section 11.8	\$500.00
31	Fail to comply with an order issued under Section 12.1	Section 12.2	\$800.00
32	Hinder, obstruct, or attempt to hinder or obstruct an officer.	Section 18.5	\$900.00
33	Fail to identify to an Officer	Section 18.6	\$900.00

NOTE: The general penalty provision for the offences indicated above is Section 18.3 of By-law no. **47/2023**, a certified copy of which has been filed.