



Title: Fencing	Policy No.: 11-01 <i>E</i>
Section: 03	Page No.: 1 of 3

Legislation Reference:	Municipal Government Act
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Purpose:	To replace fences which have been removed due to road construction and for the option of allowing adjacent landowners to complete their own fencing following a County road construction project adjacent to their property.
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Policy Statement and Guidelines:	
<p>1. OBJECTIVE:</p> <p>1.1 To establish and allocate the responsibility and standards for fencing alongside municipal roads on an adjacent landowners' property.</p> <p>2. STATEMENT:</p> <p>2.1 Fencing along municipal roads is generally the responsibility of the landowner.</p> <p>2.2 Fencing cannot be constructed, erected or located on any municipal road allowance, unless a License of Occupation of Road Allowance for Ranching and Farming Purposes or Roadway License Agreement is entered to in advance; <i>Reference Policy 62-17 and Policy 03-44.</i></p> <p>2.3 Fencing on private property must be constructed inside private property at a minimum of 33 feet from the centre of the legal right-of-way.</p> <p>2.4 All material costs for fence replacement following county construction work will be bourne by the landowner. The installation of the fence shall be the responsibility of the County and shall be carried out as per the provisions within this Policy.</p> <p>3. GUIDELINES:</p> <p>3.1 Landowners will remove existing fence and any salvageable material for their own use. The adequacy of salvaged materials to rebuild the complete fence, will be at the discretion of the Public Works Manager or Public Works Foreman.</p>	

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Policy Statement and Guidelines:	
4. PROCEDURES:	
4.1	Before commencement of the road construction, <i>Schedule "A": Fencing Agreement</i> shall be signed by the affected landowner. After the road construction, if required, the re-constructed fence must be on the owner's property line or within the owner's land.
4.2	The County will, at the choice of the landowner, and as per the fencing agreement as signed:
Option 1:	The County agrees to pay the landowner One Thousand Dollars (\$1,000.00) per ½ mile for rebuilding the fence, and the landowner therefore accepts all responsibility for the fence replacement.
	The condition of the completed fence will be inspected by the Public Works Manager or Public Works Foreman, prior to payment under this option.
Option 2:	Should the County decide to have fences replaced by a Contractor, any such contract is at the discretion of the Public Works Manager.

	Date	Resolution Number
Approved		# - Page #
Amended		
Amended		

Schedule "A"

		<h2 style="margin: 0;">FENCING AGREEMENT</h2>	Project Number: _____ _____						
APPLICANT NAME		<input type="checkbox"/> Option 1 <input type="checkbox"/> Option 2							
ADDRESS		TELEPHONE NUMBER							
LEGAL, LAND LOCATION FOR FENCING PROJECT: ¼ _____ SECTION: _____ TOWNSHIP: _____ RANGE: _____ W4M									
DISTANCE TO BE FENCED: _____ MILE(S)									
PLEASE MARK ON DIAGRAM, FENCE TO BE ERECTED :									
<table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <td style="padding: 5px;">NW</td> <td style="padding: 5px;">NE</td> </tr> <tr> <td style="width: 40px; height: 40px;"></td> <td style="width: 40px; height: 40px;"></td> </tr> <tr> <td style="padding: 5px;">SW</td> <td style="padding: 5px;">SE</td> </tr> </table>		NW	NE			SW	SE	NOTE: _____ <div style="text-align: center; margin-top: 10px;"> Location Description </div>	
NW	NE								
SW	SE								
<p>FENCING PROJECT: To allow farmers the option to completing their own fencing following a road construction project.</p> <ol style="list-style-type: none"> 1. Smoky Lake County recommends the fence to be a minimum of three (3) strands of wire and posts not to be placed more than twenty (20) feet apart. 2. The fence shall be set back a minimum of <u>33 feet</u> from the <u>centre</u> of the adjacent legal right-of-way. It is understood that the applicant is responsible for the cost of materials and erection of the fence. 3. The site will be inspected before commencement of the project and after completion by Smoky Lake County. No funds will be paid unless the project has been inspected and approved . 4. Upon completion of the project, the applicant will receive the amount of <u>\$ 1,000.00</u> per half mile, if "option 1" is selected above. 									
<p>I (We) hereby agree to, in consideration of the benefit derived by me (us) from the work description above shall indemnify and save harmless the <u>Smoky Lake County</u>, its Councillors, officers, employees and agents from any claim, damages, liability, cost, fee, penalty, action, cause of action, demand, damage to property, injury to person or death (including, without limitation to, legal fees of <u>Smoky Lake County</u> on a solicitor-client full indemnity basis), that may arise directly or indirectly out of the performance of the above described work(s).</p>									
I, THE UNDERSIGNED, HAVE READ THIS APPLICATION AND AM AWARE OF ITS CONTENTS AND AGREE TO THE CONDITIONS.									
DATED THIS _____ DAY OF _____, 20____.									
SIGNATURE OF APPLICANT:		PUBLIC WORKS DEPARTMENT:							