

TO:	CHAIR AND MEMBERS PUBLIC SAFETY COMMITTEE MEETING ON OCTOBER 23, 2012
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT	HOUSEKEEPING CHANGES FENCE –VIEWERS BY-LAW

RECOMMENDATION

That, on the recommendation of the City Clerk, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to repeal and replace By-law No. A.-5324-61 “A by-law to appoint fence-viewers and livestock and poultry valuers for that area of the City of London annexed to the Municipality on January 1, 1993 as described in the *London-Middlesex Act, 1992*”, and its amendments, for consistency with the provisions of City of London By-law No. PS-6 entitled “A by-law to provide for regulating and governing fences in the City of London” and for compliance with the *Protection of Livestock and Poultry from Dogs Act, 1990*.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

Since November 15, 1993 the Fence By-law has provided that the *Line Fences Act* shall not apply in the City of London. As such, it is not necessary for the City to appoint fence-viewers under the *Line Fences Act*.

Under the current by-law, livestock and poultry valuers are appointed for that area of the City of London annexed to the municipality on January 1, 1993. Further, under the current by-law, the valuers are to be paid \$50 for each attendance, and are entitled to the applicable travel allowance.

The attached proposed by-law repeals and replaces By-law No. A.-5324-61 entitled “A by-law to appoint fence-viewers and livestock and poultry valuers for that area of the City of London annexed to the Municipality on January 1, 1993 as described in the *London-Middlesex Act, 1992*”. This proposed by-law would: discontinue the appointment of fence viewers, would appoint livestock and poultry valuers for the geographic area of the entire City; and would continue to provide for payment of \$50 per each attendance and travel expenses for the valuer.

RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK

Bill No.
2012

By-law No.

A by-law to appoint livestock and poultry valuers for the City of London for the purposes of the *Protection of Livestock and Poultry from Dogs Act, 1990*.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 3 of the *Protection of Livestock and Poultry from Dogs Act* (the "Act") provides that, where a dog kills or injures livestock or poultry, the municipality is liable to the owner of the livestock or poultry for the amount determined pursuant to the Act;

AND WHEREAS section 4 of the Act requires a municipality to appoint livestock and poultry valuers to carry out the provisions of the Act;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The following individual is hereby appointed as a livestock and poultry valuer for the City of London for the purpose of carrying out the provisions of the *Protection of Livestock and Poultry from Dogs Act*:

Marcel Meyer

2. Each valuer appointed herein shall be paid \$50.00 for each attendance and for each necessary reattendance. In addition, each valuer shall be entitled to the applicable travel allowance prescribed by the City of London's Travel & Business Expense Policy.

3. By-law No. A.-5324-61, and its amendments, are hereby repealed.

4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 30, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk