

## CONSTRUCTION AND DEMOLITION SITE FENCING

### ONTARIO BUILDING CODE ACT

#### By-laws, resolutions, regulations

7(1) The council of a municipality or of an upper-tier municipality that has entered into an agreement under subsection 3 (5) or a board of health prescribed for the purposes of section 3.1 may pass by-laws, a planning board prescribed for the purposes of section 3.1 may pass resolutions and a conservation authority prescribed for the purposes of section 3.1 or the Lieutenant Governor in Council may make regulations, applicable to the matters for which and in the area in which the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, respectively, has jurisdiction for the enforcement of this Act,

- (i) requiring the person to whom a permit is issued to erect and maintain fences to enclose the site of the construction or demolition within such areas of the municipality as may be prescribed;
- (j) prescribing the height and description of the fences required under clause (i).

### MARKHAM BUILDING BYLAW

#### 11. FENCING CONSTRUCTION SITES

11.1. Where, in the opinion of the chief building official, a construction or demolition site presents a hazard to the public, the chief building official may require the permit holder to erect such fencing to the standards and specifications that the chief building official deems to be appropriate in the circumstances.

11.2. When determining if a construction or demolition site presents a hazard to the public and requires the erection of fencing and the type of fencing required, the chief building official shall have regard to:

- 11.2.1. the proximity of the construction site to occupied dwellings;
- 11.2.2. the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;
- 11.2.3. the hazards presented by the construction activities and materials;
- 11.2.4. the feasibility and effectiveness of site fencing; and
- 11.2.5. the duration of the hazard.

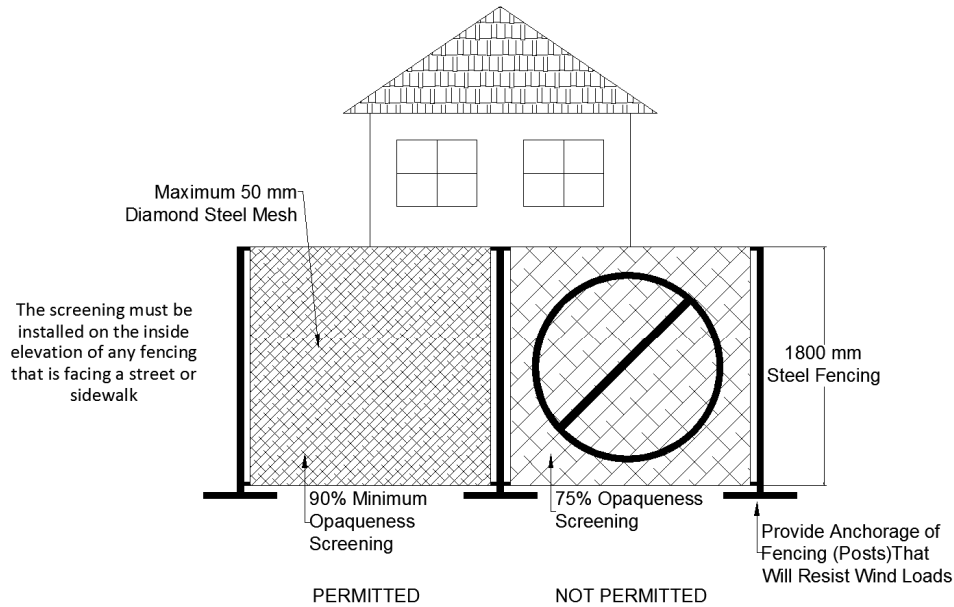
11.3. When the chief building official is of the opinion that fencing is required, the permit holder shall, prior to the commencement of any, construction, demolition, or placement of materials or equipment on site, erect or cause to be erected fencing to the standards required by the chief building official to enclose the construction or demolition site for the purpose of preventing unauthorized entry on the site. For the purposes of this section, construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are stored or operated.

#### OBJECTIVE

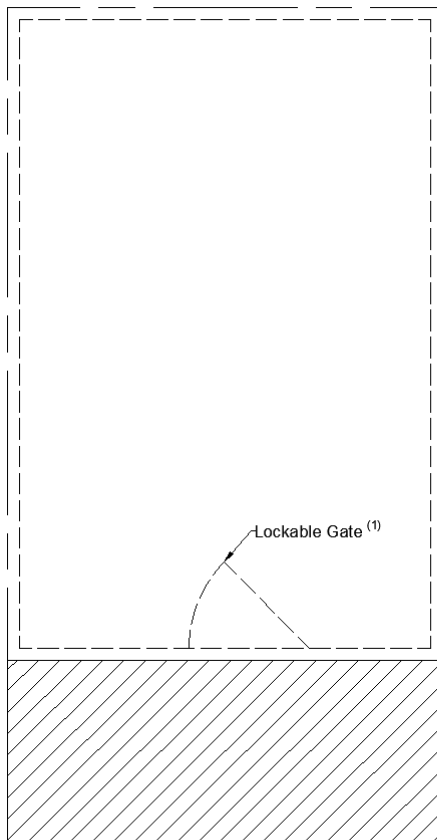
Construction and demolition sites contain materials and operations that can be hazardous to non-construction personnel. Therefore, fencing is required to contain the construction activity to private property and to protect the public from any hazards. 1800 mm high steel fencing with a maximum 50 mm diamond steel mesh and screening with a minimum 90% opacity must be erected surrounding the perimeter of the property prior to the commencement of construction or demolition.

Failure to erect and maintain construction fencing is considered to create an unsafe condition and an Order will be issued to correct the unsafe condition. The Order has \$1,000 administrative fee. See the attached diagrams for additional information and requirements.

## CONSTRUCTION AND DEMOLITION SITE FENCING



**Elevation**



Municipal Road  
**Plan**

**Legend**

|  |   |
|--|---|
|  | City Property   |
|  | Property Line   |
|  | Construction/Demolition Fencing Around the Entire Perimeter of the Property |

Notes:

(1) To be kept closed and locked when no construction or demolition activity

**Note:**

- The fencing, including legs or anchorage systems must be entirely on private property. Sidewalks are not permitted to be used to support the fencing
- Fencing on City Property requires a road permit
- Fencing not to be removed until the building inspector confirms site is safe
- Tree protection cannot serve as construction fencing

The Building Standards Department issues BUILDER TIPS as part of our customer service program. They are designed to provide an improved understanding of the Building Code and to reduce the costs associated with correcting infractions. Please contact your area building inspector for further information or call the Building Standards Department at (905) 475-4850