

256.030 Adjoining owners to maintain fence -- Liability for trespassing livestock.

- (1) When a division fence exists by agreement, acquiescence or compulsion, under this section or KRS 256.042, each party shall keep a lawful fence on his portion of the line. If one party fails to do so, the person failing shall be liable for all the damages to trees, grass, grain, crops, livestock or land the other party may sustain from the trespassing of livestock over the division fence at the point at which the party failing was bound to keep in repair.
- (2) Either party to a division fence shall be liable for damages in case his or her livestock break through or pass over the fence at any point the other party is bound to keep in repair, only if the fence through which the livestock pass is a lawful fence.
- (3) The party damaged shall have a lien on the livestock, as provided in KRS 256.080.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 129, sec. 23, effective June 29, 2017. -- Amended 1988 Ky. Acts ch. 79, sec. 2, effective July 15, 1988. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1783.