

**256.030 Adjoining owners to maintain fence -- Liability for trespassing cattle.**

- (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, cattle or land the other party may sustain from the trespassing of cattle 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 cattle 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 cattle pass is a lawful fence.
- (3) The party damaged shall have a lien on the cattle, as provided in KRS 256.080.

**Effective:** October 1, 1942

**History:** 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.