

Missouri Fence Law VS Worth County Fence Law

Damages for trespassing livestock

General County

The actual damages caused, not double damages.

RSMo 272.030 was left the same, but 272.110 language about double damages was deleted

Worth County

The actual damages caused, and the fence repair costs if your neighbor repaired your fence portion to prevent the livestock from coming over.

RSMo 272.230

Which portion of the fence is my responsibility?

General County

Right-Hand Half: Each neighbor stands on his land looking at the common boundary, finds the midpoint, and is responsible for the half to his right

RSMo272.060.1

Worth County

There is no right-hand rule. Either neighbor who wants a division fence must notify the other neighbor and wait ninety days for the neighbor to build his one-half of the division fence. If the neighbor refuses, then you are to go to the associate circuit court who then authorizes the fence to be built. The reluctant neighbor can be forced to pay half the cost of a "lawful fence" but no more. Each neighbor then owns an undivided half in the whole fence.

RSMo 272,240, 272.250, 272.280

"Lawful Fence" Defined

General County

Any fence consisting of posts and wire or boards at least four feet high which is mutually agreed upon by adjoining landowners or decided upon by the associate circuit court of the county is lawful fence. All posts shall be set firmly in the ground not more than twelve feet apart with wire or boards securely fastened to such posts and placed at proper distances apart to resist horses, cattle and other similar livestock.

RSMo 272.020

Worth County

"Lawful fence", a fence with not less than four boards per four feet of height; said boards to be spaced no farther apart than twice the width of the boards used fastened in or to, substantial posts not more than twelve feet apart with one stay, or fence of four barbed wires supported by posts not more than fifteen feet apart with one stay or twelve feet apart with no stays, or any fence which is at least equivalent to the types of fences described herein. RSMo 272.210.1