

HOUSE BILL NO. HB0114

Partition fences.

Sponsored by: Representative(s) Wallis and Semlek and
Senator(s) Geis

A BILL

for

1 AN ACT relating to partition fences; providing for attorney
2 fees in cases to recover costs of partition fences; and
3 providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 11-28-106 is amended to read:

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9 **11-28-106. Construction and maintenance of partition**
10 **fences.**

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12 The owner of any lawful fence which is or becomes a
13 partition fence separating the owner's land from that
14 belonging to some other person may require the person to
15 pay for one-half (1/2) of what it would or does actually
16 cost to construct the partition fence. In case of refusal,

1 the owner may maintain a civil action against the person
2 refusing and is entitled to recover one-half (1/2) of what
3 it would or did actually cost to construct that portion of
4 the partition fence used by the person and costs of suit,
5 including attorney fees. The joint users of a partition
6 fence shall contribute to the cost of maintenance in
7 proportion to their respective interests and if either
8 refuses to pay his share of the cost of maintenance, the
9 other may recover maintenance costs and costs of suit,
10 including attorney fees, in the manner provided for
11 recovering the cost of construction.

12

13 **Section 2.** This act is effective July 1, 2010.

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15 (END)