

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 108
Final Reading

Introduced by Carlson, 38.

Read first time January 06, 2011

Committee: Agriculture

A BILL

- 1 FOR AN ACT relating to division fences; to require maintenance of
- 2 division fences as prescribed.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Every person liable to contribute to the
2 construction and maintenance of a division fence or any portion
3 thereof shall maintain his or her portion in good repair, including
4 the necessary removal or trimming of trees and woody growth within or
5 encroaching upon the fenceline to repair or avoid damage to, or
6 dislocation of, the division fence. The occurrence of trees and woody
7 growth within or encroaching upon a division fence that causes damage
8 to, or dislocation of, the fence shall constitute a private nuisance
9 to the adjacent landowner's possessory interests in his or her land.