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States' Fence Statutes: *Louisiana*



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States' Fence Statutes: Louisiana

STATE OF LOUISIANA FENCE STATUTES

La. Civ. Code Book II. Things and the Different Modifications of Ownership.

The Revised Statutes and the Codes are current through the 2020 Second Extraordinary Session.

Title IV. Predial Servitudes LA C.C. Art. 684. Enclosures.

A landowner has the right to enclose his land

LA C.C. Art. 685. Common fences.

A fence on a boundary is presumed to be common unless there is proof to the contrary.

When adjoining lands are enclosed, a landowner may compel his neighbors to contribute to the expense of making and repairing common fences by which the respective lands are separated.

When adjoining lands are not enclosed, a landowner may compel his neighbors to contribute to the expense of making and repairing common fences only as prescribed by local ordinances.

La. Civ. Code Book III. Of the Different Modes of Acquiring the Ownership of Things.

The Revised Statutes and the Codes are current through the 2020 Second Extraordinary Session.

Title V. Obligations Arising Without Agreement.

LA C.C. Art. 2321. Damage caused by animals.

The owner of an animal is answerable for the damage caused by the animal. However, he is answerable for the damage only upon a showing that he knew or, in the exercise of reasonable care, should have known that his animal's behavior would cause damage, that the damage could have been prevented by the exercise of reasonable care, and that he failed to exercise such reasonable care. Nonetheless, the owner of a dog is strictly liable for damages for injuries to persons or property caused by the dog and which the owner could have prevented and which did not result from the injured person's provocation of the dog. Nothing in this Article shall preclude the court from the application of the doctrine of *res ipsa loquitur* in an appropriate case.

Title XXIII. Occupancy and Possession.

LA C.C. Art. 3413. Wild animals, birds, fish, and shellfish.

Wild animals, birds, fish, and shellfish in a state of natural liberty either belong to the state in its capacity as a public person or are things without an owner. The taking of possession of such things is governed by particular laws and regulations.

The owner of a tract of land may forbid entry to anyone for purposes of hunting or fishing, and the like. Nevertheless, despite a prohibition of entry, captured wildlife belongs to the



captor.

LA C.C. Art. 3415. Wildlife in enclosures.

Wild animals or birds within enclosures, and fish or shellfish in an aquarium or other private waters, are privately owned.

Pigeons, bees, fish, and shellfish that migrate into the pigeon house, hive, or pond of another belong to him unless the migration has been caused by inducement or artifice.

La. Rev. Stat. Title 3. Agriculture and Forestry.

The Revised Statutes and the Codes are current through the 2020 Second Extraordinary Session.

Chapter 18. Animals Running at Large

Part I. Municipal Regulation of Livestock Running at Large

LA R.S. 3:2531. Municipalities authorized to prohibit livestock from running at large.

All cities and towns having a population of more than one thousand, and all towns and villages in this state having a population of one thousand or less and situated within three miles of the corporate limits of any city having a population of twenty-five thousand or more, may regulate, restrict, and prohibit by proper ordinances, the running at large of livestock of all kinds within the corporate limits of the cities, towns, and villages; establish impounding pens and yards, and employ pound keepers; fix impounding fees and charges; and provide for the sale or disposition of impounded animals or stock.

LA R.S. 3:2532. Livestock running at large in municipalities not having one thousand inhabitants.

All municipalities within this State having less than one thousand inhabitants and not provided for in R.S. 3:2531 may prohibit by ordinance the running at large of any and all kinds of livestock within the corporate limits of such municipalities, provided the questions shall have first been submitted to the voters qualified by law to vote at municipal elections within the municipality proposing to adopt such an ordinance and the voters at an election shall have authorized the adoption of the ordinance by a majority vote.

LA R.S. 3:2533. Special election on whether to restrain livestock.

The governing authority of any municipality having less than one thousand inhabitants, and not provided for in R.S. 3:2531, desiring to adopt such an ordinance may order a special election to be held within the municipality at which the question shall be submitted to the qualified voters of the municipality, to hold the election as now provided by law, and to canvass and promulgate the returns thereof.

LA R.S. 3:2534 Adoption of Ordinance.

If at a special election a majority of the voters of the municipality vote in favor of the enactment of such an ordinance, the governing authority of the municipality may adopt such an ordinance and provide proper penalties, including the impounding of livestock and the appointment of pound keepers, and to secure the enforcement of the ordinance.

LA R.S. 3:2535. General Powers of Municipality unaffected.

Nothing herein contained shall limit in any manner other powers granted to municipalities



to prohibit the running at large of livestock within the corporate limits.

Part II. Livestock on Levees

LA R.S. 3:2571. Livestock allowed on levees; conditions.

A. Horses, mules, cattle, hogs, sheep, or livestock of any description may go on the levees, or the space between the base of the levees and the draining ditch at any time, except where, in the judgment of the levee commissioners of a district and the office of engineering, damage would occur to the levees from exposure to wear, tear, and abuse.

B. In cases where the water is against the levee on both sides, that is, where the grounds on the river and land side are both covered with water, people living in the vicinity may put stock on these levees temporarily.

Part III. Dogs harassing or Injuring Livestock.

LA R.S. 3:2652. Liability for Injury to Livestock caused by Dog.

Any owner, harbinger, or possessor of any dog that kills, harasses, or wounds livestock shall be liable to the owner of the livestock for the damages sustained, to be recovered before any court of competent jurisdiction.

LA R.S. 3:2653. Unnecessary to prove knowledge that dog would injure livestock.

In the prosecution of actions under this Subpart, it shall not be necessary for the plaintiff to show that the owner, harbinger, or possessor of the dog had knowledge of the fact that the animal would kill, harass, or wound livestock.

LA R.S. 3:2654. Right to kill dog harassing livestock.

Any person finding any dog not on the premises of its owner, harbinger, or possessor, which is harassing, wounding, or killing livestock, may, at the time of finding the dog, kill him, and the owner shall not be able to sustain any action for damages against the person killing the dog.

Part V. Dog License Tax.

LA R.S. 3:2771. Dogs not to run at large.

No person shall suffer or permit any dog in his possession, or kept by him about his premises, to run at large on any unenclosed land, or trespass upon any enclosed or unenclosed lands of another.

LA R.S. 3:2773. Dogs as personal property; seizure of dogs running at large or on property fenced as a fox pen; notice to owner; dangerous or vicious dogs.

A. Dogs owned by citizens of this state and by citizens of other states and situated and located in this state are declared to be personal property of such citizens.

B. Any citizen may, or the sheriff, constable, or other police officers of any parish, ward, or municipality shall seize any dog found unaccompanied by its owner or keeper and running at large on any road, street, or other public place, or trespassing on any premises other than the premises of the owner. If the dog is wearing a collar bearing a tag showing the name and address of its owner, it shall be impounded and the citizen or officer so seizing and impounding the dog shall immediately thereafter by written notice notify the owner of the dog, at the address disclosed by the tag on the dog's collar, that the dog has been seized and impounded by him, and unless the owner or keeper of the dog shall, within seven days from the receipt of the notice, claim the dog and pay the citizen or officer a fee of one dollar for seizing and a fee of twenty-



five cents for each day it is impounded, it shall be disposed of in a humane manner.

C. Except in the parishes of St. Helena, St. Tammany, Tangipahoa, and Washington, any citizen may, or the sheriff, constable, or other police officers of any parish, ward, or municipality shall, seize any dog found unaccompanied by its owner or keeper and trespassing on any premises that is fenced with at least a two-inch by four-inch wire mesh that is a minimum of four feet high. If the dog is wearing a collar bearing a tag showing the name and address of its owner, it shall be impounded and the citizen or officer so seizing and impounding the dog shall immediately thereafter, by written notice, notify the owner of the dog, at the address disclosed by the tag on the collar of the dog, that the dog has been seized and impounded by him, and unless the owner or keeper of the dog shall, within seven days from receipt of the notice, claim the dog and pay a seizing fee of twenty dollars and an impoundment fee of one dollar for each day it is impounded, it shall be disposed of in a humane manner. Ten dollars of the seizing fee shall be paid to the law enforcement agency called upon to seize the dog. The remainder of the seizing fee shall be donated to a recognized nonprofit conservation group. This Subsection shall apply only to fox pens.

D. Any citizen or officer may kill any dangerous or vicious dog, and no citizen or officer shall be liable for damages or to prosecution by reason of killing any dangerous or vicious dog.

Part VI. Stock at Large on Public Highways.

LA R.S. 3:2802. Definitions.

As used in this Subpart, the following terms are defined as follows:

(1) "Livestock" means cattle, buffalo, bison, oxen, and other bovine; horses, mules, donkeys, and other equine; sheep; goats; swine; domestic rabbits; fish, turtles, and other animals identified with aquaculture that are located in artificial reservoirs or enclosures that are both on privately owned property and constructed so as to prevent, at all times, the ingress and egress of fish life from public waters; imported exotic deer and antelope, elk, farm-raised white-tailed deer, farm-raised ratites, and other farm-raised exotic animals; chickens, turkeys, and other poultry; and animals placed under the jurisdiction of the commissioner of agriculture and forestry and any hybrid, mixture, or mutation of any such animal.

(2) "Public highway" means a public way for vehicular traffic, including the entire area dedicated thereto and the bridges, culverts, structures, appurtenances and features necessary to or associated with its purpose, and refers to those highways designated in R.S. 3:2803.

(3) "Owner of livestock" means any person owning livestock.

(4) "Manager of livestock" means any person other than an owner of livestock having the care and control of livestock.

LA R.S. 3:2803. Livestock at large upon certain highways

No person owning livestock shall knowingly, willfully, or negligently permit his livestock to go at large upon the following public highways of this state:



	Route		Section
1.	US	11	Mississippi State Line to Jct. US 90, east of New Orleans
2.	US	51	Mississippi State Line to Laplace
3.	US	61	New Orleans to Mississippi State Line
4.	US	65	Vidalia to Ferriday to Arkansas State Line
5.	US	71	Jct. US 190, near Krotz Springs to Arkansas State Line
6.	US	79	Texas State Line to Jct. US 80, at Greenwood
7.	US	79	Minden to Arkansas State Line
8.	US	80	Texas State Line to Mississippi State Line
9.	US	84	Texas State Line to Jct. US 71, at Coushatta
10.	US	84	Jct. US 71, at Clarence, to Jct. US 65 at Ferriday
11.	US	90	Texas State Line to Mississippi State Line
12.	US	90	Business US 90 west of Westwego to New Orleans
13.	US	165	Jct. US 90 east of Lake Charles to Arkansas State Line
14.	US	167	Abbeville to Arkansas State Line
15.	US	171	Lake Charles to Shreveport
16.	US	190	Texas State Line to Jct. US 171 at DeRidder
17.	US	190	Jct. US 171 at Ragley to Jct. US 90 near Mississippi State Line
18.	LA	1	Grand Isle to Jct. US 190 north of Port Allen
19.	LA	1	Jct. US 190 near Erwinville to Shreveport
20.	LA	1	Jct. La. 71 north of Shreveport to Arkansas State Line
21.	LA	2	Texas State Line to Jct. La. 1 at Lewis
22.	LA	2	Vivian to Hosston
23.	LA	2	Plain Dealing to Sarepta
24.	LA	2	Farmerville to Jct. US 165 southeast of Sterlington
25.	LA	2	Mer Rouge to Jct. US 65 north of Lake Providence
26.	LA	3	Bossier City to Plain Dealing
27.	LA	4	Friendship to Jonesboro



28.	LA	4	Winnsboro to US 65 west of Newellton
29.	LA	5	Logansport to US 171 west of Gloster
30.	LA	6	Texas State Line to US 71 at Clarence
31.	LA	7	Coushatta to US 80 at Minden
32.	LA	7	US 80 at Dixie Inn to Arkansas State Line
33.	LA	8	Boyce to Colfax
34.	LA	8	Bentley to Trout
35.	LA	8	Harrisonburg to Sicily Island
36.	LA	10	Vernon Parish Line to Beaver
37.	LA	10	Nuba to Lebeau
38.	LA	10	St. Francisville to Clinton
39.	LA	10	Franklinton to Mississippi State Line
40.	LA	12	Texas State Line to Beauregard Parish Line
41.	LA	13	La. 14, west of Kaplan, to La. US 167 at Turkey Creek
42.	LA	14	Lake Charles to New Iberia
43.	LA	15	Monroe south to La. 1
44.	LA	16	Denham Springs to Amite
	LA	16	The Eastern Line of Tangipahoa Parish to Franklinton
45.	LA	17	La. 4, east of Winnsboro to Epps
46.	LA	17	Pioneer to Kilbourne
47.	LA	18	Donaldsonville--Edgard--Luling--Mississippi River Bridge
48.	LA	19	Scotlandville to Mississippi State Line
49.	LA	20	Gibson to Vacherie
50.	LA	21	Madisonville to Mississippi State Line
51.	LA	22	Springfield to US 190 at Chinchuba
52.	LA	23	Gretna to Venice
53.	LA	24	Bourg to Schriever
54.	LA	25	Covington to Franklinton



55.	LA	26	Lake Arthur to Elton
56.	LA	27	Northern line of Cameron Parish line to Juanita
57.	LA	27	Northern line of Cameron Parish line to Holmwood
58.	LA	28	Catahoula Parish LaSalle Parish
59.	Repealed by Acts 1975, No. 293, § 2.		
60.	LA	29	Eunice to Ville Platte
61.	LA	29	Bunkie to La. 115 west of Evergreen
62.	LA	31	New Iberia to Breaux Bridge
63.	LA	31	Arnaudville to Opelousas
64.	LA	33	Farmerville to Marion
65.	LA	34	Chatham to West Monroe
66.	LA	35	Forked Island to La. 700, north of Kaplan
67.	LA	35	Acadia-Lafayette Parish line south of Rayne, to US 190 at Lawtell
68.	LA	37	Baton Rouge to La. 63 NE of Baywood
69.	LA	39	Bertrandville to Arabi
70.	LA	41	Pearl River to La. 21, south of Sun
71.	LA	42	US 61, near Oak Grove to Port Vincent
72.	LA	44	Laplace to St. James Parish Line
73.	LA	45	Marrero to Crown Point
74.	LA	46	Poydras to Reggio
75.	LA	55	Montegut to Bourg
76.	LA	56	Chauvin to Presque Isle
77.	LA	67	Baton Rouge to Clinton
78.	LA	82	Esther to Abbeville
79.	LA	91	Gueydan to Midland
80.	LA	91	Estherwood to La. 100 east of Egan
81.	LA	91	Egan via Iota to Acadia-St. Landry Parish Line south of Eunice



82.	LA	92	Mermentau to Morse
83.	LA	92	La. 91, south of Morse, to La. 13, east of Lyons Point
84.	LA	92	La. 13 south of Crowley to Acadia-Vermilion Parish line
85.	LA	94	Lafayette to Breaux Bridge
86.	LA	95	Acadia-Lafayette Parish line via Mire and Church Point to Acadia-St. Landry Parish line northwest of Prudhomme
87.	LA	97	Acadia-Jefferson Davis Parish line to Basile
88.	LA	98	La. 97 west of Iota via Iota, Maxie, Rayne and Mire to Acadia-Lafayette Parish line east of Mire
89.	LA	100	La. 97 west of Evangeline to La. 13 north of Crowley
90.	LA	107	Pineville to Marksville
91.	LA	115	Intersection with La. 29 west of Evergreen to intersection with La. 28 at Holloway and from its junction with La. 106 to the Avoyelles Parish Line
92.	LA	124	Jonesville to Harrisonburg
93.	LA	126	Intersection with La. US 165 in Grayson to LaSalle Parish Line
94.	LA	127	Nebo to Olla
95.	LA	133	Columbia northward to Richland Parish line
96.	LA	137	Archibald to Rayville
97.	LA	139	Sicard to La. 142 Southeast of Beekman
98.	LA	143	La. 2 northwest of Sterlington to Marion
99.	LA	158	Colfax to US 71 north of Colfax
100.	LA	175	Intersection of La. US 171 west of Many to intersection with La.
101.	LA	178	Church Point to Acadia-St. Landry Parish line
102.	LA	315	Theriot to Houma
103.	LA	342	La. 35 south to Rayne to La. 700 west of Ridge
104.	LA	343	Acadia-Lafayette Parish line, north of



			Duson to La. 98 east of Mire
105.	LA	347	Breaux Bridge to Arnaudville
106.	LA	356	La. 95 at Peach Bloom to Acadia-St. Landry Parish line
107.	LA	357	Opelousas to Church Point
108.	LA	358	La. 367 southwest of Prudhomme to Pitreville
109.	LA	365	La. 370 northeast of Iota to La. 13 north of Maxie
110.	LA	365	La. 13 at Judd via Branch and Higginbotham to La. 98, east of Mire
111.	LA	367	La. 98 northwest of Rayne via Link to the Acadia-St. Landry Parish line
112.	LA	368	La. 97 to Redich via Frey to La. 13 east of Mowata
113.	LA	370	Iota via Frey and Richard to La. 35 southwest of Church Point
114.	LA	460	Nebo to Whitehall
115.	LA	628	Laplace to St. Charles Parish line
116.	LA	700	La. 35 north of Kaplan to La. 322 west of Ridge
117.	LA	722	La. 98 east of Rayne to Acadia-Lafayette Parish line west of Duson
118.	LA	754	La. 95 southeast of Church Point to Acadia-St. Landry Parish line east of Church Point
119.	LA	755	La. 368 northwest of Frey to Acadia-St. Landry Parish line south of Eunice
120.	LA	845	Clarks to Sikes Road
121.	LA	848	Hebert to Cat Island
122.	LA	1096	La. 722 east of Rayne to La. 95 south of Mire
123.	LA	1098	La. 95 south of Higginbotham to La. 365 east of Higginbotham
124.	LA	1099	La. 1098 southeast of Higginbotham to La. 365
125.	LA	1100	La. 98 east of Castille to La. 95 south of Higginbotham
126.	LA	1101	La. 98 at Castille to La. 365 east of Branch



127.	LA	1102	La. 35 south of Branch to La. 1101
128.	LA	1104	La. 178 near Church Point to La. 754
129.	LA	1105	La. 367 north of Link via Richard to La. 95 southeast of Prudhomme
130.	LA	1106	La. 367 north of Link westerly approximately two miles to a junction with a parish road
131.	LA	1107	La. 367 north of Link to La. 1105
132.	LA	1108	La. 95 northwest of Church Point to Pitreville
133.	LA	1109	La. 98 east of Maxie to La. 365 east of Judd
134.	LA	1110	La. 98 east of Maxie to Link
135.	LA	1111	La. 13 north of Crowley to La. 98
136.	LA	1112	From La. 1111 northerly and easterly back to La. 1111
137.	LA	1113	La. 98 northwest of Rayne to La. 367
138.	LA	1117	La. 92 near Mermentau to US 90 west of Estherwood
139.	LA	1118	La. 1117 southeast of Mermentau southerly approximately 1.7 miles to a junction with parish road
140.	LA	1119	La. 92 south of Mermentau southerly approximately 1.0 mile to a junction with parish road
141.	LA	1120	La. 100 east of Egan to La. 98 southeast of Iota
142.	LA	1121	Lawson to La. 13 northwest of Crowley
143.	LA	1123	La. 97 and La. 98 west of Iota to La. 97 south of Redich
144.	LA	1124	Estherwood southerly approximately 3.9 miles to a junction with a parish road
145.	LA	1165	In Evangeline Parish
146.	LA	3007	La. 13 south of Crowley easterly approximately 3.5 miles to a parish road near Ebenezer
147.	LA	3067	La. 91 north of Iota to La. 370 south of Frey
148.	LA	3068	La. 97 north of Redich to US 190 east of Basile



149.	LA	3070	La. 100 west of Lawson to La. 370 east of Iota
150.	LA	3076	US 90 to La. 13 and US 90 in Rayne
151.	LA	3042	Ville Platte to Bayou Chicot
152.	LA	106	Bayou Chicot to Morrison Station junction of La. 106 and La. 29 and from its intersection with U.S. 167 to its intersection with La. 13
153.	LA	181	From its intersection with La. 115 to the Rapides Parish Line
154.	LA	1153	North from city limits of Oakdale to the cattle guard immediately preceding the intersection of LA 1153 and LA 1154
155.	LA	417	Legonier to Red Cross
156.	LA	1	Legonier to New Roads, New Roads to intersection with U.S. 190
157.	LA	415	New Roads to West Baton Rouge Parish line
158.	LA	418	Torras to Innis
159.	LA	10	New Roads to Pointe Coupee
160.	LA	447	within Livingston Parish.
161.	LA	111	US 171 near Anacoco west to La. 392

LA R.S. 3:2807. Penalties.

Any person convicted of violating the provisions of R.S. 3:2803 shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense. The auditor of the Department of Public Safety shall receive all of the fines imposed and collected for such violation.

LA R.S. 3:2810. Closing of gates in fences constructed with state aid.

It shall be the obligation of users of property contiguous to state highways upon which fences have been erected with state aid to ascertain that the gates from the owner's private property to the public road be kept closed except when actually in use and tended by a competent person. Failure of the user of the private property to keep the gates closed shall subject him to the same penalties as provided in R.S. 3:2807.

LA R.S. 3:2811. Fences erected upon public highways with state aid; damaging, removal and destruction prohibited; exceptions; penalties for violation.

A. Fences erected upon state highways with a contribution from the Department of Highways of the State of Louisiana are the property of the State of Louisiana. The damaging, removal or destruction of such fences, except as permitted in Sub-section B of this Section is specifically prohibited.



B. Owners of property bounded by a highway upon which such a fence has been erected may remove the fence from that portion of the highway in front of their property if they have erected similar connecting fences to prevent livestock from their lands and lands contiguous to their lands from roaming at large upon the public road.

Responsibility for the effectiveness of such connecting fences shall rest upon the landowner. The state shall have no title to the connecting fences.

C. The department of public safety of the state of Louisiana shall be charged with the responsibility for administering the provisions of this Section.

D. Whoever damages, removes or destroys any fence covered by Sub-section A hereof, without previously erecting connecting fences, so as to permit the roaming of cattle upon the highways, shall, upon conviction therefor, be fined not more than one hundred dollars or be imprisoned in the parish jail for a period not to exceed thirty days, or both, in the discretion of the court.

LA R.S. 3:2815. Impoundment pens or areas.

The State Department of Public Safety shall designate and establish within each parish of the state, where necessary, an impoundment pen or area which shall be maintained by the department or by a person designated by the Superintendent of State Police solely for the purpose of impounding and retaining within the parish all livestock, swine and other cattle or animals subject to impoundment under the laws of this state. Animals impounded under such laws shall be retained and cared for in said impoundment pens or areas until disposed of in the manner provided by law.

The Superintendent of State Police is authorized to deputize or otherwise obtain the services of one farmer in each parish who shall be responsible for maintaining and caring for all animals impounded.

LA R.S. 3:2851. Livestock not to go on paved, black-topped and asphalt treated highways.

It shall not be lawful for horses, mules, donkeys, or asses to go on the paved, black-topped and asphalt treated highways of the state system and the rights of way therefor.

LA R.S. 3:2891. Swine prohibited from running at large.

No person owning swine shall knowingly, willfully, or negligently permit his swine to run at large upon public property or upon private property of another person.

Part VII. Local Regulation of Livestock on Public Highways.

LA R.S. 3:3002 Definitions.

As used in this Part, the following terms are defined as follows:

(1) "Livestock" means cattle, buffalo, bison, oxen, and other bovine; horses, mules, donkeys, and other equine; sheep; goats; swine; domestic rabbits; fish, turtles, and other animals identified with aquaculture that are located in artificial reservoirs or enclosures that are both on privately owned property and constructed so as to prevent, at all times, the ingress and egress of fish life from public waters; imported exotic deer and antelope, elk, farm-raised white-tailed deer, farm-raised ratites, and other farm-raised exotic animals; chickens, turkeys, and other poultry; and animals placed under the jurisdiction of the commissioner of agriculture and forestry and any hybrid, mixture, or mutation or any such animal.



(2) "Owner of livestock" means any person owning or having control of livestock.

(3) "Public highway" means any public way except those highways provided for in R.S. 3:2803 for vehicular traffic including the entire area dedicated thereto and the bridge, culverts, structures, appurtenances and features necessary to or associated with its purpose.

LA R.S. 3:3003. Livestock at large on highways unlawful.

No person owning livestock shall knowingly, willfully or negligently permit his livestock to go at large upon the public highways of any ward of any parish where livestock is presently prohibited from roaming at large or any ward of any parish that shall hereafter adopt a stock law as hereinafter provided for.

Part VIII. Regulations in Urban Areas.

LA R.S. 3:3021. Regulations in governing authority of the city of New Orleans, Orleans Parish, or Jefferson Parish.

Nothing contained in this Chapter shall be construed to prevent or limit the governing authority of the city of New Orleans, Orleans Parish, or Jefferson Parish from adopting ordinances for the operation of its own program for the control of animals nor to prevent or limit the enforcement of the ordinances or the imposition of fees and fines thereunder; however, in no event shall the fees or fines be less than similar fees or fines imposed under this Chapter.

Chapter 19a. Regulation of Farm-Raised Exotic Animals.

LA R.S. 3:3105. Fencing requirements.

The fencing requirements for owning or breeding of imported exotic deer, elk, and antelope pursuant to this Part shall be specified pursuant to rule and regulation by the commissioner. The fencing requirements for farm-raised white tail deer and other exotic cervidae shall be specified pursuant to rule and regulation by the commissioner.

Lou. Rev. Stat. Title 33. Municipalities and Parishes

The Revised Statutes and the Codes are current through the 2020 Second Extraordinary Session.

Chapter 2. Local Government.

Part V. Police Jury.

LA R.S. 33:1236. Powers of parish governing authorities.

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(4) To regulate the form and height of inclosures or fences, whenever they may think proper to require the proprietors to inclose any ground.

(5) To pass all ordinances and regulations in relation to the marking, the sale, destruction of cattle in general and especially of wild cattle which are not marked and also of horses and mules; and to take any measure concerning the policing of livestock in general in all the cases not provided for by law; to fix the time in which livestock may be suffered to rove in the parishes of this state, where that custom prevails, so that such roving may not be detrimental to the crops; to determine what animals shall not be suffered to rove, and in what cases they may lawfully be killed.

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La. Rev. Stat. Title 45. Public Utilities and Carriers.

Chapter 6. Railroads.

The Revised Statutes and the Codes are current through the 2020 Second Extraordinary Session.

Part V. Livestock.

LA R.S. 45:501. Livestock, killing or injuring.

All railroad companies operating lines through this state, shall comply with the regulations provided in this Sub-part relative to the killing or injuring of livestock by their trains.

LA R.S. 45:503. Payment of arbitration award; failure of arbitration; remedy cumulative; proper fencing a defense.

Within thirty days after the date of any award by the arbitrators, the railway company shall pay to the owner or his legal representative, the amount agreed upon by the arbitrators. Upon their failure to do so within the prescribed time, they shall pay to the owner of the stock five per cent a month, in addition to the amount of damages awarded by the arbitrators. In case arbitration fails, nothing in this Sub-part shall create any liability or responsibility on the part of the railway company for the killing or injury. Nothing in this Sub-part shall deny to any owner of stock the right to institute his action for damages, or to compel such owners to avail themselves of the benefit of this Sub-part.

Railroad companies shall not be responsible for the killing or injury of stock if their line of track is fenced in and kept in good order, and if they have erected and maintained, in good order, suitable cattle guards at crossings.

La. Rev. Stat. Title 56. Wildlife and Fisheries.

The Revised Statutes and the Codes are current through the 2020 Second Extraordinary Session.

Chapter 1. General Provisions for Wildlife and Fisheries Part IV. Wild Birds and Wild Quadrapeds.

LA R.S. 56:177. Fencing farms or preserves.

Any farm or preserve used for breeding of deer pursuant to this Subpart shall be surrounded by a fence of a height of not less than seven feet of wire or other material of a pattern to be approved by the secretary.

LA R.S. 56:178. Ownership of birds and animals on fenced breeding area; trespass.

Whoever under the authority of this Sub-part has in his lawful possession on such posted or fenced breeding area any such animal or bird or parts thereof shall have a property right therein and shall be the owner thereof. Whoever enters the game farm or preserve or catches, takes, or molests such animals or birds when the area has been posted or fenced according to law shall be punished as though the animals or birds were ordinary domestic animals and birds subject to the common property rights of the state.

LA R.S. 56:262. Nongame quadrapeds; breeding, propagation, and exhibition.

A. Whoever desires to engage in the business of raising and/or exhibiting imported or native nongame quadrapeds shall apply to the department for a license to do so. If it appears that the application is made in good faith, upon a payment of ten dollars, a nongame quadraped exhibitor license may be issued permitting the



applicant to breed and/or exhibit such animals provided he meets rules and regulations of the department.

B. Whoever desires to engage in the business of raising, exhibiting, and selling imported or native nongame quadrupeds or collecting and selling wild alligator eggs shall apply to the department for a license to do so. If it appears that the application is made in good faith, upon payment of twenty-five dollars, a nongame quadruped breeder license may be issued permitting the applicant to breed, propagate, exhibit, and sell such animals alive or sell their parts; and to kill and transport them and sell their pelts, skins, or carcasses as hereinafter provided in this Section.

C. Nongame quadruped breeder and exhibitor licenses shall expire on the thirty-first of December of each year. On or before the first of December of each year, every licensee shall apply for a renewal of his exhibitor or breeder license. In conjunction with this application, or without application if not renewing the license, the licensee shall provide a report including all information as specified by the department.

D. Nongame quadrupeds raised on such licensed breeding farms may be sold alive or taken for their pelts, skins, or for food according to rules and regulations of the commission. All skins shall be tagged according to rules and regulations of the commission. The severance tax as fixed by law shall be paid before the raw pelts or alligator skins are shipped out of state, or tanned within the state, and a written affidavit as to the number and kinds shipped or tanned shall be furnished to the department as specified.

E. All nongame quadruped carcasses or parts intended for sale shall be shipped, transported, sold, or offered for sale according to commission regulations.

F. The department may issue a permit to a duly licensed breeder to take such wild animals as needed for use as breeding stock. The licensed breeder shall apply in writing, stating where the animals are to be taken, at what time, and in what numbers.

G. Whoever under the authority of this Section has in his lawful possession any such animal or parts thereof on such posted or fenced breeding area shall have a property right therein and shall be the owner thereof. Whoever enters the nongame quadruped farm or catches, takes, or molests such animals when the area has been posted or fenced according to law shall be punished as though the animals were ordinary domestic animals and subject to the property rights of the state of Louisiana.

H. The department may revoke the license of any person violating the provisions of this Section.

I. All other rules and regulations pertaining to the breeding, propagation, and sale of nongame quadrupeds shall be determined solely by the commission.

J. Violation of this Section constitutes a class 2-B violation.

Chapter 2. Wildlife Management Areas and Refuges.

Subpart F. Upland Wildlife Refuges, Wildlife Management Areas and Public. Hunting Grounds.

LA R.S. 56:786. Dedication of land; trespass; destruction or defacing signs; arrest.

After such lands have been selected for use as wildlife refuges, wildlife management areas, public hunting grounds, upland game preserves, and wildlife sanctuaries, and



notice of such selection and dedication published as herein provided, and after the lands have been fenced or posted as hereinabove provided, the areas thereupon become dedicated as a wildlife refuge, wildlife management area, public hunting ground, upland game preserves, or wildlife sanctuaries.

No person shall trespass upon such land or hunt, trap, snare, or take the wild animal life or game within the wildlife refuges, wildlife management areas, public hunting grounds, upland game preserves, or wildlife sanctuaries contrary to commission regulation, or destroy or deface fencing or signs placed on or around the areas. A person found so doing may be arrested on sight by any wildlife agent or other authorized officer.

