

**FENCES AND FENCE VIEWERS (EXCERPT)**  
**Act 34 of 1978**

**43.55 Fence viewer; duties; notice of decision; boundary disputes; appeal.**

Sec. 5. (1) If engaged under section 4(2), a fence viewer shall do 1 or more of the following:

(a) Determine if a property owner or tenant in possession of property is using a fence constructed or maintained by an adjoining property owner, and if so, what percentage of the cost of construction and maintenance of the fence the property owner or tenant using the fence is responsible for.

(b) Assess the amount of damage if an animal of a property owner or of a tenant in possession of property causes damage to an adjoining property owner's fence.

(2) Not more than 7 days after a fence viewer renders a decision under subsection (1), the fence viewer shall notify in writing the appropriate property owners or tenant of that decision.

(3) A fence viewer is not charged with the responsibility of settling boundary disputes or determining the location of a boundary. Boundary disputes shall be settled and boundaries determined pursuant to state law.

(4) A person may appeal the decision of a fence viewer to a court of competent jurisdiction.

**History:** 1978, Act 34, Eff. Oct. 1, 1978;—Am. 1998, Act 377, Imd. Eff. Oct. 21, 1998.