

**219.31 BUILDING FENCE AND CATTLE GUARD.**

Subdivision 1. **Duty.** Every railroad company shall build and maintain good and substantial fences on each side of all lines of its railroad, and good and sufficient cattle guards at all road and street crossings and other openings, except at station and depot grounds, and other places which the necessary business of the road or public convenience requires to be open.

When a person's land lying along a railroad right-of-way is enclosed on three sides by a woven wire fence, the railroad company shall erect and maintain a woven wire fence of like character and quality along the right-of-way enclosing the remaining side of the land.

Subd. 2. **Standard of care.** The railroad company is held to the exercise of ordinary diligence and care in building and maintaining fences and cattle guards and in keeping cattle guards free from ice and snow.

**History:** (4744) *RL s 1997; 1907 c 333; 1911 c 309 s 1; 1985 c 265 art 4 s 1*