

CHAPTER 332

410

No. 240, A.]

[Published August 29, 1959.

CHAPTER 332

AN ACT to amend 280.08 of the statutes, relating to fences deemed to be a private nuisance.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

280.08 of the statutes is amended to read:

280.08 (1) Any fence, *hedge* or other structure in the nature of a fence unnecessarily exceeding 6 feet in height, maliciously erected or maintained for the purpose of annoying the owners or occupants of adjoining property, shall be deemed a private nuisance. *However, nothing herein contained shall limit the right of a municipality to forbid the erection of a fence less than 6 feet in height.*

(2) Any such owner or occupant injured either in his comfort or in the enjoyment of his estate by such fence, *hedge* or other structure, may have an action of tort for the damages sustained thereby; and the provisions of the statutes, concerning actions for private nuisances, shall be applicable thereto.

Approved August 26, 1959.

---