



Arizona's Open Range Law is comprised of nine separate statutes within Arizona Revised Statutes, ARS Title 3, Chapter 11, Article 8.

In Open Range areas, livestock have the right of way, meaning that it is the property owner's responsibility to keep livestock out.

The property owner is responsible for any damage done to livestock.

Open Range Land

- If a property owner does not want livestock to enter their property, the property owner is responsible to put up their own **Lawful Fence**. (ARS 3-1426)
- If the property owner kills or injures livestock, they may be liable to the livestock owner to pay damages, even if it is an accident.
- If a dog chases, harasses, kills or injures livestock, the dog may be legally killed. The dog's owner may be responsible for damages and may be charged with a misdemeanor.

No Fence District

- Livestock owners must fence in their livestock. Liability for property damage caused by stray livestock falls on the livestock owner.
- The County is responsible to create **"No Fence Districts"**.
- No Fence Districts may be dissolved at any time by the County.
- **Livestock Includes, but is not limited to:**
Cattle, Horses, Sheep, Goats, Swine
Feral Pigs

A "lawful Fence" has posts spaced no more than 30 feet apart and has at least four strands of barbed wire spaced so that they are 18", 28", 38" and 50" above the ground.



What this Means to YOU?

BUYERS

Contact the County, and in particular the County's Clerk of the Board of Supervisors, to see if the property you are considering is located in a No-Fence District.

Read and understand the Arizona Revised Statutes (ARS) creating Open Range, understand your responsibility's and your liabilities.

If the property is located on Open Range, determine if you are willing and able to comply with your responsibility to protect your property from livestock.

If the property is located on Open Range, determine if you are willing and able to live with livestock and honor their right to roam.

If you are considering purchasing property within Open Range land, are you prepared to drive in a safe manner to protect livestock walking across or down roadways?

If you have pets, are you prepared to protect livestock from your pets?

SELLERS

Arizona law requires sellers to disclose all known material facts to the buyer.

If your property is on Open Range land, it is your responsibility to disclose this fact to buyers, so they may proceed with their due diligence and determine if Open Range life is appropriate for them.

If you are unsure if your property is within Open Range or a No Fence District, contact the County to confirm your property's location.

ARS Title 3:

ARS Title 3

ARS 3-1421 - Formation No Fence Districts

ARS 3-1422 - Publication forming No Fence District

ARS 3- 1423 - Designation of Stock Driveway

ARS 3-1424 – Liability of person allowing stock to run at large in No Fence District

ARS 3-1425 - Dissolution of District

ARS 3-1426 – Lawful Fence Defined

ARS 3-1427 - Recovery for damage to unfenced land, exception

ARS 3-1428 - Action to recover for damage done by livestock which break through lawful fence

ARS 3-1429 – Exemption of incorporated city or town from provisions of article

ARS 3-1297 - Concealment of livestock killed by motor vehicle

ARS 3-1302 - Taking animal without consent of owner

ARS 3-1303 - Driving livestock from range without consent of owner

ARS 3-1311 - Dogs killing, or chasing livestock; liability of owner

Other Information Links You May Find Helpful:

AZ State Land Department

United States Forest Service

AZ Cattle Growers Association

U of A

Az Farm Bureau

Maricopa County No Fence District Info and map

Pinal County No Fence District info and maps