

## FARM PRACTICE

## LIVESTOCK AT LARGE

### Description

In British Columbia laws govern where livestock are allowed to roam. Livestock may be located on deeded property or – when authorized – on Crown land. When livestock cross boundaries either between deeded properties or between Crown land and deeded property, they may be considered to be at large. Livestock are not considered to be at large if they are:

- tethered
- in direct or continuous charge by a person
- confined in a structure
- on enclosed land owned or occupied by the owner of the livestock

The *Livestock Act* defines livestock districts as areas where livestock may be at large and pound districts as areas where livestock at large are subject to capture. In addition, the Act outlines conditions of capture, liability and trespass. The *Range Act* defines conditions for livestock on Crown land. The *Trespass Act* requires owners of adjoining land in a rural area to make, keep up and repair the fence between their properties, unless otherwise agreed upon.

Complaints may arise from neighbours who do not understand that in many situations they themselves must incorporate fencing to keep out livestock, regardless of whether animals are straying onto their properties from deeded or Crown land.

### Nuisance Concerns

The three primary disturbances mentioned in the *Farm Practices Protection (Right to Farm) Act* are odour, noise and dust. Livestock at large from the perspective of the Act can be considered to be an “other disturbance” causing general nuisance.

### Activities and Operations

#### Crown Land Boundaries and Deeded Land Boundaries

Crown lands to which grazing tenures are attached and which border deeded land are not necessarily fenced. Deeded land bordering Crown land, however:

- must be fenced to exclude unauthorized livestock from entering and using Crown land
- may be fenced to exclude livestock from entering the deeded land from Crown land

These fences are not cost-shared with the Crown.

## Related Farm Practices

Other farm practices that pertain to livestock at large include, but are not limited to, the following.

### Animal Care and Handling

The degree of care provided to livestock may have an impact on the frequency of livestock being at large.

See also Farm Practice: [Animal Care and Handling](#)

### Feeding and Watering

The care with which livestock are fed and watered may have an impact on the frequency of livestock being at large.

See also Farm Practice: [Feeding and Watering](#)

## Legislation

Information on federal and provincial legislation can be found in Appendices B and C. Acts, regulations and bylaws that regulate or may affect livestock at large include, but are not limited to, the following.

### Provincial Legislation

The *Land Act* regulates the use of Crown land.

The *Livestock Act* regulates issues associated with livestock at large by livestock district and by pound district. It specifically states that:

- a livestock owner may allow livestock to be at large within a Livestock District
- a livestock owner may *not* allow livestock to be at large within a Pound District
- a livestock owner is liable for damage caused by livestock while the livestock are at large in situations or circumstances as specified within the Act
- enclosed land is an area surrounded by a barrier sufficient to exclude or contain livestock

The *Trespass Act* states that:

- where rural deeded land boundaries are fenced, land owners shall share costs equally
- enclosed land is an area surrounded by a “lawful fence” or land posted with signs prohibiting trespass
- within the regulations of the Act, “lawful fence” designs can vary depending on its purpose

The *Range Act* regulates the use of Crown land for livestock grazing. It specifically states that:

- a grazing tenure holder may allow livestock to be at large on Crown land, subject to conditions set out in the grazing tenure

The *Motor Vehicle Act* provides guidance on the location of cattle guards, fences and gates. The *Motor Vehicle Act Regulations* also state that:

- livestock use of freeways as listed in Schedule 1 and use of other significant highways as designated in Schedule 2 is restricted

The *Prevention of Cruelty to Animals Act* protects all animals (other than wild animals not in captivity) from distress during handling or any activities not considered to fall under generally-accepted animal management practices.

The *Transportation Act* regulates fencing and its relationship to cattle drives along public roads.

The *Trespass Act* provides definitions of trespass and outlines the rights and responsibilities of property owners. Common law principles also apply with respect to livestock at large issues.

### **Local Government Legislation**

Local governments may have specific animal control bylaws in place.

## **Publications**

Publications that provide further information on livestock at large include, but are not limited to, the following. Refer to Appendix D for details.

*British Columbia Agricultural Fencing Handbook*