

TRESPASSING NOTICE GUIDE

The Waynesboro Police Department has created the following document to assist citizens of Waynesboro, Virginia should they need to trespass a person(s) from personally owned property in the City of Waynesboro.

Please note this guide should not be used by any landlord, to bar a guest or invitee of a tenant. For those instances please see Virginia Code 55.1-1246 (Barring guest or invitee of a tenant).

Trespassing is defined as any person without authority of law goes upon or remains upon the lands, buildings or premises of another, or any portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian, or the agent of any such person, or other person lawfully in charge thereof. (See Virginia Code 18.2-119 for more information).

A Trespass Notification is an official written notice to a person(s) who do not have a legal right to be on your property. It will also notify the individual that their arrest or prosecution may result from their failure to comply with the notice.

Written Notice:

- You may write your own letter or use the following Trespass Notice Form.
- Make a copy of the letter/notice for your records.
- Use only one form per person.
- Mail a copy of the letter certified/return receipt requested to the offending party.
- Save your receipt (proof of mailing).
- Store and save the proof of mailing and delivery confirmation, when received, with your copy of the Trespass Notice Form.
- Produce these documents to any Officer who responds to future complaints of trespassing involving the listed party.

If the offender/trespassed person comes back to the property after forbidden to do so, you may contact the Virginia State Magistrate and petition for a criminal warrant. If the offender refuses to leave or if there is an emergency call 911. If you have any other questions contact the Waynesboro Police Department at 540-942-6675.

All of the above documents will be required should any court proceedings arise from an arrest of the offender. Your presence in court to testify for any court proceedings will likely be required.

Please note that the Waynesboro Police Department will not accept nor maintain a file of Trespassing Notices.

Should you have any questions, please call 540-942-6675. An Officer will contact you as time permits to assist you with this matter.

The Waynesboro Police Department offers this information as a guide when dealing with property issues. It is not intended to replace legal counsel and the Waynesboro Police Department does not accept any liability for property owners, managers, or landlords' actions when dealing with these situations.

TRESPASS NOTICE

TO: _____

YOU ARE HEREBY NOTIFIED THAT YOU ARE EXPRESSLY FORBIDDEN FROM ENTERING ON, OR INTO, THE PREMISES AND/OR PROPERTY OCCUPIED BY ME, AT THE FOLLOWING ADDRESS IN THE CITY OF WAYNESBORO, VA.

ADDRESS: _____

I ALSO NOTIFY YOU THAT IF YOU ENTER UPON MY PREMISE / PROPERTY, IN VIOLATION OF THIS WRITTEN NOTICE, I WILL PROSECUTE YOU, IN CRIMINAL COURT, AS PROVIDED IN THE CODE OF VIRGINIA, CODE SECTION 18.2-119.

TRESPASSING IS DEFINED AS ANY PERSON WITHOUT AUTHORITY OF LAW GOES UPON OR REMAINS UPON THE LANDS, BUILDINGS OR PREMISES OF ANOTHER, OR ANY PORTION OF AREA THEROF, AFTER BEING FORBIDDEN TO DO SO, EITHER ORALLY OR IN WRITING, BY THE OWNER, LESSEE, CUSTODIAN, OR THE AGENT OF ANY SUCH PERSON, OR OTHER PERSON LAWFULLY IN CHARGE THEROF. (SEE VA CODE 18.2-119 FOR MORE INFORMATION).

SIGNED: _____

PRINTED NAME: _____

DATE: _____