

CITY OF GLENDALE, CALIFORNIA
Police Department

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1440 North Label Street
Glendale, California 91206-4382
(818) 548-
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To: Citizens of Glendale
From: Glendale Police Department – COPPS Unit

Subject: What is a “Trespass Letter?”

The Glendale Police Department has designed a *Trespass Letter* authorizing it to act as an agent of the property owner/owner’s agent to assist in the arrest and prosecution of criminal trespassers. This letter allows the Police Department to make an arrest on the property in the absence of the property owner/owner’s agent 24 hours a day. In the absence of a responsible party or a letter authorizing law enforcement to act as an agent of the property owner, police will not be able to enforce trespass laws on your behalf.

In order for the Glendale Police Department to be able to enforce the Glendale Municipal Code regarding trespassing on private property, it is necessary for the owner/owner’s agent to comply with the below described requirements:

1. Inform the trespasser that they are not welcome and ask them to either leave or face possible trespassing charges. Once the police arrive you may be asked to readvise them and/or make a private person’s arrest per (§ 837 PC) for trespassing.
(§ 9.20.070 A.1 GMC)
2. Authorize the Glendale Police Department to act as an agent of the property owner in the form of a written request, to be updated every 90 days (see attached *Trespass Letter* format).
(§ 9.20.070 A.2 GMC)
3. Have the property properly posted with signs indicating it is private property and that no trespassing is allowed so that police officers can arrest trespassers for violating the signs.
(§ 9.20.070 C GMC)

§ 9.20.070 – Trespass upon private property prohibited

A.1 No person shall remain upon any private property or business premises, after being notified by the owner, the owner’s agent, lessee or by a peace officer acting at the request of the owner or owner’s agent to remove therefrom. For purposes of this section a lessee includes a tenant in lawful possession of real property.

A.2 The owner or the owner’s agent may make a single written request for a peace officer’s assistance when the peace officer’s assistance in dealing with a trespass is requested.

What is a Trespass Letter

§ 9.20.070

A.2, *continued*

However, such a single written request shall cover a limited period of time not to exceed ninety days and identified by specific dates and times.

During such times and dates, a peace officer may act to remove a trespasser as set forth herein without the necessity of the owner or owner's agent making a separate request on each occasion when the peace officer's assistance in dealing with a trespass is requested.

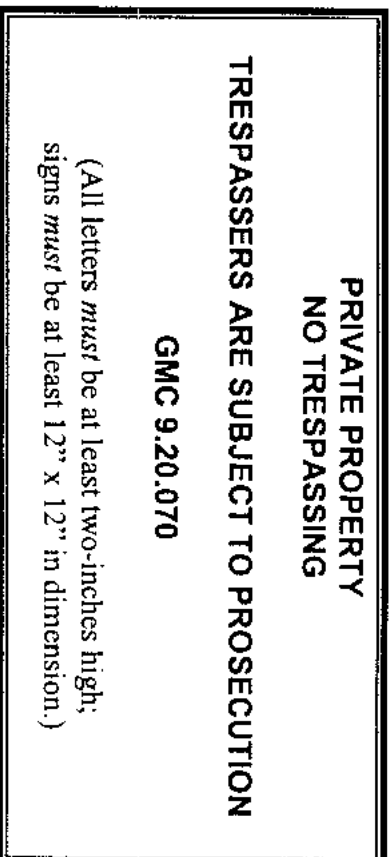
B. No person, without permission, expressed or implied, from the owner, owner's agent or lessee, shall enter upon such private property or business premises after having been notified by the owner, owner's agent or lessee to keep off or keep away therefrom.

C. No person shall enter or remain upon posted property without the permission, expressed or implied, of the owner, owner's agent, tenant or lessee or such posted property or premises.

D. **Exceptions.** This section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with acts prohibited by the Unruh Civil Rights Act or any other provision of the law relating to prohibited discrimination against any person on account of color, race, religion, creed, ancestry or national origin;
2. Where its application results in or is coupled with, any act prohibited by § 365 PC or any other provision of law relating to duties of innkeepers and common carriers;
3. Where application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;
4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech, but not limited to peaceful expression of political or religious opinions; or
5. Where the person who is upon another's private property or business premises is there under claim or color or legal right. This exception is applicable, but not limited to, the following types of situations involving disputes wherein the participant or participants have available to them practical and effective civil remedies: marital and post-marital disputes; child custody or visitation disputes; disputes between members of the same family or between persons residing upon the property with an interest in the dispute; employer-employee disputes; business type disputes such as those between partners; debtor/creditor disputes; and instances wherein the person claims a right to be present pursuant to order, decree or other process of a court of competent jurisdiction.

Notice of "No Trespassing" signs specifications



Signs must be/have

- 1) Posted at all corners and entrances;
(Properties in excess of one acre are required to be posted with signs every 300 feet.)
- 2) At least 12" X 12" in height and width;
- 3) Letters at least two-inches in height;
- 4) Black letters on a white background; or, white letters on a black background; or, red letters on a white background;
- 5) The words, "Private Property – No Trespass" printed on the signs. *(Your signs may also indicate that trespassers are subject to prosecution.)*

The last page in this packet contains a sample *Trespass Letter*. **It is a sample only on is to be reprinted on your own letterhead.** It contains language required by law authorizing the Police Department to act as your agent for enforcement of trespass laws.

Sample letter on next page,

Chief of Police
Glendale Police Department
131 ~~130~~ N. Isabel Street
Glendale, California 91206
Attention: COPPS Unit

Re: Authorization for Glendale Police Department to Act as Agent of the
Property Owner to Enforce Local Trespass Laws

I, _____, hereby certify that I am the owner/owner's agent of the property located
at (provide full address, including zip code, and business name if applicable).

As the owner/owner's agent (specify) of the aforementioned property, I hereby make a specific
request and authorize the Glendale Police Department to act on my behalf (or, if a corporate
entity, "on behalf of *corporation name*") to enforce the provisions of Glendale Municipal Code
9.20.070 GMC and in that regard to warn and if deemed necessary by the police acting as my
agent, to arrest trespassers on the aforementioned property.

I understand that this authorization shall be effective on _____ Date _____ and shall expire 90 days
from said date. I further agree that if necessary, I will appear in court and testify under penalty of
perjury as to the truth of the statements contained in this letter and the fact that by this
correspondence I have authorized the Glendale Police Department to act as my agent when
enforcing the provisions of section 9.20.070 of the Glendale Municipal Code.

Your Name
Your Address
Your Telephone number(s)