



# ONTARIO POLICE DEPARTMENT

## TRESPASSING ENFORCEMENT PROGRAM



**OBJECTIVE:** To give the owner/owner's agent/person in lawful possession (or manager) a tool which will allow them to better manage their property; therefore creating a safer and higher quality environment through enforcement.

- APPLICATION:**
- 1) The owner/owner's agent/person in lawful possession completes a TRESPASSING ENFORCEMENT PROGRAM "REQUEST LETTER" and "APPLICATION" (enclosed)
  - 2) "NO TRESPASSING" signs will be posted as outlined on page 3. After the signs are posted as outlined, a COPS officer will inspect the property to determine whether the posted signs are acceptable.
  - 3) After the approval of the inspecting officer, the "AUTHORIZATION FOR ENFORCEMENT" letter will be completed by the owner/owner's agent/person in lawful possession and the officer.
  - 4) After the authorization is complete, enforcement begins. A copy of all documentation reference this program will be kept on record with the PATROL WATCH COMMANDER.

**MONITORING:** Program will be administered and monitored by the COPS unit.  
Contact: (909) 395-2001 ext 2962

Enforcement will be effective for 6 months, unless indicated otherwise. It is the responsibility of the owner/owner's agent/person in lawful possession to renew or cancel the enforcement program.

**READ THIS PACKET THOROUGHLY BEFORE SIGNING FORMS OR POSTING SIGNS!**

## CALIFORNIA PENAL CODE - TRESPASSING

**The trespassing laws that will particularly be enforced during the course of this program, from the 2013 California Penal Code, are:**

### ***P.C. 602(K) –non-posted lands***

Entering any lands, whether unenclosed or enclosed by fence, for the purpose of injuring any property or property rights or with the intention of interfering with, obstructing or injuring any lawful business or occupation carried on by the owner of the land, the owner's agent or by the person in lawful possession.

### ***P.C. 602(L) -posted lands***

Entering any lands... enclosed by a fence OR unclosed lands where signs forbidding trespassing are displayed... along ALL exterior boundaries... and

- (1) refusing or failing to leave the lands immediately upon request by the owner... owner's agent... person in lawful possession.
- (2) tearing down, mutilating, or destroying any sign... forbidding trespassing...
- (3) removing... or tampering with any lock on any gate on or leading into the lands.
- (4) Discharge firearm

### ***Q.C. 602(M) -occupation***

Entering and occupying real property or any structure of any kind without the consent of the owner, the owner's agent, or the person in lawful possession.

### ***P.C. 602(O) -refusing to leave private property***

Refusing or failing to leave land... structures... not open to the general public, upon request by:

- (1) a peace officer at the request of... owner... person in lawful possession...
- (2) the owner.. the person in lawful possession...

### ***Q.C. 602.1(A) -obstructing or intimidating business operators***

Any person who intentionally interferes with any business... open to the public... by obstructing or intimidating those attempting to carry on business, or their customers, and who refuses to leave the establishment... after being requested to leave...

### ***P.C. 602.5(A) -unauthorized entry of private property***

Every person other than a public officer or employee... who enters or remains in any noncommercial dwelling house, apartment, or other such place without consent...

## CITY OF ONTARIO, MUNICIPAL CODES - TRESPASSING

**OMC 5-9.01 -trespassing on private property**

**OMC 5-11.04 -trespassing on public property**

# **READ!**

## **INSTRUCTIONS FOR POSTING "NO TRESPASSING" SIGNS**

- I. Signs **MUST** read: "NO TRESPASSING" or "PRIVATE PROPERTY, NO TRESPASSING." Signs can be purchase from any hardware store of your choice.
  - A. Signs **MUST** be constructed of aluminum. Signs **MUST** be securely attached onto a building(s) or posts.
  - B. The bottom of the sign **MUST** measure a minimum of 4 ft. above the ground, with a maximum of 10 ft. above the ground.
  - C. Buildings not on fenced/gated properties **MUST** display at least 1 sign per side, displayed in plain view.
  - D. Unimproved property (without buildings, structures, etc) will have signs visibly posted at **EVERY** entrance, driveway, alleyway, trail, road, access way; to allow no one access. In this case, signs **MUST** be securely mounted on a galvanized steel pole, which will be anchored into the ground. The bottom of the sign will measure at least 6 ft. above the ground.
  - E. Apartment complexes **MUST** display a sign at **EVERY** pedestrian and vehicle entrance. Sign **MUST** be securely mounted to a galvanized pole, fence/gate or wall and be **CLEARLY** visible.

**\*\*If you have ANY questions pertaining to the outlined instructions... call prior to posting the signs. This will decrease mistakes and increase your approval for enforcement. Call (909) 395-2962.**

# TRESPASSING ENFORCEMENT PROGRAM

## Application

### PROPERTY INFORMATION

Property/Business Address: \_\_\_\_\_

Business Telephone: \_\_\_\_\_

Description of property/business: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### CONTACT/REPORTING PARTY INFORMATION

Name: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Residence Telephone: \_\_\_\_\_

DOB:: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_

Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eye: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Driver's License / ID# \_\_\_\_\_

**I, \_\_\_\_\_, the property owner/ owner's agent/ person in lawful possession certify that the above information is true and correct to the best of my knowledge.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**I no longer desire enforcement of "No Trespassing" on my listed property(s).**

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**TRESPASSING ENFORCEMENT PROGRAM**

**REQUEST LETTER**

TO: Brad Kaylor, Chief of Police  
FROM: ONTARIO PROPERTY OWNER, VIA OPD C.O.P.S. UNIT  
DATE: \_\_\_\_\_  
SUBJECT: TRESPASSING ENFORCEMENT PROGRAM

Regarding the property(s) located at:

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in the city of Ontario.

I am the owner/owner's agent/person in lawful possession of the aforementioned property.

I have seen an influx of undesirable trespassers in this neighborhood. Due to the trespassing, I have experienced monetary loss from vandalism, and other trespass related crimes.

I, therefore, authorize you and/or your staff to enforce all criminal laws pertaining to trespassing as defined in the California Penal Code and the Ontario Municipal Code. I further authorize you and/or your staff to arrest any violator, trespasser, or any person present on the aforementioned property without my consent or lawful purpose.

I certify that the aforementioned property meets ALL standards as outlined on page 3 of this "TRESPASSING ENFORCEMENT PROGRAM" packet.

PRINTED NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

**TRESPASSING ENFORCEMENT PROGRAM**

**AUTHORIZATION FOR ENFORCEMENT**  
**(Trespasser Arrest Authorization)**

I am the owner/owner's agent/person in lawful possession of the property located at:

\_\_\_\_\_  
\_\_\_\_\_

I herein authorize any duly sworn officer of the ONTARIO POLICE DEPARTMENT to arrest for trespassing any person/s found on the property without my consent or without lawful purpose.

I am aware that this authorization obligates me to properly post my property per section 602(O) of the California Penal Code. I agree to cooperate in the investigation and prosecution process. I will appear in court, if necessary, in cooperation with the prosecution process. Furthermore, I also understand that if I do not appear in court, as requested, the enforcement program, for my aforementioned property, will be terminated.

I understand that this permission to arrest shall be effective for 6 months from the initial date. I will notify the ONTARIO POLICE DEPARTMENT upon the sale or transfer of my property, or if this permission is no longer valid.

*I have read, I understand, and I will be upheld to all of the statements above, upon my signature, as dated below.*

Owner/Agent Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Officer's (Witness)

Signature \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

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**24"**



**18"**

## **VENDORS FOR TRESPASS SIGNS AND REFLECTIVE TAPE**

**MAIN STREET SIGNS  
1211 W. BROOKS  
ONTARIO, CA 91762  
(909) 391-0988**

**\* 1MYERS & SONS HIGHWAY SAFETY  
13310 FIFTH STREET  
CHINO, CA 91710  
(909) 591-1781 - Kevin Keith  
[hiwaysafety@linline.com](mailto:hiwaysafety@linline.com)**

**SWIFTY SIGN  
9819 FOOTHILL BLVD. UNIT E  
RANCHO CUCAMONGA, CA 91730  
(909) 466-5616 - Scott Miller  
[swiftysign@aol.com](mailto:swiftysign@aol.com)**

**\* THE SIGN SHOP  
9223 ARCHIBALD AVENUE, SUITE A  
RANCHO CUCAMONGA, CA 91730  
(909) 945-5888  
[terri@signshopofrc.com](mailto:terri@signshopofrc.com)**

**\* *CARRIERS OF BLUE DOTS*  
FPB0047 Vendors Fire Lanes Signs & Blue Dots/REV 10/03**