

NOTICE OF NO TRESPASS

Date: _____

From:
Mr. / Mrs. _____

Address: _____

To:
Mr. / Mrs. _____

Address: _____

Dear Mr./Mrs. _____

Please consider this letter as a Notice of No Trespass. This is to inform you that as of the date noted on this letter you are expressly forbidden from entering upon the following premises:

- 1) _____

- 2) _____

In the event that you are observed on or about the above described premises, your actions will constitute a trespass, and the Police department will be contacted. This notice shall remain in full force and effect until you are in receipt of a written communication by the owners or their attorney indicating the Notice of No Trespass has been waived. No such waiver shall exist if made orally and not reduced to writing.

Noted below is the chapter and section regarding entry upon private property after being forbidden as noted in the General Laws of the Commonwealth of Massachusetts.

Trespass on Property after Prohibition (MGL Chapter 266, Section 120): Whoever, without right enters or remains in or upon the dwelling house, buildings, boats or improved or enclosed land, wharf, or pier of another, or enters or remains in a school bus, as defined in section 1 of chapter 90, after having been forbidden so to do by the person who has lawful control of said premises, whether directly or by notice posted thereon, or in violation of a court order pursuant to section thirty-four B of chapter two hundred and eight or section three or four of chapter two hundred and nine A, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days or both such fine and imprisonment. Proof that a court has given notice of such a court order to the alleged offender shall be prima facie evidence that the notice requirement of this section has been met. A person who is found committing such trespass may be arrested by a sheriff, deputy sheriff, constable or police officer and kept in custody in a convenient place, not more than twenty-four hours, Sunday excepted, until a complaint can be made against him for the offence, and he be taken upon a warrant issued upon such complaint.

This section shall not apply to tenants or occupants of residential premises who, having rightfully entered said premises at the commencement of the tenancy or occupancy, remain therein after such tenancy or occupancy has been or is alleged to have been terminated. The owner or landlord of said premises may recover possession thereof only through appropriate civil proceedings.

Signed: _____

Notice of No Trespass Instructions

1. Fill out the Notice of No Trespass form completely
2. Make three (3) copies
3. Retain one (1) copy for yourself
4. Send one (1) copy to the person(s) to be notified via Certified Mail/Return Receipt Requested
5. Bring one (1) copy in person to the Police Department w/(green) copy of signed Return Receipt

If the party refuses or is unavailable for receipt of the Notice of No Trespass you may contact any of the following for service:

1. Town of Falmouth Constables:

Thomas Zine	508-922-4477
Ron Braga	774-392-7250
James Crossen	508-548-1579, 508-274-2169
Kevin Casey	508-274-0971, 508-457-0328

OR

2. Barnstable County Sheriffs Civil Process Department for service at 508-362-9578