

NO TRESPASS ORDER

Date

Name of Unwanted Person

Date of Birth

This order serves to inform you that you are no longer allowed on the property situated at:

This order will remain in effect until you receive WRITTEN PERMISSION from the owner or authorized person to be on said property.

If you are found on said property in violation of this order, you will be subject to arrest and prosecution for Criminal Trespass under New Hampshire law (RSA 635:2).

Sincerely,

*Type or print name of property owner or
authorized person (if a business, include
person's title.*

Signature

* * *

RETURN OF SERVICE

I HEREBY CERTIFY that I have provided a copy of this order in-hand to:

_____ on the _____ day of _____ 20____

Time: _____ Location of service: _____

Served by: _____

Print name and title

Signature

Title LXII
Criminal Code
Chapter 635
Unauthorized Entries
N.H. RSA 635:2 Criminal Trespass

- I. A person is guilty of criminal trespass if, knowing that he is not licensed or privileged to do so, he enters or remains in any place.
- II. Criminal trespass is a misdemeanor for the first offense and a class B felony for any subsequent offense if the person knowingly or recklessly causes damage in excess of \$1,500 to the value of the property of another.
- III. Criminal trespass is a misdemeanor if:
 - (a) The trespass takes place in an occupied structure as defined in RSA 635:1, III; or
 - (b) The person knowingly enters or remains:
 - (1) In any secured premises;
 - (2) In any place in defiance of an order to leave or not to enter which was personally communicated to him by the owner or other authorized person; or
 - (3) In any place in defiance of any court order restraining him from entering such place so long as he has been properly notified of such order.
- IV. All other criminal trespass is a violation.
- V. In this section, "secured premises" means any place which is posted in a manner prescribed by law or in a manner reasonably likely to come to the attention of intruders, or which is fenced or otherwise enclosed in a manner designed to exclude intruders.
- VI. In this section, "property," "property of another," and "value" shall be as defined in RSA 637:2, I, IV, and V, respectively.

Instructions to complete a No Trespass Order:

1. **FILL OUT TWO (2) COPIES** of the No Trespass Order using the format provided.
2. Give one copy to the unwanted person either in-hand *or* by certified mail.
3. **If you served the No Trespass Order in-hand:** Call the Weare Police Department to notify us of the order. Bring the original No Trespass Order to the Weare Police Department. The original must be signed and the Return of Service must be completed.
4. **If you mailed the No Trespass Order via Certified Mail:** Bring a copy of the No Trespass Order and the original United States Postal Service (USPS) return receipt for notices that have been issued by mail.
5. We suggest you retain a copy of the No Trespass Order for your records. The Weare Police Department will need to retain the original documents.
6. If an unwanted person returns to the property after having been served with a No Trespass Order, call the Weare Police Department **immediately** at 603-529-7755. If it is an emergency, please call 911. The unwanted person will then be subject to arrest for Criminal Trespass.