

NO TRESPASSING



**ALL FORT MYERS POLICE OFFICERS ARE
AUTHORIZED REPRESENTATIVES TO ADVISE
ANY PERSON TO LEAVE THESE PREMISES**

**FAILURE TO VACATE THE PREMISE AFTER
BEING INSTRUCTED MAY RESULT IN AN
ARREST FOR TRESPASSING AFTER WARNING**

FM ORD. 2653

FSS 810.09



FORT MYERS POLICE DEPARTMENT
Honor * Ethics * Accountability * Respect * Teamwork
2210 WIDMAN WAY · FORT MYERS, FLORIDA 33901 · (239) 321-7700

March 9, 2010

From: The Fort Myers Police Department
To: Purchasers of "Trespass Warning Signs"

The Crime Prevention Unit of the Fort Myers Police Department would like to remind anyone purchasing "Trespass Warning" signs, that you have a responsibility to submit a letter of authorization to the Police Department, as stated in city ordinance #2653, article VII, Section 11-222 (c) (1) which states:

" (1) A LETTER OF AUTHORIZATION ON CORPORATE OR BUSINESS STATIONARY IS PLACED ON FILE AT THE POLICE DEPARTMENT. THE AUTHORIZATION SHOULD INCLUDE THE PROVISION "THAT THE OFFICERS OF THE FORT MYERS POLICE DEPARTMENT ARE AUTHORIZED REPRESENTATIVES TO ENFORCE FLORIDA STAUTES, CHAPTER 810.09 AND SHALL WARN AND DIRECT PERSONS TO LEAVE THE (NAME OF THE BUSINESS) PROPERTY". IF THE BUSINESS IS A FRANCHISE CHAIN OR A LARAGE CORPORATION THIS AUTHORIZATION SHOULD BE GIVEN BY AT LEAST A DISTRICT MANAGER OR EQUIVALENT POSITION."

Please be advised that **without the letter on file the signs are useless**. The Police Department can only act in your behalf if the signs are posted properly and the letter is on file. Submit your letter of authorization to the Records Division Monday through Friday, or by mail to:

Fort Myers Police Department
2210 Widman Way
Fort Myers, FL 33901
Attention: Records

Should you have any further questions regarding this ordinance, please contact the Fort Myers Police Department Records Division at 239-321-7667.

ARTICLE VII TRESPASSING*

*State law references: Trespassing, F.S. ch. 810.

Sec. 54-276. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Adjacent area means an area immediately next to a lawful business enterprise, commercial establishment, office building or apartment building and owned or leased by the owner or operator of such establishment, office or apartment.

Fenced land means that land which has been enclosed by a fence of substantial construction, whether with rails, logs, posts and railings, iron, steel barbed wire, other wire or other material which stands at least three feet in height. It shall not be necessary to fence any boundary or part of a boundary of any land which is formed by water.

Owner means the beneficial owner, lessee, occupant or other person having any interest in any business, structure, land or parking lot provided for herein and by virtue of which the person is entitled to possession thereof, and shall also include the agents, managers or authorized employees of such owner.

Parking lot means any area wherein motor vehicles are parked by the public in conjunction with any business enterprise, commercial establishment, office building or apartment building.

Posted land means that land upon which signs are placed not more than 500 feet apart along, and at each corner of, the boundaries of the land, upon which signs appear prominently, in letters of not less than two inches in height, the words "NO TRESPASSING" and, in addition thereto, the name of the owner, lessee or occupant of that land. The signs shall be placed along the boundary line of posted land in a manner and in such a position as to be clearly noticeable from outside the boundary line.

Structure means a building of any kind, either temporary or permanent, which has a roof over it, together with curtilage thereof.

(Code 1991, § 11-221; Ord. No. 2653, § 2, 9-21-1992)

Cross references: Definitions and rules of construction, § 1-2.

Sec. 54-277. Business crime prevention.

(a) Whoever, without being authorized, licensed or invited, willfully enters or remains in any structure or, having been authorized, licensed or invited, is warned by the owner or lessee to depart and refuses to do so, commits the offense of trespass in a structure.

(b) Whoever, without being authorized, licensed or invited, willfully enters upon or remains in any property other than a structure or conveyance as to which notice against entering or remaining is given, either by actual communication to the offender or by posting, fencing or cultivation as described herein and/or in F.S. § 810.011, commits the offense of trespass on property other than a structure.

(c) The police department or its officers may, at their discretion, be authorized by the owner of any business, structure, land or parking lot provided for herein to enforce the provisions of this article and F.S. ch. 810, if the following criteria are met:

(1) A letter of authorization, on corporate or business stationary, is placed on file at the police department. The authorization should include the provision that "the officers of the city police department are authorized representatives to enforce F.S. § 810.09, and shall warn and direct persons to leave the (name of business) property." If the business is a franchise chain or a large corporation this authorization should be given by at least a district manager or the equivalent position.

(2) A sign posted on the premises, in a prominent manner, that reads, "NO TRESPASSING, all city police officers are authorized representatives to advise any person to leave these premises. Failure to vacate the premises after being so instructed may result in an arrest for trespassing after warning." To ensure all signs meet the requirements of this article, it is necessary for all signs to be purchased from the police department.

(d) Any person who violates this section shall be punished as provided by section 1-14. (Code 1991, § 11-222; Ord. No. 2653, § 2, 9-21-1992)

Secs. ~~54-278-54-295~~ Reserved.

**Property Management, Inc.
Post Office Drawer 2217
Fort Myers, Florida 33901
(239) 321-7700**

February 1, 2008

**Chief Derrick Diggs
Fort Myers Police Department
2210 Widman Way
Fort Myers, Florida 33901**

**Re: No Trespass Warning Signs
2220 West First Street**

Dear Chief Derrick Diggs:

Please be advised that we are installing Trespassing Warning signs on the above referenced property owned by JCA Industries, a Texas limited partnership, and managed by Property Management, Inc.

The Officers of the Fort Myers Police Department are authorized representatives to enforce Florida Statutes, Chapters 810.08 and 810.09 and shall warn and direct persons to leave the above-mentioned property.

If you should have any questions or need further information, please don't hesitate to contact me.

Sincerely,

**J. Christopher Andrews
Senior Management Executive**

**TRESPASS WARNING AUTHORIZATION FORM
FOR
HOMEOWNERS ONLY**

ADDRESS: _____

The Officers of the Fort Myers Police Dept are authorized representatives to enforce F.S.S. Article 810.08 & 810.09 and shall warn and direct persons to leave the above mentioned property.

Signature _____ Date _____

**CONTACT INFORMATION
(PLEASE PRINT ALL INFORMATION)**

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHONE #: _____

CELL PHONE #: _____

Return this completed form to:

FMPD
2210 Widman Way
Fort Myers, FL 33901
Attn: Records Section

**KILLER WRAPS
2044 Beacon Manor Drive
Fort Myers, FL 33907**

(239) 690-7400

October, 2014

New Pricing for City "No Trespassing" Signs

No Trespassing Signs (English – Spanish – Creole)	\$40.00
Galvanized Steel Pole	\$38.00

These are the current prices for the City "No Trespassing" signs. Prices are subject to change. Call to order signs and check pricing.

Revised 10/29/14