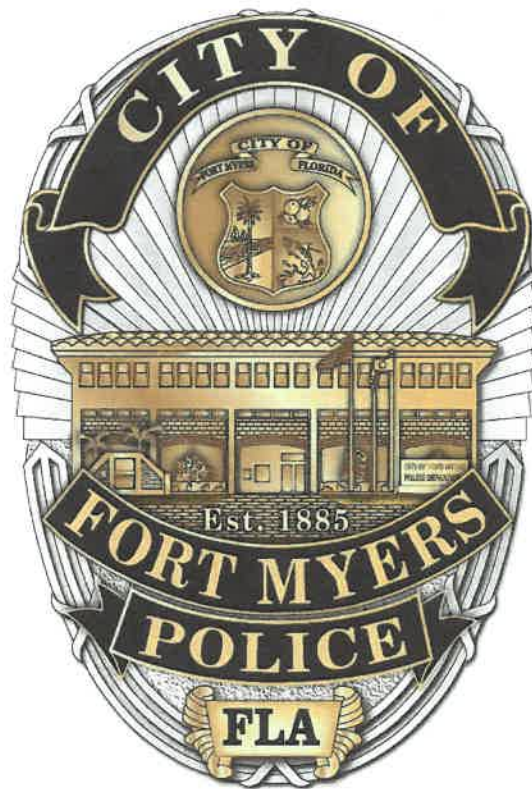


# NO TRESPASSING



**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**

**F.S.S. 810.09**



**FORT MYERS POLICE DEPARTMENT**

**TRUE to Our Community. TRUE to Our Commitment. TRUE to Our City.**

**2210 WIDMAN WAY \* FORT MYERS, FL 33901 \* (239)321-7700**

From: The Fort Myers Police Department

To: Purchasers of "Trespass Warning Signs"

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 the 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 LARGE 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 Section at (239)321-7665.

## **Sample Letter**

**Property Management, Inc.**

**Post Office Drawer 2217**

**Fort Myers, Florida 33901**

**(239)321-7700**

February 20, 2021

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

**RE: No Trespass Warning Signs for 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, Chapter 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 do not hesitate to contact me.

Sincerely,

J. Eric Smith

Senior Management Executive



**Fort Myers Police Department  
2210 Widman Way. Fort Myers, FL 33901  
(239) 321-7700**

**No Trespassing Authorization Form  
HOMEOWNERS ONLY**

**LOCATION INFORMATION**

Street Address:

City:

Apartment/Unit Number:

Zip Code:

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

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

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE #: \_\_\_\_\_

CELL PHONE #: \_\_\_\_\_

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

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

**Return this completed form to:  
Fort Myers Police Department  
Attn:Records Section  
2210 Widman Way,  
Fort Myers, FL 33901**



**Fort Myers Police Department  
2210 Widman Way. Fort Myers, FL 33901  
(239) 321-7700**

**No Trespassing Authorization Form  
BUSINESSES ONLY**

**(A BUSINESS CAN SUBMIT TRESPASS AUTHORIZATION ON THEIR LETTERHEAD)**

**BUSINESS INFORMATION**

**Business Name:**

**Business Address:**

**Property Name (If Applicable):**

**Business Owners Name:**

**CONTACT INFORMATION-(OWNER/MNGR-circle one)Print All Information**

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

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE #: \_\_\_\_\_

CELL PHONE #: \_\_\_\_\_

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

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

**Return this completed form to:  
Fort Myers Police Department  
Attn:Records Section  
2210 Widman Way,  
Fort Myers, FL 33901**



## NEW OWNERS ADOPTION OF PRIOR OWNER'S TRESPASS NOTICES

<b>NEW BUSINESS INFORMATION</b>
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<b>New Business Owner Name:</b>
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<b>Property Name: (IF Applicable)</b>
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<b>Business Address:</b>
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<b>New Business Owner's Name:</b>
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(Hereafter referred to as "New Owner's")

<b>PRIOR BUSINESS INFORMATION</b>
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<b>Prior Business Owner Name:</b>
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<b>Property Name: (If Applicable)</b>
---------------------------------------

<b>Business Address:</b>
--------------------------

<b>Prior Business Owner's Name:</b>
-------------------------------------

(Hereafter referred to as "Prior Owner's")

Whereas, the above listed property was previously owned by the "Prior Owner" listed above; and

Whereas, the "Prior Owner" list above authorized the Officers of the Fort Myers Police Department, As representatives, to enforce F.S.S. Article 810.08 & 810.09 and to warn and direct persons to leave the above listed property by written authorizations form dated \_\_\_\_\_ a copy which is attached hereto, and

Whereas, the "New Owners" listed above have purchased the property listed above from the "Prior Owners" and expressly desire to adopt, continue and extend the authorizations of the Officers of the Fort Myers Police Department as authorized representatives to enforce F.S.S. Article 810.08 & 810.09 for all previously issued authorized trespass notices and warning by the "Prior Owners",

Now, THEREFORE, the "New Owners" \_\_\_\_\_ do hereby expressly adopt, continue and extend all previously issued and authorized trespass notices and warning by the "Prior Owners" for the above listed Property and Business, a copy which is attached here to and incorporated herein, as if issued by the "New Owners".

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

(For the above Listed "New Owner's")



# CARBON PRESS

1635 HENDRY ST. FORT MYERS, FL 33901

239-689-4406

February 11, 2021

New Pricing for City "No Trespassing" Signs

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**12" x 18" NO TRESPASSING SIGNS**  
**3M IJ5100 Reflective Vinyl**



**\$50.00**

**GALVANIZED STEEL POLE**

**\$48.00**

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

*Revised 2/11/2021*

## ARTICLE VII. - TRESPASSING

*Footnotes:*

— (8) —

**State Law reference—** *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 reference—** 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.