

# NOTICE OF TRESPASS

TO: \_\_\_\_\_ DATE: \_\_\_\_\_

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

\_\_\_\_\_

Be advised that you are hereby prohibited from entering the property known as, or located at:

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## YOU ARE NOT ALLOWED AT THE PROPERTY ABOVE

Violation of this notice will be considered **TRESPASSING**. You may be subject to **ARREST** for any violation or a criminal complaint may be sought through the **FALMOUTH DISTRICT COURT** for any violation of this notice.

A copy of this notice will be on file at The Bourne Police Department.

This notice is being sent to you pursuant to Massachusetts General Laws, Chapter 266 Section 120. A copy of the statute is attached.

SIGNED: \_\_\_\_\_

CALL #:

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

\_\_\_\_\_

AGENT FOR: \_\_\_\_\_

RETURN RECEIPT #:

\_\_\_\_\_

Served in hand, Date: \_\_\_\_\_

By: \_\_\_\_\_

266 § 120: TRESPASSING

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.

***Entry upon private property after being forbidden as trespass; prima facie evidence; penalties; arrest; tenants or occupants excepted***

**Bourne Police Department**  
*Directions for “No Trespass” Orders*

STEP 1: Complete the attached form

STEP 2: After completing the form, make two (2) copies.

Retain a copy for your records.

The second copy must be submitted to the Bourne Police Department  
(See STEP 4)

STEP 3: Mail the original form to the person(s) who you are ordering NOT TO TRESPASS.

***THIS MUST BE SENT VIA CERTIFIED MAIL WITH A  
RETURN RECEIPT.***

STEP 4: Upon receiving the Certified Mail Receipt from the post office, submit one of the retained copies (from STEP 2), with a copy of the Return Receipt from the Post Office, to the Bourne Police Department

If the Certified Mail is returned from the Post Office as rejected, or undeliverable, then you will have to have the person(s) served by a Deputy Sheriff.

**Barnstable County Sheriff's Office - Civil Process can be contacted at:  
508-362-9578**