

-----TRESPASS NOTICE-----

Dear: _____
(name)

(current address)

(city or Town, State and zip)

This letter is to inform you of the fact that as of today _____,
(date)
you _____ are no longer allowed in or
(trespasser name)
around the premises of

(residence or business name)

Located at _____, Blandford Massachusetts, for
(address)
any reason whatsoever. If you are seen in or around the premises at
_____ Blandford Massachusetts, You will
(address)

hereafter be considered as a "TRESPASSER". The Blandford Police have been given a copy of this notice. **YOU WILL BE ARRESTED IMMEDIATELY, IF CAUGHT TRESPASSING ON THE ABOVE NAMED PROPERTY.** Blandford police have been requested to prosecute you to the fullest extent of the law if you are found on this property. This notice will serve to comply with the **Massachusetts General Law Ch266 s 120**, in that you were given written notice, via certified mail. A copy of this letter, along with a copy of the certified, registered mail receipt is being sent to the Blandford Police Department for their information.

Sincerely,

(name of sender)

(address of sender)

(signature of sender)

Notice served in hand by Blandford Police: _____ Yes _____ No

(name of officer) _____
(Rank /I.D.#)

(Signature) _____
(Date)

MASSACHUSETTS General Law governing trespassing;

Chapter 266: Section 120

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

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.

Notice to issuer:

In order to prove that someone is trespassing in Massachusetts a property owner or the person in control of a property must give notice to the person who is trespassing. Written notice with proof of service is an effective way of proving to a judge or jury that a person was forbidden from entering your property. If you are sending notice to a minor you **must** send the notice to the minor's parents or guardians.

Send the completed notice by certified mail / Return receipt requested. A sheriff, deputy sheriff, constable or police officer may also serve the notice in hand. You may find process servers or constable services in the local phone book. The Blandford Police Department will also serve notices if resources allow. We recommend using certified mail.

Please keep copies of any notices you send and proof of service for your own records. Once a trespass notice with proof of service has been received by the Blandford police department, **it will remain on file until the written expiration date, or for five years from the date of issue.** You will need to send a notice every five years if you wish to keep it in effect.

Once a person has been given notice they are not allowed on the designated property. Police may only make an arrest when people are actively trespassing in their presence. If the trespasser has left your property prior to the arrival of police he or she will need to be summonsed to court.

Send a copy of the notice with an attached copy of the completed return receipt or Return of Service to:

Blandford Police Department
p.o. box 256
Blandford, MA 01008