

ORDINANCE NO. 4210

AN ORDINANCE to amend and reordain Section 13-1-33 (TRESPASS AFTER HAVING BEEN FORBIDDEN TO DO SO) of Chapter 1 (GENERAL OFFENSES), Title 13 (MISCELLANEOUS OFFENSES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 13-1-33 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 13-1-33 Trespass after having been forbidden to do so.

(a) If any person shall, without authority of law, go upon or remain upon the lands or premises of another, or any part, portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian, property manager or other person lawfully in charge of the property (hereinafter in this section referred to as the Aowner@or Aproperty owner@), or after having been forbidden to do so by a sign or signs posted by such owner or by the holder of any easement or other right-of-way authorized by the instrument creating such interest to post such signs on such lands, structures, premises or part, portion or area thereof at a place or places where it or they may be reasonably seen, he shall be guilty of a class 1 misdemeanor.

(b) The owner of real property may designate the Alexandria police department as a "person lawfully in charge of" the owner's property, under subsection (a). With such a designation, the department, acting through its sworn officers, may forbid persons to go or remain upon all or any portion of the owner's real property, including any building, structure or other premises located upon the property. Such designation must be in writing on a form provided by the chief of police. The designation shall include the following information:

- (1) the name and signature of the property owner making the designation;
- (2) the property owner's residence address or, if the property owner is an entity, the owner's principal place of business;
- (3) the address of the property to which the designation applies;
- (4) if the designation does not apply to all of the property, a description of the particular buildings, structures or other areas of the property to which the designation applies; and
- (5) the inclusive dates during which the designation shall be in effect; provided, that a designation made pursuant to this section shall not be for a period greater than six months.

The written designation shall be kept on file in the police department for the duration of the designation. The designation may be rescinded at any time upon the written notice of the property owner.

(c) The written designation shall be a public record of the City of Alexandria, Virginia, and a copy of such written designation, when authenticated by the custodian thereof, shall be admissible in any trial for a violation of this section as prima facie evidence of the authority of the Alexandria police department

to act under the provisions of this section as to the property for which the designation was made.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction:	06/08/01
First Reading:	06/08/01
Publication:	06/10/01
Public Hearing:	06/16/01
Second Reading:	06/16/01
Final Passage:	06/16/01