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Chapter 320 Trespass

- **Section 010 Trespass Upon Private Property Prohibited**

- A. No person shall remain on any private property or business premises after being notified to leave by the owner, lessee or other person in charge.
- B. No person, without permission, express or implied, of the owner, lessee or other person in charge, shall enter upon private property or business premises after being notified by the owner, lessee or other person in charge to keep off or keep away therefrom.
- C. Notification by the owner, lessee or other person in charge, as provided in subsections A and B above, may be satisfied by direct verbal or written communication by such person or his agent, including a peace officer or private patrolman, or by sign conspicuously posted on the property or premises giving notice of the prohibition of the particular form of trespass involved.
(Ord. 810 § 1 (part), 1984; Ord. 647 (part), 1976.)

- **Section 020 Trespass--Fenced Areas**

- A. It is unlawful for a person, without the permission of the owner, person in charge, or his authorized representative, to enter public or school property that is surrounded by a locked or barred fence or wall, or to enter private residential or business property surrounded by a fence, wall, hedge, or combination thereof.
- B. This section shall not apply to persons who enter unlocked fenced areas for the purpose of a social or business visit with the occupant of the property.
(Ord. 810 § 1 (part), 1984; Ord. 647 (part), 1976.)

- **Section 030 Trespass--Swimming Pools**

It is unlawful for a person to enter or use a public or private swimming pool without the permission of the owner, person in charge, or his authorized representative. (Ord. 810 § 1 (part), 1984; Ord. 647 (part), 1976.)

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• **Section 040 Trespass--Parking Lots**

It is unlawful for a person other than an owner, employee, person in charge, agent thereof, or with permission of the owner or person in charge, to enter or be present upon a public or private off street parking lot or parking facility between the hours of ten p.m. and five a.m. This section shall not apply to a twenty-four-hour rest area or during such hours that a parking lot or facility is specifically held open to the public by an owner, employee, person in charge, or agent thereof. (Ord. 810 § 1 (part), 1984; Ord. 647 (part), 1976.)

• **Section 050 Trespass--Public Buildings**

It is unlawful for a person to enter or remain in public building or school building without the permission of the building superintendent, his authorized representative, or an employee supervisor, when such building is closed to the public. (Ord. 810 §1 (part), 1984.)

• **Section 060 Trespass on Public Property--Nighttime**

A. It is unlawful for a person other than an employee on business and those with the permission of administrative personnel or an agent thereof, to enter or be present upon school or public park property between ten p.m. and five a.m., not in response to a function to which members of the public are invited, and without obtaining permission to be on the property from administrative personnel in charge of the property.

B. This section shall not apply to any public park specifically held open on a twenty-four-hour basis. (Ord. 810 § 1 (part), 1984.)

• **Section 070 School Trespass--Daytime**

A. It is unlawful for a person who is not a teacher, student, or employee at the school, to enter or be present upon the school grounds on a school day between eight-thirty a.m. and four p.m., not in response to a school function to which members of the public are invited, and without obtaining permission to be on the grounds from administrative or teaching personnel, and to refuse to leave the grounds immediately when ordered to do so by an administrative or teaching staff member or an agent thereof, or to leave and return without permission and not in response to a school function to which members of the public are invited, after having been ordered to leave.

B. This section is not intended to limit the right of any parent, relative or member of the general public, in a nondisruptive manner, to enter school property and observe classes and school functions not open to the public, provided that such person has announced his presence to administrative personnel upon entry of the school grounds and receives permission to do so. A reasonable request for access shall not be denied. (Ord. 810 § 1 (part), 1984.)

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Section 080 Application--Exceptions

None of the provisions of this chapter shall apply when any of the following circumstances exists:

- A. The provision violates a federal or state civil rights act or any other provision of law relating to the prohibited discrimination against any person on account of color, race, religion, creed, ancestry or national origin;
- B. The provision results in or is coupled with an act prohibited by Section 365 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;
- C. The provision results in an interference with or inhibition of peaceful, lawful labor picketing or other lawful labor activities;
- D. The provision results in an unlawful interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech;
- E. The person who is upon another's property is there under reasonable claim or color of legal right.
(Ord. 810 § 1 (part), 1984.)

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Section 090 Severability Clause

If any section, part, clause or phrase of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable. (Ord. 810 § 1 (part), 1984.)

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