

## FREQUENTLY ASKED QUESTIONS

### DOES PARTICIPATING IN THE TLC PROGRAM MEAN THAT MY PROPERTY RECEIVES EXTRA PATROL? No.

Your signed consent authorizes officers to take trespass enforcement action on your behalf. The police department must first be notified of the situation by a neighbor or concerned citizen, for example, in order to respond to the scene.

### WHAT HAPPENS IF YOU ARREST SOMEONE BASED ON MY SIGNED LETTER?

In some cases, officers are able to resolve trespass complaints without arresting the involved subject. However, there are situations where the officer has no choice but to cite or arrest an alleged offender. In those instances, you will be expected to participate in any resulting legal action.

### WHAT HAPPENS IF I CHANGE MY MIND OR SELL MY PROPERTY?

If the status of your property changes in any way, you must notify the police department as soon as possible and arrange for your trespass letter of consent to be updated or removed from our files.

### HOW DO I RENEW MY TLC?

The TLC expires on March 31st each year and must be renewed annually to remain active. Property owners can quickly renew their TLC by completing the online form at: [www.staytonoregon.gov/page/police\\_resources](http://www.staytonoregon.gov/page/police_resources). If an email address is provided, a reminder will be sent prior to the upcoming expiration. Once submitted, the renewed TLC will remain valid until the next March 31st expiration date.

**\*TLCs submitted between March 1 and March 31 will remain valid through March 31 of the following year.**

### WHAT ELSE DO I NEED TO KNOW?

Property owners should post "No Trespassing" signs on the property and, if applicable, signage indicating the property is "Closed to the Public."

## Oregon Revised Statute: ORS. 164.245 Trespass II

1.A person commits the crime of criminal trespass in the second degree if the person enters or remains unlawfully in a motor vehicle or in or upon premises.

### ORS 164.205 Trespass Definitions

1."Enter or remain unlawfully" means:

- (a)To enter or remain in or upon premises when the premises, at the time of such entry or remaining, are not open to the public or when the entrant is not otherwise licensed or privileged to do so;
- (b)To fail to leave premises that are open to the public after being lawfully directed to do so by the person in charge;
- (c)To enter premises that are open to the public after being lawfully directed not to enter the premises; or
- (d)To enter or remain in a motor vehicle when the entrant is not authorized to do so.

2."Open to the public" means premises which by their physical nature, function, custom, usage, notice or lack thereof or other circumstances at the time would cause a reasonable person to believe that no permission to enter or remain is required.

3."Person" in charge means a person, a representative or employee of the person who has lawful control of premises by ownership, tenancy, official position or other legal relationship. Person in charge includes, but is not limited to the person, or holder of a position, designated as the person or position-holder in charge by the Governor, board, commission or governing body of any political subdivision of this state.

4."Premises" includes any building and any real property, whether privately or publicly owned.

# TRESPASS LETTER OF CONSENT PROGRAM



## STAYTON POLICE DEPARTMENT

## WHAT IS A TRESPASS LETTER OF CONSENT?

A Trespass Letter of Consent (TLC) allows Stayton police officers to take trespass enforcement action on your property without first contacting you.

Normally, police officers cannot enter private property that is not open to the public to remove someone or order them to leave unless the property owner or manager gives permission.

If an officer sees someone on private property when a business is closed, or receives a complaint from someone who is not authorized to request trespass enforcement, the officer must first try to contact the property owner or responsible party before taking action.

By signing a Trespass Letter of Consent, you give Stayton Police officers permission to act on your behalf in trespass situations, even if they are unable to reach you immediately.

### INDICATE WHICH OF THE FOLLOWING STATEMENTS DESCRIBES YOUR PROPERTY TO DETERMINE IF IT QUALIFIES FOR A TLC:

#### COMMERCIAL PROPERTY

- Owner *and* occupant of a commercial property
- Non-occupant owner of a commercial property and acts as property manager
- Owner of a vacant commercial property
- Commercial property manager or person responsible for the property
- Person responsible for a property under construction. (Note: the property must have an assigned street address.)
- Within city limits

#### RESIDENTIAL PROPERTY

- Owner of a vacant property
- Owner or property manager for a property under construction. (Note: the property must have an assigned street address.)
- Within city limits

#### MULTI-FAMILY HOUSING PROPERTY

Multi-family house properties do not qualify for this program.

#### ONLY ONE ADDRESS PER TLC APPLICATION

## TRESPASS LETTER OF CONSENT APPLICATION

INITIAL APPLICATION  
RENEWAL APPLICATION

COMMERCIAL  
RESIDENTIAL

PROPERTY / BUSINESS NAME BUSINESS PHONE #

PROPERTY ADDRESS Only one address per TLC application

APPLICANT NAME APPLICANT PHONE #

EMAIL ADDRESS \*Required for renewal reminders

SECONDARY CONTACT PERSON SECONDARY PHONE #

By affixing my signature to this document, I am identifying myself as the responsible party for the property listed above and do hereby designate each and every police officer employed by the City of Stayton as my agent and representative for the purpose of enforcing ORS 164.245, 164.205 and SMC 9.36.020 (H).

I further understand and agree that as the responsible party for the property, I will:

- Appear in a Court of law for any proceedings related to the enforcement of this TLC
- Notify any other occupants or tenants of my participation in the TLC program.
- Immediately notify the police department of any changes to property status.

Unless revoked by the Stayton Police Department, this authorization will remain in effect until March 31st of the year following the date the authorization is granted Trespass Letters of Consent must be renewed annually by March 31st in order to remain active.

APPLICANT SIGNATURE

DATE

Completed forms may be emailed or mailed to:

[policerecords@staytonoregon.gov](mailto:policerecords@staytonoregon.gov)

Stayton Police Department • Attn: Records  
386 N. Third Ave. • Stayton, OR 97383