

No Trespass Order

Name of Unwanted Person

Date of Birth

This order serves to inform you that you are no longer allowed on the property situated at:

This order will remain in effect until you receive WRITTEN PERMISSION from the owner of authorized person, to be on the above mentioned property.

If you are found on said property in violation of this order, you will be subject to arrest and prosecution for ***Criminal Trespass*** per New Hampshire **RSA 635:2**.

Sincerely,

*Type or print name of property or
authorized person (is a business,
include person's title)*

Signature

RETURN OF SERVICE

I HEREBY CERTIFY that I have provided a copy of this order in-hand or by certified mail to:

_____ on the _____ day of _____, 2023.

Time: _____ Location of service: _____

Served by: _____

Print name and title

Signature

TITLE LXII
CRIMINAL CODE
CHAPTER 635
UNAUTHORIZED ENTRIES

SECTION 635:2

635:2 Criminal Trespass –

- I. A person is guilty of criminal trespass if, knowing that he is not licensed or privileged to do so, he enters or remains in any place.
- II. Criminal trespass is a misdemeanor for the first offense and a class B felony for any subsequent offense if the person knowingly or recklessly causes damage in excess of \$1,500 to the value of the property of another.
- III. Criminal trespass is a misdemeanor if:
 - a. The trespass takes place in an occupied structure as defined in RSA 635:1, III; or
 - b. The person knowingly enter or remains
 1. In any secured premises;
 2. In any place in defiance of an order to leave or not to enter which was personally communicated to him by the owner or other authorized persons; or
 3. In any place in defiance of any court order restraining him from entering such place so long as he has been properly notified of such order.
- IV. All other criminal trespass is a violation.
- V. In this section, “secured premises” mean any place in which is posted in a manner prescribed by law or in a manner reasonably likely to come to the attention of intruders , or which is fenced or otherwise enclosed in a mannr desgiened to exclude intruders.
- VI. In this secton, “property,” “property of another,” and “value” shall be as defined in RSA 637:2, I, IV, and V, respectively.

NO TRESPASS ORDER COMPLETION INSTRUCTIONS

1. Fill out two (2) copies of the *No Trespass Order* using the formart provided.
2. Give one copy to the unwanted person, either in-hand *or* by sending via USPS Certified Mail.
3. If you served the *No Trespass Order* in-hand, please call the Moultonborough Police Department (603) 476-2400 to notify us of the order. Bring the **original** *No Trespass Order* to the Moultonborough Police Department. The original must be signed, and the *Return of Service* completed.
4. If you mailed the *No Trespass Order* via USPS Certified Mail, please bring to the Moultonborough Police Department, a copy of the *No Trespass Order* and the original USPS return receipt for notice slip (s) that have been issued by mail.
5. Retain a copy of the *No Trespass Order* for your own records, as the Moultonborough Police Department will need to retain the original document (s).
6. If the unwanted person (s) returns to the propety and trespasses after being served with the *No Trespass Order*; please **immediately** call the Moultonborough Police Department at (603) 476-2400. If it is an emergency, please call 911. Unwanted person (s) will then be subject to arrest for ***Criminal Trepass*** as outline in New Hampshire RSA 635:2.