

**Holmes Beach Police Department
Business Trespass Program**

Dear Business Owner/Agent,

Thank you for your interest in the Holmes Beach Police Department's Business Trespass Program.

In an effort to make our community a safer place to live, work and shop, the Holmes Beach Police Department has created the Business Trespass Program (BTP). Participants in the program authorize all Holmes Beach Police Officers to enforce Florida Trespass statutes on their property, when the Owner/Agent is not present.

The program is designed to obtain written authorization from each business, corporation, or individual that owns or manages a commercial property. Certain "authorized private property owners" may also participate in this program. Once written authorization is obtained, program signage must be purchased and installed identifying the location as a program participant. At the completion of the registration process, all Holmes Beach Police Officers will be lawfully authorized to enforce Florida trespass statutes, in the absence of the Owner/Agent, on the registered property.

There are three key benefits of participation.

1. As a program participant, you will no longer be required to come out to your property at unusual hours, to issue your own trespass warnings.
2. As a program participant, your registered property will be less prone to loitering, disorderly conduct or other unlawful activity.
3. As a program participant, your registered property will project a more positive image.

If you would like to participate in this program, please read the enclosed information and instruction sheet. Complete the enclosed forms, and return them with a copy of a survey/property plot, to the Holmes Beach Police Department, Attention: Records Department.

Thank you for your support of our efforts to keep the City of Holmes Beach a safe and prosperous community. We look forward to continuing the productive relationship we have experienced in the past. If the Department can be of any assistance to you, please feel free to contact us at (941) 708-5804.

Sincerely,



William L. Tokajer
Chief of Police

**HOLMES BEACH POLICE DEPARTMENT
BUSINESS TRESPASS PROGRAM**

PARTICIPATION INFORMATION AND INSTRUCTIONS

PROGRAM CONCEPT

The Business Trespass Program is designed to provide commercial property owners, certain private property owners, and the Holmes Beach Police Department with a tool to help identify and reduce the opportunity for criminal activity to occur on participating properties. This program allows duly authorized law enforcement officers to act as an authorized agent of the participating business or property. The primary objective of the program is to deter and/or eliminate criminal activity, city wide, by enrolling as many program participants as possible. The success of this program depends upon the strong participation and support of our business community. The following information and instructions are provided to help guide you through the registration process.

GENERAL INFORMATION

1. Participation in the Business Trespass Program is absolutely voluntary.
2. Participation is offered to:
 - a. Business establishments, commercial properties and their outlying areas.
 - b. Public properties, such as schools, government facilities, churches and “authorized private property owners”.
3. Participants **must** register with the Holmes Beach Police Department.
4. Participants **must** complete an “Affidavit of Authorization” annually.
5. Participants **must** bear the cost of purchasing the approved program trespass warning signs and installing them as designated by the Holmes Beach Police Department.
6. Participation is **not** transferable with change of business ownership or location. **Should ownership or location change, the registered participant shall notify the Holmes Beach Police Department so that their registration and “Affidavit of Authorization” can be cancelled.** Under new ownership or new business location, the owner/agent must complete the entire registration process in order to participate in the Business Trespass Program.

**** NOTES: This program is only enforced when the business is closed and **NO** employees/owners/lessees are on the premises.

This program will NOT be enforced unless ALL signs are properly posted. All signs shall be replaced or relocated by the participant, as is necessary; to ensure that the public notice requirements are met. It is the responsibility of the participant to periodically inspect all signage for deterioration, damage or defacement.

It is the responsibility of the participant to REMOVE ALL B.T.P. SIGNS WHEN PROGRAM PARTICIPATION IS NOT LONGER ACTIVE.

REGISTRATION

Business- Is a lawfully licensed and operating business that is housed with-in a fixed structure, within the jurisdictional limits of the City of Holmes Beach. Abandoned or vacant commercial properties may satisfy this definition.

Authorized Private Property Owner- Is the owner of real property that shares a property line with a program participating business. Properties that are for rent, or lease, shall not be considered as authorized private properties.

1. Any business or authorized private property owner wishing to participate in the Business Trespass Program, may obtain a registration packet from any Holmes Beach Police Department Law Enforcement Officer, or contact the Holmes Beach Police Department at (941) 708-5804 for a copy to be sent to you.

2. The Business Trespass Program Registration Packet shall include the following;
 - a. Welcome letter
 - b. Participant information and instructions
 - c. B.T.P. Registration form
 - d. B.T.P. Affidavit of Authorization

3. Businesses and authorized private property owners wishing to register in the Business Trespass Program must complete the Affidavit of Authorization and Registration Form. Register each individual business and/or property separately.

4. The Affidavit of Authorization form must be signed in front of a Notary Public. Holmes Beach police Officers are **not** authorized to notarize program forms.

5. **RETURN THE COMPLETED AND NOTARIZED FORMS, WITH A COPY OF THE PROPERTY SURVEY OR PROPERTY PLOT TO:**

Holmes Beach Police Department
Records Department
5801 Marina Drive
Holmes Beach, Florida 34217

6. Upon receipt of the completed forms and survey/plot plan, the registrant will be contacted by the Records Department of the Holmes Beach Police and be scheduled for a “Trespass Sign Survey” of the registered property. Recommendations will be made as to the minimum number of signs required and the most effective location for their posting.

7. Upon completion of the sign survey, the surveying officer will issue the “Authorization to Purchase B.T.P. Signs” form and the general guidelines for the posting of the program signage.

8. Post all signs as recommended.

9. Once all signs have been posted as recommended, contact the Records Department at (941) 708-5804 and schedule a final inspection of the posted signage.
10. Once the final inspection is completed and approved, the properties participation in the Trespass Program will be activated.

RENEWAL

1. Program participation is authorized for a period of 1 year, from the date of program activation, and must be renewed.
2. Program participants wishing to renew their participation, in the B.T.P. must provide the Holmes Beach Police Department with a new Affidavit or Authorization within 10 business days prior to the program expiration date.
3. Participants failing to provide the required documentation, prior to the expiration date shall be terminated from the program.
4. Participants who are terminated from the B.T.P., shall remove all "B.T.P." signs from the property.
5. Terminated participants who renew their participation in the "B.T.P." within 30 days of termination may, at the discretion of the Chief or Police or his/her designee, be activated under their most recent program identification number.
6. Terminated participants who wish to renew their participation in the "B.T.P." later than 30 days from their termination date must restart the registration process and, if approved, be issued a new program number.

**HOLMES BEACH POLICE DEPARTMENT
BUSINESS TRESPASS PROGRAM
AFFIDAVIT OF AUTHORIZATION**

TO WHOM IT MAY CONCERN;

I, _____ as the owner/lessee/authorized agent (circle one) of the real property located at _____ (CITY) _____ (STATE) _____ (ZIP) _____ Manatee County, Florida, do hereby authorize and request all duly sworn Police Officers employed by the Holmes Beach Police Department to enter upon said property and to direct persons to leave and warn them not to return pursuant to section 810.08 and 810.09, of Florida Statutes, relating to Trespassing. I do hereby request all such officers to enforce said statutes on my property, including outlying areas and parking lots. I do hereby affirm that I have read, understand and, agree to the following.

(PLEASE INITIAL EACH ITEM)

_____ Owners or their agents are responsible for issuing trespass warnings, during hours of operation or, at any time they are present. This authorization does not alter an Owners/Agent's existing ability to issue trespass warnings, as they deem necessary.

_____ Issuance of trespass warning, by the Holmes Beach Police, will be at the sole discretion of the investigating officer or his/her supervisor.

_____ The Owner/Agent will not hold HBPD liable for expenses or damages incurred by the property owner, as a result of an officer's decision not to issue a trespass warning.

_____ I agree to assist in the prosecution of those arrested pursuant to this authorization.

_____ This authorization is valid for no more than 1 year, from the time of program activation/renewal, and must be renewed annually, for continued program participation.

_____ Change in ownership or agency requires new authorization.

(Signature and Authority)

(Printed Name)

(Home Address)

(City/State/Zip)

(Home Phone)

STATE OF FLORIDA
COUNTY OF MANATEE

I HEREBY CERTIFY that on this day, before me came, an officer duly authorized in the state and county aforesaid to take acknowledgements, personally appeared _____ known to me to be the person described in and who executed the forgoing instrument and he/she acknowledged before me that he/she executed the same.

Witness my hand and official seal in the County and State last aforesaid this ____ day of _____, 20_____.

My Commission expires on _____ (date).

NOTARY PUBLIC _____

**HOLMES BEACH POLICE DEPARTMENT
BUSINESS TRESPASS PROGRAM**

* BTP DECAL _____ * REGISTRATION DATE _____

Business Name: _____ Phone: _____

Address: _____

Mailing Address: _____

Fax: _____ E-Mail: _____

OWNER/LESSEE

Name: First _____ MI: _____ Last: _____

Home Address: _____

Home Phone: _____ Work: _____

Fax: _____ E-Mail: _____

EMERGENCY CONTACT #1

Name: First: _____ MI: _____ Last: _____

Home Address: _____

Home Phone: _____ Work: _____

EMERGENCY CONTACT#2

Name: First: _____ MI: _____ Last: _____

Home Address: _____

Home Phone: _____ Work: _____

* TO BE COMPLETED BY HOLMES BEACH POLICE DEPARTMENT

**HOLMES BEACH POLICE DEPARTMENT
BUSINESS TRESPASS PROGRAM**

SIGN POSTING GUIDELINES

ALL BUSINESS TRESPASS SIGNAGE MUST BE POSTED ACCORDING TO THESE GUIDELINES.

SIGNS POSTED ON BUILDINGS

1. One sign must be posted on each exterior side of the business
2. One sign for every 200 linear feet, of wall length, will be required.
3. All signs must be posted in a clearly visible location.
4. All signs must be posted no less than 6 feet above grade and no more than 8 feet above grade.
5. All signs must be posted according to the recommendations of the Holmes Beach Police.
6. No other signage may be posted w/in 6 feet of the BTP sign.
7. No other "No Trespassing" signs or signage of a similar design or color may be posted on the same wall. Federally mandated "A.D.A." signage is the only exception.
8. BTP signs may be posted on the interior windows as long as they comply with the guidelines.

FREE STANDING SIGNS & SIGNS POSTED ON FENCING/OTHER SURFACES

1. One sign must be posted on each property line, facing outward.
2. One sign for every 450 linear feet of property line will be required.
3. NO sign will be more than 450 feet from the other.
4. All signs must be posted in a clearly visible location.
5. All signs must be posted according to the recommendations of Holmes Beach Police.
6. All signs posted on fencing or other objects must be no less than 6 feet above grade.
7. All freestanding signs must be posted according to D.O.T. standards for free standing signs.
8. Signs should face out and be located at or near each normal point of ingress/egress to the property.
9. No other signage may be posted w/in 6 feet of BTP signage. (A.D.A exception)
10. No other "No Trespassing" signs or signage of a similar design, color or, size may be posted on the same property line as a BTP sign. (A.D.A. sign is the only exception)

HOLMES BEACH POLICE DEPARTMENT

BUSINESS TRESPASS PROGRAM

PROCESS OF SIGNING UP BUSINESS TRESPASS PROGRAM

NAME OF BUSINESS: _____

NAME OF OWNER: _____

TELEPHONE NUMBERS: _____

_____ COMPLETED APPLICATION

_____ PROPERTY PLOT

_____ ASSIGN BTP NUMBER TO BUSINESS

_____ APPOINTMENT – WHERE TO PLACE SIGNAGE, DATE _____

_____ ORDER FORM FOR SIGNS, NUMBER OF SIGNS _____

_____ APPOINTMENT- CHECK SIGN PLACEMENT, DATE: _____

_____ GIVE COPIES OF FORMS TO DISPATCH, DATE: _____

_____ PLACE IN COMPUTER, DATE: _____

INFORMATION:

HOLMES BEACH POLICE DEPARTMENT

BUSINESS TRESPASS PROGRAM

*** SIGN ***

NOTICE

**FOR YOUR PROTECTION ALL
CITY OF HOLMES BEACH POLICE
OFFICERS ARE AUTHORIZED
TO ADVISE ANY PERSON TO
LEAVE THESE PREMISES.
FAILURE TO LEAVE THESE
PREMISES AFTER BEING
INSTRUCTED MAY RESULT
IN YOUR ARREST
FOR TRESPASSING.
FLORIDA STATUTE 810.08 & 810.09**

**CHIEF WILLIAM L. TOKAJER
HOLMES BEACH POLICE DEPARTMENT**

**WORKING TO KEEP
HOLMES BEACH SAFE**

HOLMES BEACH POLICE DEPARTMENT

BUSINESS TRESPASS PROGRAM

RENEWAL NOTICE

Dear Program Participant:

This is just a friendly reminder that your enrollment in the Holmes Beach Police Department's Business Trespass Program is scheduled to expire on _____.

We have enjoyed this mutually beneficial relationship and look forward to your continued participation. Participation in the program is voluntary. To continue your participation in this program, simply complete the Affidavit of Authorization and Registration form. Please return them to the Holmes Beach Police Department attention Records Department, prior to your expiration date.

If you intend to renew, it is imperative that you act promptly. Failure to do so may result in a lapse of the Holmes Beach Police Department's ability to enforce trespass laws on your property in your absence. **If you decide to discontinue participation in this program, it is your responsibility to remove all BTP signs from the property.**

If you have any questions or concerns, please feel free to contact the Records Department at (941) 708-5804.

We look forward to your continued cooperation and participation in our efforts to keep the City of Holmes Beach a safe and prosperous place, to live, work and visit.

Sincerely,



William L. Tokajer
Chief of Police