

**The Trespass to Property Act is a tool business owners can use to deter unwanted people from accessing their property. A Trespass Notice automatically makes it an offence for a person to return after being served.**

**What you can do:**

1. Put up signage to specify activities you do not permit on your property (such as trespassing after business hours, loitering, etc.).
2. Verbally direct unwanted people to leave your premises.
3. Issue as required the Trespass Notice to people you do not wish to return to your business. Save a copy of the Trespass Notice you have issued. Mail or drop off a signed and served copy of this notice to the Thunder Bay Police Service at 1200 Balmoral Street, Thunder Bay, Ontario P7B 5Z5.
4. Contact TBPS in any of the following circumstances:
  - a. You are unable to identify the trespasser.
  - b. A trespasser refuses to leave when directed.
  - c. You are requesting that a charge be laid.
  - d. Any time any potential danger exists.

**What you need to know about issuing a Trespass Notice:**

- Generally speaking, offences under the Trespass to Property Act occur when a person:
  - Enters a premises where entry is prohibited.
  - Engages in an activity on premises when the activity is prohibited.
  - Fails to leave the premises when directed to do so.
- Written Trespass Notices must be issued directly to the person being trespassed. The name of the person must be on the Trespass Notice.
- A verbal Trespass Notice may be given, but a written notice is more likely to be prosecuted.
- Notices are to be issued by authority of the “occupier”, meaning the owner of the premises or anyone to whom they have delegated authority, such as a supervisor or security guard.
- A person who enters the property after being issued a Trespass Notice is subject to arrest and/or charge being laid pursuant to the TRESPASS TO PROPERTY ACT, R.S.O. 1990, CHAPTER T.21. This may result in a fine of not more than \$10,000.
- You must be able to verify that the Trespass Notice was issued, and that verification can be presented in court in the event the person pleads “not guilty” to the charge.

**Note:**

- If a police officer is already on the scene, you may request the officer to verbally inform the person that they are trespassed effective immediately. An incident number will be generated and provided by police. The trespass warning is therefore documented and can be referenced to issue a ticket to the person should they violate the warning.

**Still have questions? [Go directly to the Trespass to Property Act](#)**

**Thunder Bay Police Service contact:**

- Emergency: 911
- Non-emergency: 807-684-1200
- [www.thunderbaypolice.ca](http://www.thunderbaypolice.ca)



# TRESPASS NOTICE TO PROHIBITED PERSON

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EVERY PERSON WHO IS NOT ACTING UNDER A RIGHT OF AUTHORITY CONFERRED BY THE LAW AND WHO WITHOUT THE EXPRESS PERMISSION OF THE OCCUPIER, THE PROOF OF WHICH RESTS ON THE DEFENDANT, ENTERS ON A PREMISES WHEN ENTRY IS PROHIBITED UNDER THE TRESPASS TO PROPERTY ACT, IS GUILTY OF AN OFFENCE AND ON CONVICTION IS LIABLE TO A FINE.

TRESPASSER NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TAKE NOTICE: In accordance with the provisions of Sec. 3(1) of the Trespass to Property Act, R.S.O. 1990, T.21, you are hereby notified and advised that you are not to enter upon the buildings or lands at;

Business Name: \_\_\_\_\_

Address(es): \_\_\_\_\_

In  Thunder Bay, Ontario or  Oliver-Paipoonge, Ontario  
from this date forward unless this notice is revoked in writing.

Entering upon the buildings or lands as aforementioned may result in arrest and/or charge being laid pursuant to the *TRESPASS TO PROPERTY ACT*, R.S.O. 1990, c. T.21. This may result in a fine of up to \$10,000.

DATED AT THUNDER BAY, ONTARIO  or OLIVER PAIPOONGE, ONTARIO

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

BY AUTHORITY OF THE OCCUPIER.

SIGNATURE OF ISSUER: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

Mail or drop off a signed and served copy of this notice to the Thunder Bay Police Service at 1200 Balmoral Street, Thunder Bay, Ontario P7B 5Z5.