

Ordinance Number 140

ORDINANCE ENACTING TOWN CODE SEC. 38-21

WHEREAS, the Town of New Market wishes to enact Town Code Sec. 38-21 to allow any owner, lessee, custodian, or person lawfully in charge of any real property to designate the Town of New Market Police Department as "a person lawfully in charge of the property" for the purpose of forbidding another to remain upon the lands, buildings or premises as specified in the designation, and

WHEREAS, Code of Virginia 15.2-1717.1 allows the Council to take such action in order to assist its citizens in securing their properties against unwanted intrusion by third parties,

NOW, THEREFORE, be it ordained by the Town Council of the Town of New Market, Virginia that Town Code Sec 38-21 is enacted to read as follows:

§38-21 Designation of police to enforce trespass violations.

Any owner, lessee, custodian, or person lawfully in charge of any real property may, in writing, on a form prescribed by the chief of police, designate the Town of New Market Police Department as "a person lawfully in charge of the property" for the purpose of forbidding another to remain upon the lands, buildings or premises as specified in the designation. The designation shall be on file with the Town of New Market Police Department.

CERTIFICATE


The undersigned Mayor and Clerk of the Town Council of the Town of New Market, Virginia hereby certify that the foregoing constitutes a true and correct copy of the Town of New Market Ordinance Enacting Town Code Sec. 38-21 adopted by the Town Council at a meeting held on August 18, 2025. A record of the roll-call vote by the Town Council is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Peter Hughes, Mayor *				
Janice Hannah	✓			
Peggy Harkness	✓			
Bob King	✓			
Daryl Watkins	✓			
Scott Wymer	✓			
Jon Henry	✓			

* Votes only in the event of a tie.

Date: August 18, 2025

ATTEST:


Clerk, Town Council of the
Town of New Market


Mayor, Town of New Market, Virginia



9418 John Sevier Road, P.O. Box 58
New Market, Virginia 22844
540.740.3776 (office) 540.740.9204 (fax)
Chief Chris Rinker

TRESPASS ENFORCEMENT AUTHORIZATION LETTER

I/We hereby authorize sworn law enforcement personnel of the Town of New Market Police Department to serve as the person lawfully in charge of my/our property located in the Town of New Market for the purpose of enforcing the trespassing laws of the Commonwealth of Virginia and the Town of New Market, Virginia, pursuant to Code of Virginia Section 15.2-1717.1 and Town Code 38-21. This designation is requested in an effort to deter criminal activity on my/our property.

By my signature, I/we authorize sworn law enforcement personnel of the Town of New Market Police Department to serve as the person lawfully in charge of my/our property for purposes of forbidding another to remain on the lands, buildings or premises as specified in this designation. I/we further authorize sworn law enforcement personnel of the Town of New Market Police Department to serve written notice and enforcement of the trespassing laws of the Commonwealth of Virginia and the Town of New Market, Virginia on my/our property.

I certify by my signature that I am the owner, lessee, custodian, or the agent of any such person, or other person lawfully in charge of the property at issue, (a "person in charge of the property"), I understand that it is my responsibility to notify the New Market Police Department if at any time in the future I am no longer a person in charge of the property, and I agree to indemnify the Town of New Market for any loss that occurs as the result of this certification being incorrect. I further understand that this request for enforcement and authorization to act as my/our agents may be rescinded at any time. I agree to provide dated, written notice regarding such rescission.

Address and Description of Property where Enforcement is Authorized
Note: Please be as detailed as possible.

Signature of Owner, Lessee, or
Person Lawfully in Charge of Property

Date

Printed Name and Title: Owner, Lessee, or
Person Lawfully in Charge of Property, Apt. Manager, etc.

Contact Number (Required)

Signature of Owner Lessee, or
Person Lawfully in Charge of Property

Date

Printed Name and Title: Owner, Lessee, or
Person Lawfully in Charge of Property, Apt. Manager, etc.

Contact Number (Required)

Company or Business Name

Address

City, State Zip

Incident# _____

Office Use Only Below this Line

Witnessing/Verifying that Person is Lawfully in
Charge of Property (Officer Name and ID Number)

Date of Witness/Verification