



CITY OF CHARLESTON WEST VIRGINIA



COUNCIL MEMBER – WARD 20

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Ordinance and Rules Committee, Chair
Parks and Recreation Committee
Finance Committee
Parking Facilities Committee

A meeting of the Council Committee on Ordinance & Rules will be held on Monday, August 17,
2026 at 6:00 PM. **To be held in person**
AV ROOM #308, CITY HALL

Agenda

PREVIOUS MINUTES

1. 8-17-2026

BILLS

1. Bill No. 8081 - A BILL to amend the Municipal Code of the City of Charleston and enact a new section relating to creation of the Trespass Enforcement Authorization Program.

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*Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>

Bill No. 8081

Introduced in Council:

June 1, 2026

Introduced by:

Chad Robinson

Adopted by Council:

Referred to:

**Public Safety and
Ordinance and Rules**

Bill No. 8081 - A BILL to amend the Municipal Code of the City of Charleston and enact a new section, Section 78-63, relating to creation of the Trespass Enforcement Authorization Program.

Now, therefore, be it ordained by the Council of the City of Charleston: That Division 2 of Article II of Chapter 78 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted by adding thereto Section 78-63 to read as follows:

Sec. 78-63. - Trespass Enforcement Authorization Program.

(a) A property owner, building owner, property manager or person having legal control of real property (the "participant") or their legal representative can authorize the Charleston Police Department to enforce, in absolute police discretion, the trespass ordinance set forth in Section 78-62 of this Code on their property. To have the possibility of enforcement pursuant to this division, the person must:

(1) Provide notice to the Charleston Police Department, on the form to be provided by the City and which shall include a sworn and notarized affidavit from the participant attesting thereto, of the participant's desire to participate in the Trespass Enforcement Authorization Program by filing such notice and affidavit with the Records Division of the Charleston Police Department;

(2) Declare the notice and affidavit to be a business record kept in the normal course of business, and agree to appear in court to testify; and

(3) Post the property with conspicuous signage of sufficient notice declaring the property to be under the Trespass Enforcement Authorization Program. The term "conspicuous signage" means a sign that is at least one square foot in size with lettering that is at least two inches in height and contains the following language or words of similar notice:

NO TRESPASS AT ANY TIME [or at specific designated times as stated]

35 PRIVATE PROPERTY

36
37 THE CHARLESTON POLICE DEPARTMENT IS AUTHORIZED TO ENTER THE
38 PREMISES AND ARREST ANY VIOLATORS

39
40 TRESPASS ENFORCEMENT AUTHORIZATION PROGRAM

41
42 The term "sufficient notice" means the conspicuous sign or signs are posted on the
43 subject property where they reasonably may be seen.

44
45 (b) When property has been posted by the participant with conspicuous signage of
46 sufficient notice declaring the property to be under the trespass enforcement
47 authorization program, it shall be prima facie evidence that consent to enter or remain
48 upon the premises of another is absent, denied, or withdrawn.

49
50 (c) It shall be unlawful to deface, damage or remove any sign placed in accordance
51 with this section.

52
53 (d) Any authorization granted by the participant pursuant to the Trespass Enforcement
54 Authorization Program may be withdrawn at any time by the participant by providing
55 actual notice to the Charleston Police Department in writing. In addition, the
56 authorization granted by the participant shall become immediately null and void upon
57 written notice of any transfer of ownership or control of the subject real property, and the
58 participant has a duty to notify the Department of any such transfer.