



**Doug Bartosh**  
**City Manager**

# *Cottonwood Police Department*

*Pride, Honor, Dedication, & Integrity*



**Steve Gesell**  
**Chief of Police**

## *“Safe Shopper” Program*

**Purpose:** Through a written agreement and partnership with business owners and property management, the “Safe Shopper” program is intended to reduce incidents that adversely impact the safety of your business as well as your customers by granting officers the authority to trespass individuals engaged in behaviors you deem as prohibited on your property; specifically loitering and solicitation without your permission. This agreement can be severed at any time at your discretion.

Trespass warnings would be issued to violators on a first offense. An arrest generally would not occur unless there are subsequent violations. The owner/designee authorizes the Cottonwood Police Department authority to trespass persons engaging in business solicitation or solicitation for money or other goods on private property without the express written consent of the owner, to include panhandling, hand bills, and/or providing a service.

### **Return to:**

Cottonwood Police Department  
199 South 6<sup>th</sup> St  
Cottonwood, AZ 86326  
(928)634 4246



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## AUTHORITY TO ARREST TRESPASSERS

This agreement authorizes the Cottonwood Police Department to trespass persons engaging in criminal conduct, business solicitation or solicitation for money or other goods on the listed property without the express written consent of the owner or owner’s designee.

This agreement does not inhibit an officer’s use of discretion, there is no expectation to utilize that discretion in any particular way when patrolling the premises to warn and/or arrest person(s) for; criminal trespass, criminal damage, criminal littering, reckless burning, loitering, or camping on private property.

This authority applies 24 hours a day until revoked by the property owner or owner’s designee. The undersigned agrees to cooperate fully in the prosecution of person(s) subsequently arrested for violations of state law and/or city ordinance occurring on the premises. The undersigned agrees to post a reasonable notice prohibiting solicitation and loitering to assist in reducing the need for police intervention.

This form is valid from the date of signature for two years or until a change of status occurs. The person signing this agreement shall immediately notify the Cottonwood Police Department if they no longer have the status of an owner, occupant, or designated agent.

<b>Location</b>			
_____ Name of Business (if applicable)			
_____ Street Address (location description)			
<b>Owner, Resident, or Designated Agent</b>			
_____ Signature		_____ Date	
_____ Title			
_____ Name (Printed)		_____ Date of Birth	
_____ Mailing Address		_____ City	_____ State      Zip Code
_____ E-Mail Address		_____ Home Phone	_____ Work Phone

## **APPLICABLE ARIZONA REVISED STATUTES and CITY ORDINANCE**

### **13-1502. [Criminal trespass in the third degree; classification](#)**

A. A person commits criminal trespass in the third degree by:

1. Knowingly entering or remaining unlawfully on any real property after a reasonable request to leave by a law enforcement officer, the owner or any other person having lawful control over such property, or reasonable notice prohibiting entry.

B. Pursuant to subsection A, paragraph 1 of this section, a request to leave by a law enforcement officer acting at the request of the owner of the property or any other person having lawful control over the property has the same legal effect as a request made by the property owner or other person having lawful control of the property.

### **13-1503. [Criminal trespass in the second degree; classification](#)**

A. A person commits criminal trespass in the second degree by knowingly entering or remaining unlawfully in or on any nonresidential structure or in any fenced commercial yard.

### **13-1504. [Criminal trespass in the first degree; classification](#)**

A. A person commits criminal trespass in the first degree by knowingly:

1. Entering or remaining unlawfully in or on a residential structure.

2. Entering or remaining unlawfully in a fenced residential yard.

3. Entering any residential yard and, without lawful authority, looking into the residential structure thereon in reckless disregard of infringing on the inhabitant's right of privacy.

### **13-1602. [Criminal damage; classification](#)**

A. A person commits criminal damage by:

1. Recklessly defacing or damaging property of another person.

2. Recklessly tampering with property of another person so as substantially to impair its function or value.

5. Recklessly drawing or inscribing a message, slogan, sign or symbol that is made on any public or private building, structure or surface, except the ground, and that is made without permission of the owner.

### **13-1603. [Criminal littering or polluting; classification](#)**

A. A person commits criminal littering or polluting if the person without lawful authority does any of the following:

1. Throws, places, drops or permits to be dropped on public property or property of another that is not a lawful dump any litter, destructive or injurious material that the person does not immediately remove.

3. Dumps any earth, soil, stones, ores or minerals on any land.

### **13-1702. [Reckless burning; classification](#)**

A. A person commits reckless burning by recklessly causing a fire or explosion which results in damage to an occupied structure, a structure, wildland or property.

13-2905. Loitering; classification

A. A person commits loitering if such person intentionally:

1. Is present in a public place and in an offensive manner or in a manner likely to disturb the public peace solicits another person to engage in any sexual offense.

3. Is present in a public place, unless specifically authorized by law, to gamble with any cards, dice or other similar gambling devices.

13-2914. Aggressive solicitation; classification; definitions

A. It is unlawful for a person to solicit any money or other thing of value or solicit the sale of goods or services:

1. Within fifteen feet of any bank entrance or exit or any automated teller machine if the person does not have permission to be there from the bank or the owner of the property on which the automated teller machine is located.

2. In a public area by:

(a) Intentionally, knowingly or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent.

(b) Approaching or following the person being solicited in a manner that is intended or is likely to cause a reasonable person to fear imminent bodily harm to oneself or another or damage to or loss of property or that is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

(c) Continuing to solicit the person after the person being solicited has clearly communicated a request that the solicitation stop.

(d) Intentionally, knowingly or recklessly obstructing the safe or free passage of the person being solicited or requiring the person to take evasive action to avoid physical contact with the person making the solicitation. This subdivision does not apply to acts that are authorized as an exercise of one's constitutional right to picket or protest.

(e) Intentionally, knowingly or recklessly using obscene or abusive language or gestures that are intended or likely to cause a reasonable person to fear imminent bodily harm or that are reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

4. "Solicit" means using any means of communication, including by spoken, written or printed word, to request an immediate donation or exchange of money or other thing of value from another person regardless of the solicitor's purpose or intended use of the money or other thing of value.

8.52.030 - Camping on private property.

A. No person shall camp on any private property within the city limits except as allowed in areas designated for such use, or as specifically authorized for such use subject to the applicable sections of the Cottonwood Zoning Ordinance, including, but not limited to, Section 404, General Provisions, which allows limited use of recreational vehicles and travel trailers for guests on private property developed with a detached, single-family residential use; and allows limited use of tents and similar structures for activities described as backyard camping by children.

(Ord. No. 539, § 1, 2-3-2009)

8.52.050 - Violation—Penalty.

A. Violation of this chapter shall be subject to penalties as provided by Chapter 1.12, General Penalty, of the Municipal Code of the city, and state statute.

No person shall be arrested for a violation of any provision in this article unless such person continues to engage in such conduct after warning by any police officer. Any person who violates the provisions of this chapter by camping on property that has been conspicuously posted with a general notice of this chapter as prohibiting camping or overnight parking shall be subject to arrest by a police officer.

(Ord. No. 539, § 1, 2-3-2009)