



Province of Alberta

PETTY TRESPASS ACT

Revised Statutes of Alberta 2000
Chapter P-11

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HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Crown land

1 This Act does not apply to Crown land except, subject to section (1.1), Crown land subject to a disposition granted under the *Public Lands Act*.

RSA 2000 cP-11 s1;2003 c11 s2;2003 c41 s2

Non-application of Act

1.1 This Act does not apply in respect of a person who, for recreational purposes within the meaning of the regulations under section 62.1 of the *Public Lands Act*, enters Crown land that is the subject of a grazing lease, grazing permit, farm development lease, cultivation permit, grazing licence, authorization to harvest hay or head tax grazing permit issued under that Act, whether or not the entry is in accordance with that Act and the regulations.

2003 c11 s2

Prohibition

2(1) Every person who

- (a) without the permission of the owner or occupier of land enters on land when entry is prohibited under section 2.1, or
- (b) does not leave land immediately after he or she is directed to do so by the owner or occupier of the land or a person authorized by the owner or occupier

is guilty of an offence.

(2) A person who is guilty of an offence under subsection (1), whether or not any damage is caused by the contravention, is liable

- (a) for a first offence, to a fine not exceeding \$2000, and
- (b) for a 2nd or subsequent offence in relation to the same land, to a fine not exceeding \$5000.

(3) It is a defence to a charge under subsection (2) for the accused to establish that the accused had a right or authority conferred by law to be on the land.

(4) There is a presumption that access for lawful purposes to the door of a building on land by a pathway apparently provided for the purpose of access is not a trespass.

RSA 2000 cP-11 s2; 2003 c41 s2

Notice

2.1(1) Entry on land may be prohibited by notice to that effect, and entry is prohibited without any notice on land

- (a) that is a lawn, garden or land that is under cultivation,
- (b) that is surrounded by a fence, a natural boundary or a combination of a fence and a natural boundary, or
- (c) that is enclosed in a manner that indicates the owner's or occupier's intention to keep persons off the land or to keep animals on the land.

(2) For the purposes of subsection (1), notice may be given

- (a) orally,
- (b) in writing, or
- (c) by posters or signboards visibly displayed
 - (i) at all places where normal access is obtained to the land, and

(ii) at all fence corners or, if there is no fence, at each corner of the land.

(3) Substantial compliance with subsection (2)(a), (b) or (c) is sufficient notice.

(4) No person shall tear down, remove, damage, deface or cover up a poster or signboard that prohibits trespass that has been posted by an owner or occupier of the land.

(5) A person who contravenes subsection (4) is guilty of an offence and is liable to a fine not exceeding \$2000.

2003 c41 s2

Liability of driver

3 When a trespass to which this Act applies is committed by means of a motor vehicle, the driver of the vehicle is guilty of the contravention of this Act and liable to the fine.

RSA 1980 cP-6 s3

Apprehension without warrant

4 Any person found committing a trespass to which this Act applies may be apprehended without warrant by any peace officer, or by the owner or occupier of the land on which the trespass is committed, or the servant of, or any person authorized by the owner or occupier of the land, and may be forthwith taken before the nearest judge of the Provincial Court or justice of the peace to be dealt with according to law.

RSA 2000 cP-11 s4;2008 c32 s23

5 Repealed 2003 c41 s2.

Jurisdiction of judge

6 Nothing in this Act authorizes any judge of the Provincial Court or justice of the peace to hear and determine a case of trespass in which the title to land, or to any interest in land, is called in question or affected, but every such case shall be dealt with according to law in the same manner as if this Act had not been passed.

RSA 2000 cP-11 s6;2008 c32 s23

7 Repealed 2003 c41 s2.



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