

8.12 Trespass to Land

- (1) Any person who does any of the following is subject to penalty in subsection (3).
 - (a) Intentionally enters any enclosed or cultivated land of another with intent to catch or kill any birds, animals, or fish on the land or gather any products of the soil without the express or implied consent of the owner or occupant to engage in any of those activities.
 - (b) Intentionally enters or remains on any land of another after having been notified by the owner or occupant not to enter or remain on the premises.
 - (c) Hunts, shoots, fishes, or gathers any product of the soil on the premises of another or enters said premises with intent to do any of the foregoing after having been notified by the owner or occupant not to do so.
 - (d) Intentionally enters any enclosed or cultivated land of another with a vehicle of any kind without the express or implied consent of the owner or occupant.

- (2) A person has received notice from the owner or occupant within the meaning of this section if he has been notified personally, either orally or in writing, or if the land is posted. For land to be posted, a sign at least 11 inches square must be placed in at least two conspicuous places for every 40 acres to be protected. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land and by the word "occupant" if the person giving the notice is not the holder of legal title but lawful occupant of the land. Proof that appropriate signs are herein provided were erected or in existence upon the premises to be protected within six months prior to the event complained of shall be prima facie proof that the premises to be protected were posted as herein provided.

- (3) PENALTIES. Any person who violates this section shall forfeit not more than \$300.00, together with costs of prosecution, and may be ordered to pay restitution and complete community service.