

North Carolina Trespass Laws
First Degree Trespass and Second Degree Trespass
by Jim Spivey

NC GS 14-159.12 First Degree Trespass:

A person commits this offense if without authorization he enters or remains on a premises of another so enclosed or secured as to demonstrate clearly an intent to keep out intruders.

Example - Fenced in property or a closed gate at entrance of property (No signs are needed)

NC GS 14-159.13 Second Degree Trespass

A person commits this offense if without authorization he enters or remains on premises of another after he has been notified not to enter or remain there by the owner or by a person in charge of the premises or that the property is posted in a manner reasonably likely to come to the attention of intruders with notice Not to enter the premises.

Example - Signs are posted "No Trespassing" or "Private Property", etc.

North Carolina has also now enacted the "purple paint" law which is basically purple painted on posts or trees to designate "posted property" and is the same as trespassing on posted property for hunting or fishing purposes without the owners permission.

Property "No Trespassing" signs not required to be signed due to the purple paint law.

Metal detecting on someone's property would fall into the same category as hunting or fishing on private property without the owners permission.

If a parcel of land is posted "No Trespassing" or painted with purple paint, it falls into the category of "second degree trespassing".

It is illegal to trespass on posted property or property painted with purple paint without the owners permission and if so done may result in a criminal trespass arrest or citation.

Lastly, I would like to remind all ONSD members of our Code of Ethics, which reads, " I will respect private property and do no metal detecting without the owners permission".

As members of the club, we are all bound by the Code of Ethics to be professional and courteous to everyone we come in contact with and assist in any questions regarding the hobby of metal detecting.

Jim Spivey