

CLOSED PROPERTIES

POLICY:

It is the policy of the Omaha Police Department (OPD) to strictly enforce the City of Omaha Closed Property Ordinances.

PROCEDURE:

- I. **Registration of Closed Property Ordinance (Omaha Municipal Codes [§20-156 through 20-156.07](#))**
 - A. Omaha City Ordinance [§20-156.01](#), an extension of the City of Omaha's "Remaining After Closing" Ordinance, and known as "Registration of Closed Property - Generally," was designed to create a partnership between police and private property owners to assist in orderly law enforcement upon registered private property. Under this section of law, when business owners register property with the OPD's Business Watch Squad, they authorize OPD officers to remove or arrest all unauthorized persons found on business properties after business hours.
 - B. Enforcement Procedures
 1. Officers who observe possible closed property violations shall first make certain that the property has been conspicuously posted with proper signs declaring it as closed property and indicating days and the times the property is closed.
 2. Officers shall then contact the Information Channel Operator to confirm that the property is in compliance with closed property registration requirements.
 3. Persons found on the registered private property during posted closed hours must produce identification showing valid permission to be there at that time. Anyone who is unable to produce authorization is in violation and will be issued a criminal citation for violation of Ordinance [§20-156.01](#).
 4. If confusion exists in determining authorization, officers may consider utilizing the business emergency contact number on file with the 911 Center. Contact numbers are provided as part of the registration process.
 5. Law enforcement does not have the authority to tow vehicles from the private property of a business by virtue of the property being listed on the Closed Property Registry. The owner must make a specific request to OPD to tow the trespassing or abandoned vehicle. See the OPD ["Towing - Repossession/Private Property"](#) policy for more details.
- NOTE:** If signs are posted but officers find either the registration guidelines have not been met or the registration is expired, no enforcement action shall be taken. Officers will direct an Inter-Office Communication to the Business Watch Squad for follow-up.
- C. Closed Property Registration Process
 1. Solicitation of businesses for Closed Property Registration primarily rests with officers in the field. Once a business has been identified as having a need to be involved in the Closed Property Program, officers will either deliver a Closed Property Registration packet to the business owner/representative or request the Business Watch Squad send a registration packet to the business owner/representative by mail.
 2. The Business Watch Squad shall process and administer all Closed Property Registrations and agreements to maintain enforceability.

II. Placards – Danger/Closed Properties ([Omaha Municipal Codes §48-71 through 48-77](#)).

- A. When the City of Omaha Planning Department closes vacant structures with a “Danger / Closed” placard, officers may assist in the enforcement of those Omaha Municipal codes.
- B. Enforcement Procedures
 - 1. Officers who observe persons in “Danger/Closed” placarded structures may cite/ arrest those persons per Omaha Municipal Code [§48-75](#).
 - a. “Danger/Closed” placards will always have the address of the structure, the municipal code for which a person can be cited, and the City of Omaha Planning Department’s inspector’s name and phone number.
 - b. Active repair work and/or cleaning may be conducted during the hours of 0800 to 1700 hours. (In summer, longer hours may be allowed due to extended daylight.) Sitting, laying, sleeping, or occupying the structure shall be considered in violation.
 - c. Each day any such violation occurs, shall constitute a separate offense (Omaha Municipal Code [§1-10](#)).
 - 2. Officers may be called to assist a City of Omaha Planning Department inspector for protection and/or to write the citation for violations.
 - 3. For clarification and for any assistance, you may call the City of Omaha Planning Department, Housing Division - Code Enforcement. (See [Appendix A](#).)
 - 4. Violation citations shall include the City of Omaha Planning Department inspector’s name in order to be included by the Douglas County Prosecutor’s Office to be called as a court witness.

REFERENCES:

I. City of Omaha Ordinances

- A. City of Omaha Ordinances [§20-156 through 20-156.07](#), [§48-71 through 48-77](#), and [§1-10](#) are referenced in this policy.

II. Previous OPD Orders

- A. Previous General Orders: #57-90, 38-14, 107-17, 49-21, 78-22.
- B. Previous Information Orders: #106-92.

III. Other

- A. Monthly PPM Updates: #10-2017.