

# VALLEY ELECTRIC ASSOCIATION, INC.

Corporate Policy #137

## TRESPASS

Dated: January 15, 2019  
Supersedes: N/A  
Formerly: N/A

### I. OBJECTIVE

- A. To provide notice to Association Members, and guidance to Association Employees, regarding the Association's trespass policy.

### II. POLICY

- A. Many Association facilities and events are open to the public. However, when an individual's actions are deemed to be harmful, disruptive, threatening, or constitute a breach of the peace, that individual may be given notice of trespass and removed from Association facilities, as described in NRS § 207.200(2)(d).
- B. Trespass at Association meetings and events.
  - 1. Any individual who willfully disrupts a meeting of the Board, a meeting of the Members, or an event organized or held on Association property to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the President, Chairman or CEO.
  - 2. A person willfully disrupts a meeting when he or she
    - a. Uses physical violence, threatens the use of physical violence or provokes the use of physical violence;
    - b. Continues to engage in loud, boisterous, unruly, or provocative behavior, as determined by the President or CEO, after being asked to stop; or
    - c. Fails to comply with any decision or order of the President or a majority of the Board relating to the orderly conduct of the meeting.
  - 3. At the election of the President or CEO, any person asked to leave a meeting for the reasons discussed above may be given a trespass warning.

C. Trespass warning requirements.

1. An initial trespass warning may be oral and must include a demand to vacate the premises. A record of the oral trespass warning shall be made and kept by the Manager of Support Services or other designee of the CEO. A person orally trespassed must leave the premises, but may return to any premises to which the public is permitted to enter the following business day or any day thereafter.
2. After an oral trespass warning is issued, the Manager of Support Services or other designee of the CEO shall record the details of the incident and may issue a written trespass warning. The written trespass warning shall include:
  - a. The duration of the trespass, which may be permanent;
  - b. The facilities from which the individual is barred, which may include all Association facilities or facilities rented or leased by the Association;
  - c. The name of the individual or individuals who have been barred.
3. No trespass warning is intended to prohibit Members from conducting essential business with the Association. "Essential business" is defined as paying bills, voting in Association elections, or similar matters.
4. In most cases, essential business may be conducted remotely via mail, telephone, or other electronic means without accessing Association facilities. If a Member is unable to conduct essential business remotely, he or she may contact the Manager of Support Services and request access to a specific facility for a specific purpose. Such permission may be granted at the sole discretion of the President, CEO, or their designee, and shall not be unreasonably withheld. Such permission shall be in writing and articulate the specific facility, specific purpose and duration of the grant of permission, or may provide for alternate means of conducting essential business, including instructions for accessing the Association's website or kiosk facilities for the purposes of securing and paying for services.

D. Appeal of Trespass Warning.

1. Any individual who has received a trespass warning may appeal to the Board to lift the warning, either in whole or in part. An appeal must be in writing and presented to the Manager of Support Services, who shall,

after providing a review and a recommendation, present the appeal to the CEO and Board President. The Board will render a decision to any appeal within 60 days of it being presented to the Manager of Support Services. The Board retains full discretion in whether to lift a trespass under this section.