

BYLAWS of THE CACHE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

ARTICLE I Name & Purpose

Section 1. Name:

The name of this organization shall be: CACHE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE hereinafter referred to as the "LEPC".

Section 2. Purpose:

The purpose of the Cache County LEPC is to carry out those duties set forth in the Emergency Planning and Community Right-to-Know Act of 1986 ("EPCRA"). The LEPC is organized and exists pursuant to 42 U.S.C. 116-1-11001 (c) Utah Code Ann., 53-2a-701 (5) (a).

ARTICLE II Duties & Responsibilities

Section 1. Duties & Responsibilities of the LEPC include the following:

1. Hold regularly scheduled public meetings to establish short and long range plans subject to requirements of the Superfund Amendments & Reauthorization ACT ("SARA") Title III.
2. Provide planning guidance and support to facilities and companies preparing for hazardous materials incidents at their location.
3. Receive notifications from facilities covered under SARA Title III and respond to requests for assistance.
4. Receive and process requests for information from the public.
5. Process Community Right-to-Know requests in compliance with EPCRA.
6. Respond to requests for information from private and public entities.
7. Provide planning and training as required for unified response and coordination during a haz-mat incident.
8. Establish and maintain a database of SARA Title III hazardous chemical locations and quantities in the County.
9. Provide direction and guidance to local/county officials, on appropriate actions and measures necessary to protect the public and environment from the effects of a hazardous material emergency.
10. Adopt policy, guidelines, and procedures to effectively carry out assigned LEPC duties and responsibilities.

Article III General Membership

Section 1. General Membership:

The General Membership of the LEPC may include representatives from Local Government, Public Safety, Health and Medical, Public Works and Transportation, Business and Industry, Education, Community Groups and the Media.

Article IV Officers

Section 1. Election of Officers:

The LEPC officers shall consist of a Chairperson, a 1st Vice Chairperson, a 2nd Vice Chairperson, and a Secretary. Term of office will be for one (1) year with elections held annually at the first meeting of the year.

Section 2. Duties of Elected Officers:

- 1. Chairperson:** The Cache County Fire Chief or their designee shall serve as the Chairperson of the LEPC. The Chairperson shall preside at all regular and special meetings of the Committee, shall appoint Subcommittee members and their Chairpersons, shall sign the approved minutes of the Committee and any other documents as designated by the Committee, shall act as spokesperson for the Committee, shall be an ex officio member of each subcommittee, as requested, shall review and sign bylaws annually, and shall perform such other duties as the Committee may assign.
- 2. 1st Vice Chairperson:** The 1st Vice Chairperson shall be a Business/Facility representative nominated by and elected by a majority vote of members present at a regularly scheduled meeting at which a quorum is present. The 1st Vice Chairperson shall perform all the duties of the Chairperson in the Chairperson's temporary absence or disability, and shall perform any other duties assigned by the Chairperson.
- 3. 2nd Vice Chairperson:** The 2nd Vice Chairperson shall be a General Member of the LEPC. The 2nd Vice Chairperson shall be nominated and elected by a majority vote of members present at a regularly scheduled meeting at which a quorum is present. The 2nd Vice Chairperson shall perform all the duties of the Chairperson or 1st Chairperson in their absence or disability, and shall perform any other duties assigned by the Chairperson.
- 4. Secretary:** The Secretary shall be a member of the LEPC. The Secretary will be nominated by the Chairperson and elected by a majority vote of members present at a regularly scheduled meeting at which a quorum is present. The Secretary will be responsible for maintaining a record of the proceedings of the Committee and prepare

the Committee's meeting minutes, shall post announcements of Committee and Subcommittee meetings, shall distribute meeting notices to Committee members prior to Committee meetings, shall distribute meeting minutes and other documents prepared by the Chairperson, shall annually notify the local newspaper the annual legal notice of the Committee, shall receive, collect and file annual Tier II reports and shall perform such other duties as the Chairperson may assign.

Article V Sub-Committees

Section 1. Responsibilities:

Sub-Committees shall be formed as needed and operate under the direction of the LEPC Chairperson or their designee and shall be comprised of a minimum of 4 LEPC General Members who shall be appointed by the LEPC Chair or their designee. Sub-committee Chair shall be designated by the LEPC Chairperson.

Section 2. Duties:

Sub-Committees shall be utilized to assist the LEPC in fulfilling its responsibilities as identified in Article II.

Article VI Voting

Section 1. Proposals for Action:

Proposals for action by the LEPC or a Sub-Committee shall take the form of a motion in an open meeting. All General Members have a vote. Any motion made by a LEPC General Member must receive a second from another member in order for any vote to be taken on such motion. When a motion is made, and receives no second, the motions shall be deemed dismissed from consideration.

Section 2. Quorum:

In order to approve proposals for action, a quorum must be present of the LEPC must be present and consist of at least one (1) officer and six (6) General Members.

Article VII Resolutions or Actions

Final decisions and/or actions of the LEPC shall be adopted by resolution. Adoption of resolutions will require a majority vote as per Article VI of these bylaws.

Article VIII Rules & Regulations

The LEPC shall have full power at any meeting to alter, amend, or revise the LEPC Rules and Regulations. Notice of such alteration, amendment, or revision shall be provided to the Chairperson at least thirty (30) days prior to the meeting in which action is to be taken, and shall be in the form of resolution. Adoption of a resolution shall require a simple majority vote of Committee members at which there is a quorum present.

**Article IX
AMENDMENT OF BYLAWS**

These Bylaws will be reviewed, ratified and signed by the Chairperson annually. Bylaws may be amended during any regular or special meeting of the LEPC by an affirmative vote of a majority of the LEPC members when a quorum is present. Proposed changes, revisions, or amendments to these Bylaws must be provided to the Chairperson or his designee at least thirty (30) days prior to the meeting in which action is to be taken. Proposed changes, revisions or amendments must be presented in the form of a motion.

**Article X
COMMITTEE MEETINGS**

1. Regular LEPC Meetings

Regular meetings of the LEPC shall be held at such times and places as designated by the LEPC Chairperson, and shall be announced to LEPC members and the public at least three (3) working days in advance of the meeting.

2. Subcommittee Meetings:

The Chairperson of any Subcommittee may call a meeting at their discretion, provided the LEPC Chairperson and Subcommittee members are provided notice at least three (3) working days in advance of the meeting.

**Article XI
PARLIAMENTARY AUTHORITY**

The rules contained in the current version of Robert's Rules of Order, Newly Revised, shall govern the LEPC in all cases to which they are applicable. In no case shall a breach of parliamentary procedure invalidate an action taken by the LEPC, unless the LEPC Chairperson determines that the breach resulted in a misleading of one or more committee members as to the nature of the action taken.

Article XII
Adoptions & Effective Date

These Bylaws were approved and adopted _____ 2017 as shown in the Minutes of the regular meeting held on that date, and shall take effect immediately upon adoption.

CACHE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

By _____.
Rod Hammer, Chairperson

ATTEST:

By _____.

By _____.
Secretary to the Committee