

**SUMMIT COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE  
BY-LAWS**

**ARTICLE 1 – NAME AND RESPONSIBILITIES**

The Summit County Local Emergency Planning Committee (hereinafter referred to as the “LEPC”) is formed to oversee the Activities of the Summit County Local Emergency Planning District as required by Title III of the Superfund Amendments and Reauthorization Act of 1986 and related Sections of the Ohio Revised Code (hereinafter referred to as “SARA”). Members of the LEPC have been selected to represent their constituent groups as required in the act and shall act as a voice for those groups in matters pertaining to LEPC activities.

The purpose of the LEPC is to:

- (a) Oversee the Planning and Right-to-Know functions as well as other activities prescribed under SARA.
- (b) Annually prepare a budget for the use of LEPC funds. Said budget is to be submitted to the Executive of the County for inclusion in the County budget.
- © Approve the expenditure of LEPC funds.
- (d) Approve and adopt all plans required under SARA.
- (e) Approve contracts, agreements, and memorandums of understanding in support of the above plans.
- (f) Annually exercise the Emergency Plans developed under SARA.
- (g) Monitor reporting compliance under SARA and initiate any necessary actions against noncompliant facilities.
- (h) Designate the Information and Response Coordinators as required by SARA.

**ARTICLE 2 - AUTHORITY**

The LEPC is formed by the State of Ohio as required by Title III of the Superfund Amendments and Reauthorization Act of 1986 and by Chapter 3750 of the Ohio Revised Code.

### **ARTICLE 3 – MEMBERSHIP**

Members of the LEPC shall be appointed by the State Emergency Response Commission upon recommendation of the County Executive. All members shall represent the required constituent groups and shall be appointed in accordance with SARA regulations.

### **ARTICLE 4 - ALTERNATES**

Voting Alternates are not authorized by SARA. Members who cannot attend a meeting may send an alternated to represent them in all activities other than voting.

### **ARTICLE 5 – TERM OF OFFICE**

Terms of office shall be consistent with the appointment terms established by the State Emergency Response Commission.

### **ARTICLE 6 – VACANCIES**

Should there be a vacancy in any seat on the Committee, the Executive Committee established in this agreement shall review the position and make a recommendation to the County Executive on a replacement for the vacated position.

### **ARTICLE 7 – REMOVAL**

Any member of the LEPC may be removed from office by the SERC for neglect of duty, absence, misconduct, malfeasance in office, or other reasons according to the law.

Secretary shall notify the Chairperson of any member who is absent from three (3) LEPC meetings within a 12-month period. The Executive Committee shall review all such absences and may recommend removal of the member to the SERC.

### **ARTICLE 8 – OFFICERS**

#### **SECTION I – OFFICES**

The officers of the Committee shall consist of the Chairperson, First Vice-Chairperson, Second Vice-Chairperson, and Secretary.

## **SECTION II – ELECTION AND REMOVAL**

The officers shall be elected annually by majority vote at the regular January meeting. New officers shall assume their duties at the close of the meeting at which they were elected.

Vacancies in officer position shall be filled by majority vote of the LEPC at its next regular meeting.

Any officer of the LEPC may be removed for cause by a majority vote of the Committee at any meeting.

## **SECTION III – DUTIES**

The officers shall have those duties as outlined in “Robert’s Rules of Order”, and as specified in these By-Laws.

### **CHAIRPERSON**

The Chairperson shall preside at all meetings of the LEPC.

The Chairperson shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The Chairperson shall serve as chairperson of the Executive Committee.

### **FIRST VICE CHAIRPERSON**

The First Vice Chairperson shall perform the duties of the Chairperson during the absence of the Chairperson, or when the Chairperson is unable to discharge the duties of office.

The First Vice Chairperson shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The First Vice Chairperson shall serve as a member of the Executive Committee.

## **SECOND VICE CHAIRPERSON**

The Second Vice Chairperson shall perform the duties of the First Vice Chairperson during the absence of the First Vice Chairperson, or when the First Vice Chairperson is unable to discharge the duties of office.

The Second Vice Chairperson shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The Second Vice Chairperson shall serve as a member of the Executive Committee.

## **SECRETARY**

The Secretary shall be responsible for all minutes and records of the LEPC.

The Secretary shall maintain a record of attendance at all meetings and notify the chair of any member who violates the attendance requirement.

The Secretary shall perform the duties of the Second Vice Chairperson, during the absence of the Second Vice Chairperson, or when the Second Vice Chairperson is unable to discharge the duties of office.

The Secretary shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The Secretary shall be a member of the Executive Committee.

## **ARTICLE 9 – EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the Officers of the LEPC.

Other members may be appointed to the Executive Committee by the Chairman, upon confirmation of by majority vote of the members present at a regular meeting of the LEPC.

The purpose of the Executive Committee is as follows:

- (a) Monitor the progress of the various committees and agencies involved in work of the LEPC.
- (b) Monitor and approve expenditures and travel in accordance with LEPC guidelines.
- © Assist in the review of plans and other documents prior to approval of said items by the LEPC.
- (d) The Executive Committee, shall in addition to the above duties, exercise such authority and perform such duties as the LEPC may from time to time assign.

## **ARTICLE 10 – MEETINGS**

### **SECTION I – REGULAR**

The LEPC shall hold regular meetings at the time and place designated by the Chairperson. The Committee shall hold no less than four regular meetings per calendar year.

### **SECTION II – ANNUAL**

The regular monthly meeting in January shall be known as the Annual Meeting and shall be for the purpose of electing officers, receiving any reports of recommendations of officers and members, and any other business that may arise.

### **SECTION III – SPECIAL**

Special meetings can be called by the Chairperson or by petition of two members. Where practical, all members shall be given 48 hours notice of all special meetings.

## **SECTION IV – QUORUM**

A quorum for any meeting shall consist of twenty-five percent (25%) of the voting members of the LEPC.

Unless otherwise required by law, the vote of the majority of the members present at any meeting (regular or special) shall constitute a rule.

## **SECTION V – MEETING REGULATION**

All regular and special meetings of the LEPC shall be open to the public, except as provided by law. Comments from the public may be made at the discretion of the Chairperson prior to adjournment.

## **ARTICLE 11 – COMMITTEES**

Standing committees, task forces, ad hoc and/or special committees may be appointed by the Chairperson.

## **ARTICLE 12 – RECORDS**

The Secretary shall keep all records and minutes of the proceedings of the LEPC. All books and records shall be maintained at the County Emergency Management Agency's office unless otherwise designated by majority vote of the LEPC. The fiscal year of the organization shall be consistent with the County Fiscal Year.

## **ARTICLE 13 – RULES OF ORDER**

The rules contained in "Robert's Rules of Order-Revised" shall govern the LEPC in all cases in which they are applicable and do not conflict with these By-Laws.

## **ARTICLE 14 – AMENDMENTS TO BY-LAWS**

In order to amend, repeal or change these By-Laws, a two-thirds affirmative vote of the LEPC members present shall be required at a regular meeting of the LEPC.

## **ARTICLE 15 – PLANS**

All Summit County LEPC Plans shall be approved by majority vote by the LEPC and forwarded to the State Emergency Response Commission for review and concurrence.

Adopted, by the Summit County Local Emergency Planning Committee at its regular meeting this Sixteenth day of January 1992.

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R. Scott Swearengin  
Secretary