

OKLAHOMA COUNTY

LOCAL EMERGENCY PLANNING COMMITTEE

BY-LAWS

Adopted: December 4, 1996

Last Revision: November 8th, 2017

ARTICLE I

NAME AND PURPOSE

SECTION 1. NAME The name of this committee shall be the Oklahoma County Local Emergency Planning Committee, and shall be referred to in this document as *LEPC*.

SECTION 2. PURPOSE The purpose of the *LEPC* shall be to:

- A. Carry out for the Oklahoma County area those responsibilities required of the *LEPC* pursuant to Executive Order 88-08, Superfund Amendment and Reauthorization Act of 1986 (SARA) Title III and related regulations including, but not limited to:
 - 1. Development, training and testing of a hazardous substances emergency response plan for the Oklahoma County area.
 - 2. Development of procedures for regulated facilities to provide notification to the *LEPC* in accordance with SARA Title III.
 - 3. Development of procedures for receiving and processing requests from the public under the community right-to-know provision of SARA Title III.
 - 4. Provision for public notification of committee activities.
 - 5. Facilitating and supporting working relationships between industry and emergency responders within Oklahoma County.
- B. Implement such other and further related activities as may hereafter be legally required by the Federal Government or the Oklahoma Hazardous Materials Emergency Response Commission (OHMERC).

ARTICLE II

MEMBERSHIP

SECTION 1. QUALIFICATIONS The *LEPC* shall consist of those persons who are approved under SARA Title III by the OHMERC, and shall represent the various professional and

community groups as designated by SARA Title III. Members of the *LEPC* shall be residents of or conduct business within the *LEPC* boundaries or any other interested parties.

SECTION 2. DEFINITION OF A MEMBER An Active Member is one who has attended at least one meeting in the last 12 months.

SECTION 3. POWERS AND DUTIES The *LEPC* shall participate in the planning for hazardous materials emergency response and public information as directed by law. It shall assist with the planning mandated by SARA Title III.

SECTION 4. MEETINGS There shall be a minimum of four (4) Regular Meetings per year, held quarterly, which will be scheduled as per the Oklahoma Public Meetings Act. Special meetings of the *LEPC* may be called by the Chairperson at such time and place as the Chairperson may determine. Subcommittees shall meet as needed.

SECTION 5. QUORUM The presence of ten (10) active members, as defined in Article II Section 2, of the *LEPC* at the opening of a Regular Meeting shall constitute a quorum for the transaction of business. For the purpose of the subcommittee meetings, the presence of three (3) committee members shall constitute a quorum for the transaction of business.

ARTICLE III

OFFICERS, DUTIES, ELECTIONS, AND TERMS

SECTION 1. ENUMERATION OF OFFICERS The officers of the *LEPC* shall be a Chairperson (Chair), Vice-Chairperson (Vice-Chair), Secretary, County Emergency Management Director, Information Coordinator, and the Treasurer, all of which shall be members of the *LEPC*.

SECTION 2. NOMINATION AND ELECTION OF OFFICERS Prior to the expiration of the terms of service or vacancy; -nominations shall be taken for the position of Chair and Vice-Chair. Election shall be by majority vote of the quorum Membership no later than the November meeting. Appointment of other officers shall be by the Chair, Vice-Chair and the County Emergency Management Director, with consent of the prospective candidate and a majority of the members present at a Regular or Special Meeting, as defined in Article II, Sections 4 and 5.

SECTION 3. TERM OF OFFICE Term of Office shall expire on December 31 of each year. All officers may hold consecutive terms.

SECTION 4. CHAIRPERSON The Chair shall preside at all meetings of the *LEPC* and shall perform such duties and acts as necessary to accomplish the goals of the *LEPC*. The Chair shall be empowered to create such other ad hoc committees as necessary to accomplish the goals of the *LEPC*.

SECTION 5. VICE-CHAIRPERSON The Vice Chair shall, in case of an absence in the office of the Chair, perform all of the duties of the Chair. When acting in the place of the Chair the Vice-Chair shall have all the powers pertaining to that office. The Vice-Chair shall be an ex-officio

member of all subcommittees created by the *LEPC*, and may meet and deliberate at their meetings, but may not vote or make motions while acting as *ex officio* member. The Vice-Chair shall perform such other duties as may be assigned by the Chairperson.

SECTION 6. SECRETARY The Secretary shall be responsible for recording and publishing the official minutes of all *LEPC* meetings and for the recording, publishing and distribution of official correspondence. The Secretary shall also be responsible for maintaining copies of all approved Minutes, Meeting Agendas and other official *LEPC* documentation.

SECTION 7. COUNTY EMERGENCY MANAGEMENT DIRECTOR The County Emergency Management Director shall have the following duties:

- A. Authority and responsibility for the implementation of the *LEPC* Emergency Response Plan.
- B. As outlined in the state of Oklahoma Statute 27A-4-1-101, Oklahoma Emergency Response Act.
- C. Chair the meetings of the *LEPC* in the absence of both the Chair and Vice- —
Chair.
- D. Those responsibilities as requested by the *LEPC*.

SECTION 8. TREASURER The Treasurer shall manage the *LEPC*'s funds and maintain a proper accounting system, submit a Treasurer's Report at each Regular Meeting, and prepare records for an annual audit in November of each year.

SECTION 9. INFORMATION COORDINATOR The Information Coordinator shall respond to public requests for information under SARA Title III, and annually publish on the Oklahoma County *LEPC* website that emergency response plans and Tier 2 Inventory Forms are available for viewing.

Information will only be provided to citizens who present a written request, in person, to the *LEPC* Chair, Vice Chair, or Information Coordinator. The request must be for information related to hazards in a well-defined area of Oklahoma County which the citizen has a valid interest. This would include living, working or regularly visiting the area of concern. Upon receiving the request, the *LEPC* representative will review the request and a valid Government ID, such as a driver's license. Upon verification of the request the *LEPC* representative will present the information requested in hard copy format only.

SECTION 10. VACANCIES Any vacancy occurring in the *LEPC* by reason of the resignation, death, or disqualification of an Officer or Executive Committee member will be filled in accordance with Article III, Section 2. Suggestions for candidates to fill vacant positions will be made by the Chairperson of the *LEPC*, for approval by a majority of the members present at a Regular or Special Meeting, as defined in Article II, Sections 4 and 5.

ARTICLE IV

COMMITTEES

SECTION 1. EXECUTIVE COMMITTEE The Executive Committee shall consist of the following positions:

- A. Chairperson
- B. Vice-Chairperson
- C. Secretary
- D. County Emergency Management Director
- E. Treasurer
- F. Information Coordinator

The duties of the Executive Committee shall be to coordinate activities of the Standing and Ad Hoc committees, and may act on behalf of the *LEPC* in conducting administrative matters of these Committees. Matters of policy must be approved at a Regular Meeting of the members, with a majority vote by a quorum. (Article II, Section 5). The Executive Committee shall perform such other appropriate functions, as the Chair may deem necessary in the furtherance of the purposes of the *LEPC*. All members of the Executive Committee shall be active members of the *LEPC* as described in Article II, Section 2.

Any member of the Executive Committee who is unable to attend a Regular, Special, or Executive Committee meeting of the *LEPC* shall notify the Chair, Vice-Chair, or Secretary. Any member of the Executive Committee is subject to removal for cause, with notice, by a vote of the Executive Committee.

SECTION 2. STANDING COMMITTEE The following Standing Committee shall be established:

- A. Training and Exercise: Responsible for identifying possible training and exercise opportunities for members of the *LEPC*, Emergency Response Agencies, and the Public, as well as coordinating events.
- B. Awareness and Outreach: Responsible for identifying methods to educate Oklahoma County residents of the existence and purpose of the Oklahoma County *LEPC* and for identifying opportunities to provide additional information and guidance to the public relating to hazards citizens may encounter.

The Chair of the *LEPC* shall appoint the Chairperson of each Standing Committee. All Standing Committees shall have a minimum of three (3) members and a maximum number as determined by the committee Chairperson.

SECTION 3. AD HOC COMMITTEES The Chair may create Ad Hoc Committees as necessary to perform functions of the *LEPC*.

SECTION 4. MEETINGS Meetings of the Executive, Standing or Ad Hoc Committees may be called by the Chair, or the Chairperson of those committees as deemed necessary. All Regular Meetings shall be held in accordance with the Oklahoma Open Meeting Act.

ARTICLE V

MISCELLANEOUS PROVISIONS

SECTION 1. FISCAL YEAR The fiscal year shall be from January 1 to December 31.

SECTION 2. INDEBTEDNESS All indebtedness over \$500.00 must be approved during regularly scheduled LEPC meetings by a majority vote of Committee members in attendance. A quorum, as described in Article II, Section 5 of these By-Laws, must exist in order for the Committee to engage in the transaction of any business.

When possible, all indebtedness under \$500.00 will also be approved and signed as stated above. However, when a request is received, and must be approved or disapproved prior to the next regularly scheduled meeting, the Chairperson or Vice Chairperson and the Treasurer may approve and sign for indebtedness under \$500.00.

Any indebtedness approved between regularly scheduled meetings will be added to the next meeting's agenda to ensure all members are aware of any indebtedness authorized by the committee.

SECTION 3. FINANCIAL AUDIT An annual financial audit will be conducted by the LEPC Chair and Vice Chair. The Treasurer will provide copies of all financial records, above and beyond the monthly financial reports, as requested.

SECTION 4. APPROVAL, AMENDMENT OF BY-LAWS The By-Laws shall become effective at a Regular Meeting, with a majority vote by a quorum. These By-Laws may thereafter be amended at a Regular or Special Meeting with a majority vote by a quorum (Article II, Section 5).

Meetings to adopt or amend *LEPC* By-Laws shall conform to the Oklahoma Public Meetings Act.

SECTION 5. SPECIAL APPROVAL PROCESS The Chairperson of the LEPC may activate the special approval process, upon request from any active member of the LEPC. The special approval process is as follows:

- The request including any supporting information will be posted on the LEPC website.
- The request will be sent, via email, to all LEPC members.
- LEPC members will review the information and vote to approve or disapprove the request, via email, no later than 2 business days from the read receipt.
- The result of the vote and voting members will be available on the LEPC website and sent via email to all LEPC members within 1 business day of the voting completion.

ARTICLE VI

PARLIAMENTARY AUTHORITY

SECTION 1. PARLIAMENTARY AUTHORITY The rules contained in "Robert's Rules of Order, Newly Revised" shall serve as a guideline for the *LEPC* in all cases where they do not conflict with these By-Laws.