**BYLAWS OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY**

**LOCAL EMERGENCY PLANNING COMMITTEE**

Article I

This organization shall be known as the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Local Emergency Planning Committee.

Article II

Purposes

The purposes of the LEPC are those set out in Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), Nebraska Emergency Planning and Community Right to Know Act (NEPCRA) of 1997, and any other lawful purposes which are assigned to it or permitted by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Commissioners and/or the State Emergency Response Commission (SERC). In keeping with the intent of SARA, Title III, all activities of the Committee will be conducted in a manner encouraging input and participation from all segments of the community.

 The Committee’s responsibilities will include:

* + Annual review and updating of the Hazmat section of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County LEOP in accordance with Section 303 of SARA, Title III and NEPCRA section 81-15, 217(1)(c);
	+ Receipt of reports and other information from covered facilities and other agencies;
	+ Annually publish a notice in a local newspaper that the emergency response plan and Tier II forms have been submitted and that members of the public who wish to review the plan or Tier IIs may do so at a location designated by the LEPC. The notice shall state that follow-up emergency notices may subsequently be issued;
	+ Community right to know activities, including providing public access to information, and designation of a public library as a depository for the emergency plan in accordance with Section 324 of SARA, Title III and NEPCRA section 81-15, 217;
	+ Assessment of resources necessary to implement the plan, and making of recommendations to appropriate people, agencies, and organizations regarding additional resources needed to implement the plan in accordance with NEPCRA section 81-15, 217(1)(d).

Article III

Membership

Section 1, Members. The committee members will be nominated by the Chairperson for appointed by the SERC. Membership will to the extent possible include at a minimum representatives from interest groups in accordance with NEPCRA section 81-15, 215 and the application process set up by the SERC. A listing of current membership including officers, mailing address, phone numbers, interest group they represent, and when term expires will be updated and provided to the SERC annually by April 30th.

Section 2, Terms of Membership. A membership term is two years from the SERC appointment date in accordance with NEPCRA Section 81-15, 215.

Section 3, Vacancies. Vacancies in membership of the committee shall be filled using the process set out in Section 1 of this article and in accordance with NEPCRA section 81-15, 215.

Article IV

Officers

Section 1. The officers of the committee shall consist of a Chairperson and an appointed Coordinator of Information in accordance with NEPCRA sections 81-15, 216 and 81-15, 217(1)(b), a Vice-Chairperson and a Secretary.

Section 2, Election. The Chairperson, Vice-Chairperson, and Secretary shall be elected annually at the annual Public Meeting. The Coordinator of Information shall be the county emergency manager or another individual designated by the committee.

Article V

Duties of the Officers

Section 1, Duties of the Chairperson. The Chairperson shall preside at all meetings of the Committee; preserve order during its meetings; appoint all sub-committees, after consultation with the membership; serves as ex-officio member of such sub-committees; and sign any documents connected with the work of the Committee requiring signature.

Section 2, Duties of the Vice-Chairperson. The Vice-Chairperson shall, in the absence of the Chairperson, preside at all meetings of the Committee; preserve order during its meetings and sign any documents connected with the work of the Committee requiring signature.

Section 3, Duties of the Coordinator of Information. The Coordinator of Information shall be responsible for each emergency response plan, material safety data sheet (NEPCRA section 81-15, 223), chemical list (311), inventory form (NEPCRA section 81-15, 224), and follow up emergency notice received by the Committee. The Coordinator of Information shall file this information in an area available to the public during normal working hours.

The Coordinator of Information shall ensure that the Local Emergency Planning Committee annually publish a notice in the local newspaper that the emergency response plans, material safety data sheets, and inventory forms have been submitted and may be reviewed by the public at a specific location.

Section 4, Duties of the Secretary. The Secretary shall have charge of all the books, papers, records, and other documents of the committee; shall keep the minutes of all meetings of the committee; shall sign all minutes; shall distribute minutes to the members within ten business days after the meetings; shall conduct all correspondence pertaining to the committee; shall compile statistics and other data as required for the use of the members of the committee; and shall perform such duties as may be directed by the Chair of the committee.

Section 5, All books, papers, records, documents, minutes shall be kept in accordance with Public Records laws, sections 84-712 to 84-712.09 by the Coordinator of Information.

Article VI

Meetings

Section 1, Regular Meetings. The Committee shall meet \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the month for informational and training purposes, as well as one Public Meeting to be held annually in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with NEPCRA section 81-15, 216. The annual meeting will be held for the purpose of electing Committee officials, reviewing the emergency plan (NEPCRA Section 81-15, 217(1)(c)), annual Tier II reports, with the public, and allowing the public to make comments and the Committee to respond to the public comments. All meetings shall be conducted in accordance with Public Meeting laws, sections 84-1408 to 84-1414.

Section 2, Special Meetings. The Chairperson or at the request of any three members, may call such special meetings as may be deemed necessary to carry out the duties of the Committee in accordance with NEPCRA section 81-15, 216 and Public Meeting laws.

Section 3, Rules of Order. The Deliberations of all meetings of the Committee and its various sub committees shall be governed by Robert’s Rules of Order.

Section 4, Notice of Meetings. Notice of time, place, and agenda items to be considered at each meeting shall be given in writing to all members at least two weeks prior to each meeting by the Secretary, and to the Clerk of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Board of Commissioners. Any matters not appearing on the agenda may be considered upon a favorable vote of a majority of the members present to do so. Notice of special meetings and intended agenda shall be given to all Committee members and the Clerk of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Board of Commissioners in writing or by phone at least seven days in advance of any special meetings.

An annual notice of the regular meeting schedule of the Committee shall be published in a newspaper(s) with regular circulation in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County in accordance with SARA Title III, NEPCRA section 81-15, 217(1)(a), and Public Meeting laws sections 84-1408 to 84-1414. This notice shall specify the meeting designated specifically for receipt of public comments on the emergency plan.

Article VII

Voting

Section 1, One Vote Each. Each Committee member, or designated representative, including the Chairperson shall be entitled to one vote.

Section 2, Proxy Votes. No member shall vote by proxy.

Section 3, Abstentions. Members may register their abstention on any vote. The abstention shall be reflected in the minutes. Members are required to abstain on matters which pose a conflict of interest for them.

Article VIII

Reports and Recommendations

Section 1, Annual Report. By April 30th of each year, the Committee shall make a report describing its activities for the preceding calendar year to the Chairperson of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Board of Commissioners and the State Emergency Response Commission.

Section 2, Issuance of Reports. No report of any kind shall be released in the name of the Committee unless and until it has been duly adopted by a favorable vote of a majority of the members of the Committee.

Section 3, Emergency Plan. The Hazardous Materials Emergency Response Plan will be developed in accordance with SARA, Title III and Nebraska Emergency Planning and Community Right to Know Act, and will be distributed by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Emergency Management Agency.

Article IX

Amendments

These Bylaws may be amended or replaced upon the affirmative vote of a majority of members of the Committee at any regular meeting of the Committee provided that any proposed changes have been circulated to all members at least thirty days prior to any action taken.

Article X

Ratification Provision

The Bylaws are duly adopted by a majority of the members of the Committee on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Nebraska. The signatures of those subscribing to these Bylaws are set forth below.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Chairperson

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Vice-Chairperson

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Coordinator of Information

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Secretary

Members

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