

MIAMI COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE

BY-LAWS

**Chapter 1:                    PURPOSE**

The purpose of the Miami County Local Emergency Planning Committee (MCLEPC) shall be to:

- a. Complete preparation of an Emergency Response Plan for Miami County.
- b. Evaluate the need for resources necessary to develop, implement and exercise the local Emergency Response Plan, and make recommendations with respect to additional resources that may be required and the means for providing such additional resources.
- c. Provide notice and information to the general public regarding the local Emergency Response Plan, material safety data sheet, substance lists, inventory forms, toxic chemical release forms, and follow-up emergency notices in accordance with Section 324 of Superfund Amendments and Reauthorization Act (SARA) Title III.

**Chapter 2:                    MEMBERSHIP**

In accordance with SARA mandates, the Committee shall be comprised of a minimum of one individual from Miami County representing each of the following interests:

- a. Elected State and Local Officials
- b. Law Enforcement
- c. Emergency Management
- d. Firefighting
- e. First Aid
- f. Health
- g. Local Environmental
- h. Hospitals
- i. Transportation
- j. Broadcast and Print Media
- k. Community Groups
- l. Owners and Operators of Regulated Facilities

Additional members may be appointed in each of these categories, as appropriate and necessary. In addition to these mandated participants, representatives from other interested and/or affected organizations may also be invited to become members.





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membership. Each Sub-Committee will have a Leader appointed. The Sub-Committee Leader may also appoint non-Committee members to the sub-committees in order to acquire relevant expertise. Committee members may be appointed to more than one sub-committee.

**Chapter 10: ADMENDMENTS TO BY-LAWS**

By-Laws may be amended at any regular meeting by two-thirds vote of the established quorum (minimum 10 members) of the LEPC.

**Chapter 11: SUBMISSION OF BUSINESS ITEMS FOR MCLEPC CONSIDERATION**

In order to allow adequate time for review and consideration, all subcommittee recommendations and proposed amendments to the By-Laws must be received by the Information Coordinator a minimum of forty-five (45) days prior to the next scheduled quarterly Committee meeting.

**Chapter 12: CONDUCT OF MEETINGS**

Except as otherwise provided herein, all MCLEPC meetings shall be conducted in accordance with the most current edition of Robert's Rules of Order, Newly Revised.

**Chapter 13: FINANCES**

The County Treasurer shall be the recipient and custodian of the funds of the LEPC. The fiscal year of the LEPC shall be the same as Miami County's. The Treasurer shall disburse funds under the direction of the LEPC. Purchases up to \$500.00 may be made for LEPC needs with the approval of 5 members of the Executive Committee for the life of the Miami County LEPC (8/9/07). Office supplies as needed up to \$500 per quarter can be purchased by the Information Coordinator without Executive Committee approval or pre-approval at a regular or special called meeting. Emergency hazmat truck or trailer repairs up to a limit of \$1500 per quarter are permissible without pre-approval at a regular or special called meeting.

**Chapter 14: LIABILITY DISCLAIMER**

Under the Ohio Revised Code Section 2744.03, Committee employees and volunteers are immune from liability for their acts or omissions, except for the

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following situations:

- a. The act or omission was manifestly outside the scope of the employee's or volunteer's employment or official responsibility.
- b. The act or omission was with malicious purpose, in bad faith or in a wanton or reckless manner.
- c. The specific act or omission is one for which the employee or volunteer is made individually liable by express language in the Ohio Revised Code.
- d. A separate prohibition applies under State law for disclosures of trade secret information or information that is "confidential business information." This can include data marked and identified on forms as confidential business information, including specific on-site location data allowed to be kept confidential under SARA Sections 312 and 322.

Individual members may be subject to criminal or civil penalties as well as to civil lawsuits if disclosure of trade secrets or confidential business information is made.

Committee employees and volunteers may also have immunity from civil liability when involved in Emergency Management Agency activities under ORC Section 5502.30 and when assisting in hazardous materials cleanup under ORC Section 2305.232.

**Chapter 15**

**ABSTENTIONS FOR CONFLICT OF INTEREST**

Members may abstain on any vote which shall be reflected in the minutes, and all members are encouraged to abstain on votes which would, for them, represent a conflict of interest.

**By-Laws Approved:**

\_\_\_\_\_  
Chair

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

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Vice-Chair

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Secretary

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Date Accepted