

# City of Chesapeake Local Emergency Planning Committee By-Laws

## Table of Contents

- I. Name
- II. Purpose
- III. Duties and Functions
- IV. Membership
- V. Voting
- VI. Officers
- VII. Committee Meetings
- VIII. Parliamentary Authority
- IX. Amendment of Bylaws

### CITY OF CHESAPEAKE, VIRGINIA LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) BY-LAWS

#### Article I NAME

---

The name of this organization shall be the "Chesapeake Local Emergency Planning Committee", hereinafter referred to as "LEPC".

#### Article II PURPOSE

---

The purpose of the Committee is twofold. First, the Committee is to ensure that all acts required by SARA Title III, the Emergency Planning and Community Right-to-Know Act of 1986 are complied with, and that all necessary work is accomplished to develop a comprehensive chemical emergency response plan for the City of Chesapeake. Secondly, the Committee shall have advisory responsibility for City of Chesapeake, Virginia disaster planning coordination.

#### Article III DUTIES AND FUNCTIONS

---

The function of the Committee shall include, but is not limited to the preparation of an emergency response plan that shall include but is not limited to the requirements of SARA Title III.

**Article IV**  
**MEMBERSHIP**

---

**1) Committee Composition**

The committee shall be composed of members who are appointed by the Chesapeake City Council and shall include, at a minimum, one representative from each of the following disciplines, with each member serving in only one membership category:

Local/state government	Environmental
Law Enforcement	Transportation
Emergency Management	Broadcast/Print Media
Firefighting	Industry
Emergency Medical Services	Community Groups
Health	Hospital

**2) Committee Membership Conditions**

Members must meet the criteria established by the Commonwealth of Virginia Emergency Response Commission.

**3) Terms of Committee Members**

The term of appointments of Committee members shall be for a period of six (6) years not to exceed two (2) terms.

**4) Conditions of Membership**

Any member missing three (3) regularly scheduled meetings in one year may have their name submitted by a majority vote of the committee to the Chesapeake City Council for removal from the committee roster and the loss of all voting member privileges, subject to the right of said member to appeal their potential removal in writing to the Committee Chair within fifteen (15) days of certified-mail notice of the member's removal.

**5) Roster of Committee Members**

A roster of the names, business addresses and telephone numbers of the Committee members shall be on file in the City of Chesapeake Clerks Office, located on the 6<sup>th</sup> floor of City Hall, as well as with the Office of Emergency Management, located at 2130 South Military Highway, and at other such locations, as the Committee deems necessary or convenient.

**6) Subcommittees**

The Chair of the Committee may appoint members to serve as the chairs of subcommittees. Subcommittees such as but not limited to: Training, Planning, Fiscal, and Communications Subcommittees, shall study and report to the Committee on matters of LEPC business requiring special attention, expertise, or investigation. The Committee Chair will serve as an ex officio member of each subcommittee, and may assign tasks to each.

**Article V  
VOTING**

---

Any proposal for an action or position taken by the Committee or one of its Subcommittees must be adopted by a majority vote of more than half the present at a legally posted meeting at which a quorum is present.

**Article VI  
OFFICERS**

---

**1) Election of Officers**

The Committee shall elect from its members a Chair, a Vice Chair, and a Secretary. The officers shall be elected at the first regular meeting of each calendar year at which a quorum is present, and shall serve for a term of two years. Term Elections will occur the first meeting of the new calendar year, every two years, on even numbered years (2020, 2022, 2024, etc.). In the event of an officer's resignation prior to the end of the officer's term, a new officer shall be elected at the next meeting of the Committee at which a quorum is present, and shall serve out the remainder of the resigning officer's term.

**2) Duties of Elected Officers**

- a. **Chair:** The Chair of the Committee shall preside at all regular and special meetings of the Committee, shall appoint all Subcommittee members and their Chairs, shall appoint the Planning and Information Coordinators, 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, and shall perform such other duties as the Committee may assign.
- b. **Vice Chair:** The Vice Chair shall perform all the duties of the Chair in the Chair's temporary absence or disability, and shall perform any other duties assigned by the Chair.

**3. Duties of Appointed Officers**

- a. **Secretary:** The Secretary may be an appointed position as determined by a majority vote of the committee and 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 send out meeting notices to Committee members prior to Committee meetings, shall mail out meeting minutes and other documents prepared by the Chair, shall annually mail to the local newspaper the annual legal notice of the Committee, and shall perform such other duties as the Chair may assign.

**Article VII**  
**COMMITTEE MEETINGS**

---

**1) Regular Committee Meetings**

The regular meetings of the Committee shall be held at such times and places as designated by the Committee Chair, and shall be announced to Committee members and the public at least three working days in advance of the meeting.

**2) Subcommittee Meetings**

The Chair of any Subcommittee may call a meeting at their discretion, provided that each subcommittee member, the public, and the Committee are provided notice at least three working days in advance of the meeting.

**3) Emergency Meetings**

Notice, reasonable under the circumstances, of special or emergency meetings shall be given contemporaneously with the notice provided members of the public body.

**4) Quorum**

A majority (51%) of the Committee or one of its subcommittees must be present at a meeting of either, in order for official action to be taken by either group.

**5) Voting**

- a. Any vote by the committee on any issue shall have no force or effect unless or until taken in open session in a manner in which the decision or each member can be publicly observed.
- b. Any motion made by a committee 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 motion shall be deemed dismissed from consideration.
- c. Every committee member present at a meeting shall vote on each matter placed before the body for vote, unless the member is disqualified from voting pursuant to the State and Local Government Conflict of Interest Act, Code of Virginia 2.2-3100 et seq., 1950, as amended. Members shall disclose personal interest as required by the Act.

**Article VIII**  
**PARLIAMENTARY AUTHORITY**

---

The rules contained in the current version of Robert's Rules of Order, Newly Revised, shall govern the Committee in all cases to which they are applicable and when they are not consistent with these bylaws; provided that, however, in no case shall a breach of parliamentary procedure invalidate an action taken by the committee unless the chairman determines that the

breach resulted in a misleading of one or more committee members as to the nature of the action taken.

**Article IX  
AMENDMENT OF BYLAWS**

---

These Bylaws may be amended during any regular or special meeting of the Committee by an affirmative vote of a majority of the Committee members when a quorum is present, provided any such proposed changes have been submitted in writing to each Committee member at least ten days in advance of the meeting called to amend the Bylaws.

**Adopted this 1st day of December 2021 by the members of the City of Chesapeake Local Emergency Planning Committee.**

**LEPC Chairperson:** PATRICK A. LEWIS **Date:** 12/01/2021

**OEM Representative:** ROBERT J. GELORMINE **Date:** 12/01/2021