

CONSTITUTION AND BY-LAWS
BERKELEY COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

ARTICLE I

The name of this organization shall be the Berkeley County Local Emergency Planning Committee and it shall be located at 223 Norht Live Oak Drive, Moncks Corner, SC 29461.

ARTICLE II

The purpose of this organization shall be to establish policy and procedures within Berkeley County to provide a timely, effective and coordinated emergency response in the event of a hazardous chemical accident/incident as identified by Public Law 99-499, Superfund Amendment and Reauthorization Act of 1986 (SARA), Title III.

ARTICLE III

As required by SARA Title III, the membership of this organization shall be composed of at least one representative of the following:

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|------------------------------|---------------------------------|
| a. Elected State Official | h. Facilities |
| b. Elected Local Official | i. Hospital |
| c. Law Enforcement | j. Environmental |
| d. Emergency Preparedness | k. Community Groups |
| e. Fire Service | l. Transportation |
| f. Emergency Medical Service | m. Broadcast and print
Media |
| g. Health | |

The membership may include any others as deemed advisable. These members shall be recommended by Berkeley County Council for approval by the office of the Governor of South Carolina.

Changes in the individuals representing these groups and organizations may be made by the Governor or his designee.

ARTICLE IV

Meetings will be held no less frequently than every six (6) months. Time and place will be designated by the chairman of the committee.

Special meetings may be called by the chairman or by petition of a simple majority of the membership.

A simple majority of the membership, including at least one officer, shall constitute a quorum. State and Local Elected officials may be excluded in establishing the quorum requirement.

Each member of the committee shall have one vote. Voting may be by secret ballot or voice vote. Action by simple majority of those members present at a meeting at which a quorum is present shall be the act of the committee.

ARTICLE V

The officers of the committee shall be the Chairman, who is recommended by Berkeley County Council and appointed by the Governor of South Carolina; the Vice Chairman, and Secretary, both of whom are elected by the committee.

The term of officers is to be one year with successive terms allowable through simple majority vote of the membership.

Any electable vacancies are to be filled by a majority vote of the membership. This election would be for the remainder of the unexpired term.

The DUTIES of the officers shall be:

Chairman: To be the principal executive officer and ex-officio member of all subcommittees ~~and~~ except the nominating committee. He shall appoint all special subcommittees of the organization. Committee meetings shall be recorded and submitted to the State Commission.

Vice Chairman: Shall preside over meetings in the absence of the chairman; carry out all other duties in the event of the chairman's inability to perform such duties.

Secretary: Shall keep the minutes of the meetings of the committee and in general perform all duties incident to the office of the secretary and such other duties as from time to time may be assigned to him by the chairman.

ARTICLE VI

The Chairman shall appoint all subcommittees on an ad hoc basis.

ARTICLE VII

The Berkeley County LEPC shall conduct business according to Robert's Rules of Order, except when they may be in conflict with these By-Laws.

ARTICLE VIII

These By-Laws may be altered, amended or repealed and new By-Laws may be accepted by an affirmative vote of a simple majority (no proxy or absentee ballots) at any regular meeting or a special meeting called for that purpose, provided that notice of such proposed changes be presented by the Secretary in writing to each committee member at least fourteen (14) days prior to such meeting.

ARTICLE IX

The Berkeley County Local Emergency Planning Committee was created under the authority of:

Berkeley County Resolution R-80-32, dated August 7, 1980;

Public Law 99-499, Superfund Amendment and Reauthorization Act of 1986 (SARA);

and the State of South Carolina Executive Order 87-17, dated May 11, 1987.