

# SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. \_\_\_\_\_, 2021

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING CHAPTER 2.26 OF THE SALT LAKE COUNTY CODE OF ORDINANCES TO CLARIFY THAT DESIGNEES MAY SERVE AND MAKE OTHER TECHNICAL AND PUNCTUATION CHANGES.

The County Legislative Body of Salt Lake County ordains as follows:

**SECTION 1:** The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

**SECTION II:** Chapter 2.26 of the Salt Lake County Code of Ordinances is hereby amended as follows.

## Chapter 2.26 - HAZARDOUS CHEMICAL LOCAL PLANNING COMMITTEE

2.26.010 - Creation of a hazardous chemical local emergency planning committee, membership, selection of chair, and length of terms.

- A. Salt Lake County creates and authorizes as set forth in this chapter a Salt Lake County Hazardous Chemical Local Emergency Planning Committee ("LEPC"). The LEPC shall review the use and storage of hazardous materials and hazardous material incidents pursuant to this ordinance and the Federal Emergency Planning and Community Right-to-Know Act of 1986 ("EPCRA"), 42 U.S.C. Sections 11001 through 11050.
- B. The LEPC members are appointed by the county mayor with advice and consent of the county council. The committee shall consist of representatives of each of the following groups or organizations, selected by the county mayor, as follows (terms outlined in Section D):
  1. One ~~[or more named elected state and]~~ elected local official~~[s]~~ chosen by the county mayor and one elected local official chosen by the county council or either officials' designee;
  2. One named representative from law enforcement;
  3. One named representative from emergency management~~[?]~~;
  4. One named representative from firefighting;
  5. One named representative from emergency medical services;

6. One named representative from health professions;
  7. One named representative from local environmental group;
  8. One named representative from a hospital;
  9. One named representative from transportation;
  10. One named representative from broadcast and print media;
  11. One named representative from non-governmental organization;
  12. One named representative from a facility covered by ~~EPCRA~~~~[Federal Emergency Planning and Community Right to Know Act of 1986 ("EPCRA"), 42 U.S.C. Sections 11001 through 11050];~~
- C. One LEPC member can represent more than one listed group, so long as there is a minimum of nine named members of the LEPC.
- D. All representatives shall serve three-year terms from the date of appointment, or until their successors are appointed, except for inaugural terms of less than three years addressed in Section 2.26.010.D.1.
1. For inaugural committee appointments, members described in Section 2.26.010.B.1—4. shall serve a full term of three years, members described in Section 2.26.010.B.5—8. shall serve a partial term of two years, and members described in Section 2.26.010.B.9—12. shall serve a partial term of one year. All inaugural members and alternates shall serve until their successors are appointed.
  2. All subsequent appointments of members and alternates shall be made, as possible, so one-third of the terms of those serving on the committee expire each year. The terms are staggered to provide depth of experience to the committee. Vacancies on the committee occurring otherwise than by expiration of the term shall be filled for the unexpired term in the same manner as the original appointments.
  3. No representative shall serve more than two successive full three-year terms on the committee unless there is good cause.
  4. The mayor, with the advice and consent of the council, may remove a member of the committee for cause.
- E. A chair of the committee shall be selected by majority vote of the committee members on an annual basis.
- F. Support staff, meeting rooms, and other facilities and assistance for the committee shall be provided by the Unified Fire Authority or Salt Lake County.

#### 2.26.020 - Committee meetings.

- A. The chair of the LEPC shall provide notice of each committee meeting to committee members as early as possible, but no less than seventy-two hours before the scheduled meeting time. A notice, with agenda, will be prepared at least twenty-four hours in advance of each meeting, as required by the Open Meetings Act.

- B. LEPC meetings are governed by the Utah Open and Public Meetings Act (Utah Code Title 52, Chapter 4) and meetings shall be open to the public and to members of the media and minutes shall be taken in accordance with state statute. Electronic meetings may be held in accordance with state statute.
- C. A quorum of the LEPC consists of at least one-half the number of appointed members.

2.26.030 - Local emergency planning committee duties and functions.

- A. The LEPC shall develop an emergency response plan meeting the requirements of EPCRA, review it at least annually, and provide information about chemicals in the community to citizens. The LEPC shall base the emergency response plan on the chemical information provided to the LEPC by local facilities.
- B. The LEPC shall follow any adopted state or local policy to receive and process requests for public information under EPCRA.
- C. If the LEPC is appointed as the local emergency planning committee by the Utah Hazardous Chemical Emergency Response Commission, the LEPC may have, and may undertake, other duties in this capacity as provided by federal and state law.

[SIGNATURE PAGE FOLLOWS]

APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

SALT LAKE COUNTY COUNCIL

By: \_\_\_\_\_  
Steve DeBry, Chair

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

**David V. Peña** Digitally signed by David V. Peña  
Date: 2021.06.02 11:22:57 -06'00'  
\_\_\_\_\_  
Deputy District Attorney

VOTING

Council Member Alvord	_____
Council Member Bradley	_____
Council Member Bradshaw	_____
Council Member DeBry	_____
Council Member Granato	_____
Council Member Snelgrove	_____
Council Member Stringham	_____
Council Member Theodore	_____
Council Member Winder-Newton	_____

Vetoed and dated this \_\_\_\_ day of \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Mayor Jennifer Wilson or designee

Veto override: Yes \_\_\_\_ No \_\_\_\_ Date: \_\_\_\_\_  
Ordinance published in newspaper: Date: \_\_\_\_\_  
Effective date of ordinance: \_\_\_\_\_

**SUMMARY OF  
SALT LAKE COUNTY ORDINANCE NO. \_\_\_\_\_**

On the \_\_\_\_ day of \_\_\_\_\_, 2021, the County Council of Salt Lake County adopted Ordinance No. \_\_\_\_\_, which amends Chapter 2.26 concerning the Hazardous Local Emergency Planning Committee to remove state elected officials from the Committee, clarify that local officials may be represented by a designee, create a minimum number of Committee members, and make technical additions and punctuation corrections.

**SALT LAKE COUNTY COUNCIL**

By: \_\_\_\_\_  
Steve DeBry, Chair

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

David V. Peña Digitally signed by David V. Peña  
Date: 2021.06.02 11:23:16 -06'00'  
\_\_\_\_\_  
Deputy District Attorney

**VOTING**

Council Member Alvord	_____
Council Member Bradley	_____
Council Member Bradshaw	_____
Council Member DeBry	_____
Council Member Granato	_____
Council Member Snelgrove	_____
Council Member Stringham	_____
Council Member Theodore	_____
Council Member Winder-Newton	_____

A complete copy of Ordinance No. \_\_\_\_\_ is available in the office of the Salt Lake county Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah, with the names of the members of the County Council voting for and against the ordinance.