

**BEACON UNITARIAN CHURCH
CONSTITUTION AND BY-LAWS**

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BEACON UNITARIAN CHURCH

CONSTITUTION

ARTICLE I – NAME

The name of the Society is Beacon Unitarian Church and hereinafter referred to as the “Church”.

ARTICLE II – PURPOSE

The purpose of the Church is to foster the liberal religious faith in a manner consistent with the history and practice of Unitarianism:

- 1) To support and celebrate the free and disciplined search for truth as the ground of religious fellowship.
- 2) To address the imperative needs of the times in which it exists with statements and behavior of corresponding values.
- 3) To affirm, defend and promote the worth and dignity of every person.
- 4) To implement the vision of the world community bound together in common destiny.
- 5) To encourage the religious growth and development of its members.
- 6) To empower our children and youth as our religious successors.

ARTICLE III – NON-PROFIT STATUS

The Church shall be carried on without purpose of gain for its members and any profits or other accretions to the Church shall be used for promoting its object. This article shall be unalterable.

ARTICLE IV – DISSOLUTION

In the event the Church votes its dissolution at a meeting duly called for that purpose, all of its assets, after payment of liabilities, shall be distributed to the Canadian Unitarian Council or its successor, for the purpose of extending the Unitarian religious faith in Canada. This article shall be unalterable.

BY-LAWS

(amended February 24, 2008)

ARTICLE I – MEMBERSHIP

- Sec.1 Subject to the other sections of the Articles, the Church shall consist of
- a) all persons who are members at the time the By-laws become effective.
 - b) all other persons at least sixteen (16) years of age who make known their sympathy with the aims and objectives of the Church, as stated in Article II of the Constitution and in the Principles and Purposes of the Canadian Unitarian Council, by signing the Membership Book in the presence of the Minister, or of a member of the Board of Trustees (hereinafter referred to as the Board).
- Sec. 2 A new member may sign the Membership Book at any church meeting or church service, or in the presence of the Minister, President or member of the Board.
- Sec. 3 To vote or petition, or be elected to the Board, a person must be a member in good standing and must have been a member for at least two (2) months.
- Sec. 4 No subscription to a creed shall be required of any person joining the Church, nor shall distinctions of race, colour, nationality, sexual orientation or gender apply.
- Sec. 5 A member shall make a financial contribution of record to the Church each fiscal year. The Board may waive this provision for any member. The Board shall determine the criteria for the waiver and the qualifying financial contribution expected from each member. A couple making a joint financial contribution will each be entitled to Church membership if they make double the qualifying financial contribution.
- Sec. 6
- a) Any member who has not made a financial contribution of record within a fiscal year, unless it has been waived by the Board, shall cease to be a member in good standing, and shall not be eligible to vote, petition or be elected to the Board.
 - b) If no identifiable financial contribution or application for exemption is made within three (3) months of the member being notified, the person shall cease to be a member of the Church.
- Sec. 7 A member may resign his or her membership in a written request to the President, the Minister or the Board.
- Sec. 8 A former member who requests in writing restoration of his or her membership may be readmitted by Board resolution upon evidence that the applicant has made a financial contribution of record. He or she need not sign the Membership Book again. The provisions of Sec. 3 of this article shall apply on reinstatement.

ARTICLE II – MEETINGS

- Sec. 1 The Annual General Meeting of the membership (hereinafter referred to as the “Annual Meeting”) shall be held in April of each calendar year in the County of Westminster, at a time and place designated by resolution of the Board.
- Sec. 2
- a) For the transaction of business at all meetings, a quorum shall be twenty-five (25) members eligible to vote.
 - b) Proxy voting shall not be permitted.
- Sec. 3 The Board may call Special Meetings of the membership. The Board must call a Special Meeting within thirty (30) days of receiving a written petition signed by ten percent (10%) of the members eligible to vote. All Special Meetings shall be restricted to business included in the petition or the notice of meeting.

- Sec. 4 A written notice of meeting shall be delivered by hand, mail or electronic means to all members ten (10) days prior to all meetings. This notice shall include the purpose of the meeting and its hour, date and place. Members with a common address may receive one notice, unless a request for individual notices has been filed with the Secretary prior to the date the notice is sent. The accidental omission to send notice or the non-receipt of notice by any member shall not invalidate the proceedings at any meeting.
- Sec. 5 If the President and the Vice-President are absent at an Annual or Special Meeting, a presiding officer shall be elected at the meeting.
- Sec. 6 The Board shall prepare the agenda of the Annual Meeting and it shall include the financial statements for the previous fiscal year and the report of the financial reviewer.
- Sec. 7 The annual budget of the Church shall be adopted at a Special Meeting following the annual canvass.

ARTICLE III – BOARD OF TRUSTEES

- Sec.1 The officers of the Board shall be President, Vice President, Secretary and Treasurer. Each officer shall be elected for a term of two (2) years, and, with the exception of the Treasurer, may not serve for more than four (4) consecutive years in that office.
- Sec.2 There shall be four (4), five (5) or six (6) Board Trustees. Trustees shall be elected for a term of two years or one year, in such a way that half of the Trustees will complete their terms in each year. Trustees shall not serve more than four years without an interval of at least one year.
- Sec. 3 Election of Officers and Trustees shall take place at the Annual Meeting. All terms shall begin immediately following the Annual Meeting
- Sec. 4 In the event that an Officer or Trustee cannot complete the term or fails to attend three (3) consecutive Board meetings without an excused absence, the Board may declare the position vacant. For all vacancies, the Board may appoint a successor to serve until the next Annual Meeting.
- Sec. 5 The Board shall provide leadership with respect to the general purposes of the Church. The Board shall be responsible for all property belonging to the Church, the conduct of its business affairs, and the employment of persons other than the Minister. The Board shall prescribe the terms and conditions of employment for all such employees.
- Sec. 6 The Board may raise, borrow or otherwise secure any sum or sums of money for the purposes of the Church, subject to the provisions of the “Society Act”. The Board may designate and authorize officers to execute any Mortgage or Bill of Sale, Promissory Note, Bill of Exchange or other negotiable instrument or other security, whether on real or personal property of the Church, and to sign, seal and deliver the same. Borrowing of cumulative amounts in excess of five thousand dollars (\$5000) between successive Annual Meetings shall require approval of the membership at an Annual or Special Meeting.
- Sec. 7
- a) The Board shall set its own schedule for regular meetings with at least eight (8) meetings per year.
 - b) A meeting of the Board must be called upon the written request of three (3) members of the Board.
- Sec. 8 Fifty percent (50%) of the members of the Board shall constitute a quorum at any meeting of the Board.
- Sec. 9 A Board member shall receive no remuneration, but may be reimbursed for expenses reasonably incurred while engaged in the affairs of the Church.
- Sec. 10 Regular Board meetings shall be open to all members and employees. Chairpersons of

committees or their representatives may be asked to report at Board meetings. Only Board members shall have the right to vote. The President shall have the right to request the absence of employees or other persons when considering personnel matters.

ARTICLE IV – DUTIES OF OFFICERS

Sec. 1 The President shall:

- a) work for the progress of the Church in all its objectives.
- b) preside at meetings of the Board and membership.
- c) present a written report to the membership at the Annual Meeting.
- d) undertake duties usually performed by a president, or assigned by the Board or the membership.

Sec. 2 The Vice-president shall:

- a) preside at meetings as required.
- b) assume duties delegated by the President or the Board.

Sec. 3 The Secretary shall:

- a) record minutes of Board and Annual or Special Meetings.
- b) conduct the correspondence of the church.
- c) have custody of all Church records and documents, except those the Treasurer is required to keep.
- d) have custody of the common seal of the Church.

Sec 4 The Treasurer shall:

- a) have charge of all monies received by the Church.
- b) disburse the Church's money as authorized directly by the Board or by persons designated by the Board to authorize expenditures for specific purposes.
- c) report to the Board the names of persons no longer qualified for membership under the provisions of Article I, Sec.6.
- d) maintain and have custody of the financial records of the Church.
- e) present to the Board a written financial report at least quarterly.
- f) ensure that reports required by any level of government or affiliated body are appropriately completed and forwarded.
- g) present to the membership at the Annual Meeting a financial report including income and expenditure for the previous fiscal year, and a balance sheet showing assets, liabilities and fund balances as at the close of the previous fiscal year.

ARTICLE V - NOMINATIONS AND ELECTIONS

Nominating Committee

Sec. 1 The Nominating Committee shall have four (4) members: a Board Member who shall act as chair, three (3) members at large, plus the Board President, as an ex officio, non-voting member.

Sec. 2 Members at large shall be elected at the Annual General Meeting for a three (3) year rotating term. The Nominating Committee will nominate candidate(s) to be elected. Additional nominations for the Nominating Committee will be accepted from the floor. The candidate(s) with the highest number of votes shall be declared elected.

Sec. 3 The Nominating Committee shall report to the Annual Meeting, and shall provide the names of one or more members of good standing who have indicated they are willing to serve on the Board and stand as candidates to fill each vacancy. The Nominating Committee shall also report all nominations by petition.

Board of Trustees

Sec. 4 Nominations for Officers and Trustees shall be made only by the Nominating Committee or by Nomination by Petition from the membership, except for nominations for an election under the provisions of Article VI.

- a) The Nominating Committee shall post its report at the Church at least thirty (30) days before the Annual Meeting.
- b) Nomination by Petition shall require a mover, a seconder, written permission of the nominee and three (3) additional petitioners
- c) Nominations by Petition must be submitted to a member of the Nominating Committee at least ten (10) days before the Annual Meeting.
- d) Nominations for elected office may not be made from the floor at any Annual or Special Meeting except for nominations for election under the provision of Article VI.

Sec. 5 If an election is contested, there shall be a secret ballot. The presiding officer shall appoint three (3) or more members to count the ballots. After the election, all ballots must be destroyed.

Sec. 6

- a) In an election, members may vote for nominees up to the number of positions to be filled.
- b) To be elected, a nominee must receive a majority of votes.
- c) If necessary, successive ballots will be held, eliminating any nominee(s) who have received a majority of votes, until all positions are filled.

ARTICLE VI – REMOVAL OF OFFICERS AND TRUSTEES

An Officer or a Trustee may be removed by a sixty percent (60%) majority of the members voting at an Annual or Special Meeting, which may elect a successor to complete the unexpired portion of the term of the Officer or Trustee.

ARTICLE VII – REVIEW OF FINANCIAL RECORDS

Each Annual Meeting shall appoint a competent person to review the financial records of the Church and report to the next Annual Meeting. Such person may or may not be a member of the Church, but shall not be a member of the Board or an employee.

ARTICLE VIII – INSPECTION OF BOOKS AND RECORDS

The books and records of the Church are to be kept in the custody of the Treasurer. These records may be inspected by any member in good standing by making an appointment with the Treasurer or within seven (7) days of the Treasurer receiving a written request to view these records, except for records of individual pledges or contributions.

ARTICLE IX – FISCAL YEAR

The fiscal year of the Church shall close on the 31st day of December in each year.

ARTICLE X - COMMITTEES

Sec.1 The Board may establish committees to carry out certain Church functions, such as adult and youth programs, by-laws revision, care and concerns, communications, denominational affairs, finance, membership, publicity, religious exploration, social activities, social responsibility, and worship services.

- a) The Board, assisted by any recommendations from the committee, shall

appoint each chairperson to a renewable one year term

- b) The Board may remove or not reappoint a chairperson if such an action is deemed to be in the best interest of the Church.

Sec. 2 The Board may appoint ad hoc committees and determine their terms of reference.

Sec. 3

- a) The President shall be an ex officio, non-voting member of all committees.
- b) The Minister shall be an ex officio, non-voting member of all committees except the Nominating Committee.

ARTICLE XI – MINISTER

Calling a Minister

Sec. 1 The process used in calling a Minister shall be in general accordance with the guidelines currently recommended by the denomination's Ministry and Professional Leadership program.

Sec. 2 A Ministerial Search Committee shall be elected at a Special Meeting of the membership called for that purpose.

- a) The Committee shall have five (5) members.
- b) The members of the Committee shall be nominated from the floor and each member must receive a majority vote. If necessary, successive ballots shall be held, eliminating the nominee or nominees already elected by a majority vote in a previous ballot, until all positions have been filled.
- c) Not more than one (1) member of the Board shall serve on the Committee.
- d) The Committee shall assist in the settlement of the new Minister and as a Committee on Ministry until a permanent Committee on Ministry is established.

Sec.3 The Minister shall be called by an eighty-five percent (85%) majority of the members voting at a meeting called for that purpose. Such a call shall be viewed as indefinite until terminated by either the Minister or the Church.

Sec. 4 The terms of the call shall come as a recommendation of the Ministerial Search Committee to the Board. The details of the Minister's salary, benefit and expense package shall be negotiated with the Board.

Termination of Services

Sec. 5

- a) The Minister shall give three (3) months' notice of her/his resignation in writing, at any regular meeting of the Board, Sunday service, or to the President. The resignation shall be considered accepted upon receipt. By mutual agreement with the Board, the three (3) month period may be shortened or waived. In such circumstances, terms of the Minister's salary, benefit and expense package shall be negotiated with the Board.
- b) If the value of the Minister's services is called into question by a petition under Article II, Sec. 3 of the By-Laws, the following process shall occur.
 - i. The Committee on Ministry shall seek a solution in the best interests of the Church by conferring with the Minister and the petitioning group and making a report and recommendation to the Board
 - ii. At a meeting without the Minister present the Board shall consider the report and recommendation of the Committee on

Ministry. If the petition has not been withdrawn, the Board shall carry out the requirements of Article II, Sec. 3.

- c) The Minister may be dismissed by a sixty percent (60%) majority of members voting at a Special Meeting called for that purpose. In this event, his/her salary, benefit and expense package shall continue at the level immediately preceding such vote for the next three (3) months. Such a Special Meeting shall not be called during the months of July or August.

Committee on Ministry

Sec. 6 The Committee on Ministry shall, in all of its endeavours, seek to carry out its functions in the best interest of both the congregation and the Minister.

- a) Within two (2) months of a new Minister's assumption of duties the Board shall establish and appoint from a list generated by the Minister a three (3) member Committee on Ministry for a renewable, three (3) year rotation.
- b) The function of the Committee shall be to seek to understand, assess, support and advocate for effective ministry throughout all aspects of congregational life.

Role of Minister

Sec. 7

- a) The Church affirms the principle of freedom of the pulpit and ministerial practice while the Minister affirms the freedom of belief and practice of the Church, which are inherent in the Unitarian tradition.
- b) The duties of the Minister shall be stated in the Minister's contract.

ARTICLE XII – DENOMINATIONAL AFFAIRS

Sec. 1 The Church shall be a member of the Canadian Unitarian Council or its successor.

Sec. 2 The Minister shall have the automatic right to delegate status at the Annual Meeting of the Canadian Unitarian Council (CUC). If the Minister does not attend the Annual Meeting or chooses not to be a delegate, the Board may appoint a replacement.

Sec. 3 Lay delegates to the annual meetings of the CUC and its associated bodies shall be appointed by the Board.

ARTICLE XIII – AFFILIATED ORGANIZATIONS

Sec. 1 An affiliated organization of the Church is a self-designated group of members or members and friends of the Church that has been approved by the Board or the membership.

Sec. 2 Any group desiring to become an affiliated organization must apply to the Board for approval, in a form that the Board shall determine.

Sec. 3 An affiliated organization shall have the following rights and privileges:

- a) It may use the Church premises for meetings.
- b) It may use the Church newsletter and bulletin boards.
- c) It may use the Church name as part of its title and activities.
- d) It may recruit members from among the members and friends of the Church.
- e) It may use the Church mailing list and email directory. However, it is not necessarily entitled to the use of the clerical assistance in the Church office or of the office equipment and supplies.

Sec. 4 Each affiliated organization shall have the following duties and obligations:

- a) It must conform to the general policy of the Church, as expressed in the

Constitution and By-laws or in any statement of Church policy. The Board shall determine whether any proposed activity or constitutional or By-Law change of an affiliated organization is in accordance with such general policy. Decisions of the Board may be appealed to a meeting of the membership.

- b) It may not solicit donations of money or pledge the credit of the Church without prior approval of the Board.
- c) Members of the Church may not be denied membership in an affiliated organization provided they meet the requirements of the Constitution and By-Laws of said affiliated organization.
- d) Each affiliated organization shall provide the Secretary of the Board with certified copies of its records.

ARTICLE XIV AMENDMENTS

The Constitution and By-laws may be amended or repealed so far as allowed by law, by a special resolution and by a seventy-five percent (75%) majority of the members voting at an Annual or Special Meeting. A written notice of any proposed amendments shall be delivered by hand, mail or electronic means to each member of the Church at least ten (10) days prior to the meeting.

ARTICLE XV - RULES OF PROCEDURE

Sec. 1 The rules of procedure as set out in "Robert's Rules of Order" shall be followed at Annual and Special Meetings except where its provisions are inconsistent with the Constitution and By-Laws of the Church.

Sec. 2 The Board shall appoint a Parliamentarian to serve as an advisor to the Chair at Annual and Special Meetings of the Church.

ARTICLE XVI – SEAL

Sec. 1 The Board may provide a common seal for the Church, destroy a seal and substitute a new seal in its place.

Sec. 2 The common seal shall be affixed only when authorized by a resolution of the Board and then only in the presence of the persons prescribed in the resolution, or if no person or persons are prescribed, then in the presence of any two (2) of the Officers.

ARTICLE XVII – INTERPRETATION

In these By-Laws, words implying the singular number shall include the plural number and vice versa. Wherever reference is made to any Article or Section it shall be deemed to extend and apply to any amendment to that article or section.