

# **TRI-CITY CHINESE BAPTIST CHURCH**

## **CONSTITUTION and BY-LAWS**

**Version 3.0**

### **ARTICLE I. NAME, DURATION AND SEAL**

This organization in accordance with its charter shall be known as Tri-City Chinese Baptist Church, Fremont, California, and shall exist for the maximum period allowed by the laws of this State, unless sooner lawfully dissolved. It shall have a corporate seal on which shall be engraved the words "Tri-City Chinese Baptist Church, Fremont, California." All official church documents shall bear this seal.

### **ARTICLE II. PLACE OF WORSHIP**

The place of worship shall be at Fremont in Alameda County, California, or such other place as may be designated by the members, and the business of the organization shall be conducted at such place of worship.

### **ARTICLE III. GOVERNMENT**

The government of this church shall be vested in the membership who compose it and may act through its officers and agents herein designated. It is subjected to the control of no other ecclesiastical body. It acknowledges Jesus Christ as its only Lord and receives the Bible as its only supreme guide in matters of faith, order, discipline, and practice.

### **ARTICLE IV. AFFILIATION**

This church is affiliated with the Southern Baptist Convention, U.S.A., the California Southern Baptist Convention, and the East Bay Baptist Association. This body will cooperate with and support these affiliate organizations in matters as determined appropriate by the Church Council, and in accordance with the Bible and our church constitution and bylaws.

### **ARTICLE V: PURPOSE**

The purpose of this organization is:

1. To worship the almighty, living and true God, recognizing His sovereignty, and responding in obedience to His leadership,
2. To disciple believers to experience a growing knowledge of God, and increasingly meaningful relationship with Him,
3. To serve God, one another and our community as an expression of our love for Him,
4. To fellowship in Christ's love, encouraging, supporting and praying for each other as members of the family of God. To share our lives together, and

March 31, 2004

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5. To share the good news of Jesus Christ with as many people as possible in our community and throughout the world.

#### **ARTICLE VI: STATEMENT OF FAITH**

We believe that all Scripture is the inspired Word of God without any error. It is the final authority of faith and conduct. We believe in one God, Creator and Ruler of the universe, eternally existing in three persons: Father, Son, and the Holy Spirit. We believe in Jesus Christ, the eternal Son of God. In His incarnation, He was conceived of the Holy Spirit, born of the virgin Mary, and is perfect God and perfect man. We believe that the Holy Spirit is a person, co-equal with the Father and the Son. He convicts the world of sin, regenerates, baptizes, indwells, and empowers all believers. We believe that man was created by the special act of God, in His own image. But in the sin of Adam the whole human race fell. We became spiritually dead. We believe that salvation is a gift from God, offered freely to all who accept Jesus Christ as Savior. By His substitutionary death, He obtained the forgiveness of sins for the believers. We believe that the local church is a body of baptized believers, organized under the Lordship of Jesus Christ to do God's will. We believe that baptism and the Lord's supper are the two ordinances of the church. Baptism is the immersion of a believer in water, portraying the death, burial, and resurrection of Jesus Christ. The Lord's supper is a memorial of the death of Christ until He comes. We believe in the personal, imminent, and pre-millennial return of our Lord Jesus Christ. We believe in the bodily resurrection of all mankind, the unsaved to eternal condemnation, and the saved to eternal life.

#### **ARTICLE VII. MEMBER'S COVENANT**

This covenant is an agreement by members of this church with Christ, whereby they promise to conduct their lives in such a way as to glorify God and promote the general welfare of the church body. Every member should study it carefully, refer to it often, and seek to live by it. It clearly outlines the obligations of church membership. Each member is responsible and accountable to Christ.

Being committed to Jesus Christ, having experienced His acceptance and forgiveness, and being redeemed through Him to God, our Heavenly Father, we all covenant together as members of this body that with God's help through the guiding presence of His Spirit, each member will:

LOVE THE LORD YOUR GOD WITH ALL YOUR HEART, SOUL, AND MIND:

1. Maintain a faithful ministry of worship, witness, discipleship, fellowship and service.
2. Seek earnestly to live in the glory of God by living godly, fruitful lives.
3. Pray earnestly to God with praise and thanksgiving, for the forgiveness of our sins and the needs of others as well as ourselves.
4. Be faithful stewards of our gifts and resources by sharing God's blessings with others.

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**LOVE YOUR NEIGHBOR AS YOURSELF:**

5. Walk together in the unity of the Holy Spirit, with brotherly love.
6. Show loving care toward each other and encourage, counsel and admonish each other.
7. Endeavor to guide and nurture those under our care in the love and admonition of our Lord.
8. Seek, by Christ-like example and personal witness, to win others to Christ and to encourage their growth toward Christian maturity.

**ARTICLE VIII. CHURCH ORGANIZATION**

This church is organized as the body of Christ, with Jesus Christ as its head. From Him each part of the body, joined and held together by every supporting ligament, grows and builds itself up in love, as each part does its work. Just as each of us has one body with many members, and these members do not all have the same function, so in Christ we who are many form one body, and each member belongs to all the others. Since we have gifts that differ according to the grace given to us, each of us is to exercise them accordingly. This church is comprised of the following parts, to work together in order to accomplish His purposes.

The officers of the church shall consist of the Church Staff (Senior Pastor, Pastor(s) and Ministerial Staff), Body of Deacons, Trustees and the Church Council.

***A. Senior Pastor***

The Senior Pastor shall be a duly licensed or ordained minister in the Southern Baptist churches or from an organization with the same Baptist beliefs. He must clearly see the calling by God to serve in this position. His beliefs and his teachings must be based on the Bible. He must possess pastoral gifts, which include leadership, preaching, counseling, visitation, and caring. His spouse, if he is married, must be a born again Christian, and must fully support his ministry. His personal and family life must be a living testimony of the Bible's teaching.

He shall have general supervision over all the spiritual matters of the church, and shall direct the administration of the ordinances. He shall be a voting member of all committees, except when the nature of the meeting requires that the Senior Pastor be absent. In the absence of the Church Council Chairperson and Vice Chairperson, the Senior Pastor may be the moderator at any business meeting of the church. He shall also be a representative of the church.

He shall be called by this church in accordance with Article XVIII, Vacancies, and shall be paid such salary as may be fixed by the church. The salary may be reviewed and adjusted by the Church Council. The Senior Pastor is subject to confirmation of service (see Article XIV).

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**B. *Pastor(s)***

The Pastor must clearly see the calling by God to serve in this position. His beliefs and his teachings must be based on the Bible. He must possess pastoral gifts, which include leadership, preaching, counseling, visitation, and caring. His spouse, if he is married, must be a born again Christian, and must fully support his ministry. His personal and family life must be a living testimony of the Bible's teaching.

He shall assist the Senior Pastor in general supervision over the spiritual matters of the church, and may perform the administration of the ordinances. He shall be a voting member of all committees, except when the nature of the meeting requires that the Pastor be absent. He shall also be a representative of the church.

He shall be called by this church in accordance with Article XVIII, Vacancies, and shall be paid such salary as may be fixed by the church. The salary may be reviewed and adjusted by the Church Council. The Pastor is subject to confirmation of service (see Article XIV).

**C. *Pastor Emeritus***

When a Pastor retires, and the members are moved to continue an association in an honorary relationship, it may, at a special members' meeting, elect him Pastor Emeritus, with or without honorarium, but with no pastoral authority or duty. This action shall require a two-thirds vote of the members, and be taken only upon the recommendation of the church council after consultation with the church staff, deacons, and trustees concerning the welfare of the church. However, the Pastor Emeritus shall respect the integrity of the ministry of the church and shall serve in ways consistent with the ministries and vision of the church. This provision is intended to affirm the past ministry of retired pastors, and to allow for new arenas of service and support while avoiding some pitfalls that can present themselves to the retired pastor and the ongoing ministries of the church.

**D. *Ministerial Staff***

The Ministerial Staff must clearly see the calling by God to serve in this position. His or her beliefs and teachings must be based on the Bible. He or she must possess spiritual gifts in areas of leadership, preaching, counseling, visitation, and caring. His or her spouse, if married, must be a born again Christian, and must fully support his or her ministry. His or her personal and family life must be a living testimony of the Bible's teaching.

He or she shall assist the Pastors. He or she shall be a voting member of all committees, except when the nature of the meeting requires that the he or she be absent.

He or she shall be called by this church in accordance with Article XVIII, Vacancies, and shall be paid such salary as may be fixed by the church. The salary may be reviewed and adjusted by the Church Council. The Ministerial Staff member is subject to confirmation of service (see Article XIV).

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***E. Body of Deacons***

Deacons shall assist the pastors, participate in the caring ministry, and assist in administrative ministries according to their gifts, proclaiming God's Word, and providing spiritual leadership to the congregation. In the absence of the pastor, active deacons may perform the administration of the ordinances. The body of deacons shall consist of ordained deacons chosen by the church. Deacons who are actively involved in the deacon ministry are active deacons. Deacons who are not actively involved in the deacon ministry due to personal reasons are considered inactive deacons, and do not participate in formal deacon ministry matters. Inactive Deacons may be restored to active status upon such request to the deacon body, and upon a two-third-majority approval by the deacon body.

The pastors shall consider candidate's qualifications to become a deacon, and shall make recommendations to the deacon body and the Church Council. Upon approval by the Church Council, the candidate is recommended to the church members for examination of ordination according to Article XIII, Ordination. The church shall call the candidate to serve in the body of deacons upon a two-third vote from the church members.

***F. Trustees***

There shall be three Trustees: a chairperson, a vice chairperson, and a secretary. Trustee is an elected post, and is not subject to annual election. The Trustees shall be responsible for the management of church assets according to Article XIX. They shall prepare and manage all church related legal documents and correspondence. They shall also be responsible for appointing an auditor to audit bookkeeping and financial records. All legal documents and correspondence must contain the church seal.

The Nomination Committee shall be responsible for filling Trustee vacancies. The Nomination Committee shall consider candidates for the qualifications and criteria for the vacant position. The Nomination Committee shall recommend to the Church Council the best candidate meeting the qualifications for the vacancy. Upon approval by the Church Council, the candidate is recommended to the church members. The church shall call the candidate to serve in such position upon a two-third vote from the church members.

***G. Church Council***

The Church Council consists of the Senior Pastor, Pastor(s), Ministerial Staff, Deacons, Trustees, and chairperson and vice chairperson of each Church Council committee. Each council member has the right to vote on council matters. From time to time, the council may form ad hoc committees as the need arises including but not limited to the Building Committee, Nomination Committee, and Search Committee. Such ad hoc committees are advisory committees and do not vote on council matters.

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## ARTICLE IX. CHURCH COUNCIL COMMITTEES

The Church Council shall include eleven standing committees -- the Chairperson and Vice Chairperson, Secretaries, Budget Committee, Worship Committee, Mission Committee, Music Committee, Sunday School Committee, Discipleship Committee, Literature Committee, Maintenance Committee, and Visitation Committee. Each committee shall consist of one chairperson and one vice chairperson, to be elected annually.

Church Council members must be born again Christians, and are members of the church in good standing. They must already be attending the church regularly for a minimum of two years before they are eligible to be elected. They must bear good witness through deeds and testimonies. If they are married, they must be committed to raising a Christian family. They must be willing to fervently serve God and His church. They shall have served or assisted for a minimum of one year in areas related to Church Council responsibilities (See Appendix A).

All Church Council committee members shall have a term of one year. Church Council committee candidates shall be recommended by church members to the Nomination Committee. If the candidates are considered qualified by the Nomination Committee, they must also express their desires to serve in the committee that they are being nominated for. The Nomination Committee shall then present the nominations to the Church Council. Upon approval by the Church Council, they shall be presented to the church members for the final election.

### *A. Chairperson and Vice Chairperson*

The Chairperson and Vice Chairperson shall assist the Senior Pastor, Pastor(s) and Ministerial Staff in various church ministries and activities. They shall be responsible for calling and chairing Church Council meetings and Members' Business Meetings. In the event that the Chairperson is absent, the Vice Chairperson shall represent the Chairperson to chair the meeting. If both the Chairperson and Vice Chairperson are absent, the Senior Pastor shall chair the meeting. They may represent the church in any meetings and activities deemed appropriate by the Senior Pastor and Pastor(s).

### *B. Secretaries*

The Secretaries shall be in charge of church correspondence, membership records, stationery and supplies. They shall be responsible for recording Church Council and Members' Business Meeting minutes, and safekeeping all church meeting minutes.

### *C. Worship Committee*

The Worship Committee Chairperson and Vice Chairperson shall coordinate, schedule, recruit and train worship leaders and helpers for worship services. They shall also be responsible for the worship programs.

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***D. Mission Committee***

The Mission Committee Chairperson and Vice Chairperson shall coordinate and promote all outreach related activities and meetings. They shall introduce, support and oversee mission programs that promote the participation and spiritual growth of church members. They shall also be responsible for the church Summer Camp and Revival Meeting.

***E. Music Committee***

The Music Committee Chairperson and Vice Chairperson shall coordinate and promote all church related music programs and activities, both within the church and outside. These responsibilities include providing direction for the music ministry of the church, and the selection of music for special events.

***F. Sunday School Committee***

The Sunday School Committee Chairperson and Vice Chairperson shall oversee the Sunday School program and be responsible for selection of Sunday School curriculum and Sunday School staff. They shall promote the Sunday School program to church members and coordinate workshops and training programs for Sunday School teaching staff.

***G. Discipleship Committee***

The Discipleship Committee Chairperson and Vice Chairperson shall be responsible for overseeing all Bible Studies, Fellowships and Basic Christian Beliefs Training. They shall also oversee youth programs and activities that promote the spiritual growth of youths in the church.

***H. Literature Committee***

The Literature Committee Chairperson and Vice Chairperson shall be responsible for editing and publishing of all church publications and promotional materials. They shall assist other committees in editing and publishing related tasks. They shall also be responsible for the church library.

***I. Budget Committee***

The Budget Committee Chairperson and Vice Chairperson shall be responsible for the administration of church financial matters in coordination with the Trustees according to guidelines in Article XIX. They shall keep all tithing and offering records, and produce regular reports on the church budget and expenses.

***J. Maintenance Committee***

The Maintenance Committee Chairperson and Vice Chairperson shall coordinate and manage church maintenance, repairs, clean-up and general upkeep of the church property.

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***K. Visitation Committee***

The Visitation Committee Chairperson and Vice Chairperson shall coordinate and promote church visitation programs and follow-up.

***L. Building Committee***

The Building Committee shall be responsible for planning, coordinating and supervising the acquisition, disposition and construction of church property. The Building Committee shall consist of the Church Staff, a Trustee, a Council Chairperson, a Budget Committee Chairperson and three church members elected by the Church Council. When electing members to the Building Committee, the Church Council shall consider the qualifications of the candidate including the gifts, talents, and burden to serve on the Building Committee.

The Building Committee shall consider and recommend property related actions to the Church Council. Upon approval by the Church Council, the Church Council Chairperson shall present the recommendation to the church members for final approval. The Building Committee shall be dissolved after the completion of the building project.

***M. Nomination Committee***

The Nomination Committee shall consist of three church members, and shall be elected by the Church Council. The Nomination Committee shall consider candidates for election to the Church Council committees who meet qualifications as described in Article IX, paragraph 2. After the candidates are deemed qualified and have agreed to serve, the committee shall present the nominations to the Church Council. Upon approval by the Church Council, the nominees shall be presented to the church members for the final election. The Nomination Committee shall be dissolved at the conclusion of the election.

***N. Search Committee***

The Search Committee shall be elected by the Church Council as required. The Search Committee shall be made up of a minimum, of seven persons which may include the Senior Pastor, Pastor, Ministerial Staff, Council Chairperson, Trustee, Deacon and one to three church members elected by the Church Council. The Search Committee shall be responsible for the search for candidates to fill church staff vacancies. The Search Committee shall recommend to the Church Council, the best candidate meeting the qualifications of the vacancy. Upon approval by the Church Council, the candidate shall be presented to the church members for the final approval. The Search Committee shall be dissolved upon the vacancy being filled.

**ARTICLE X. COUNSELING BODY**

The Counseling Body shall be comprised of the church staff, active Deacons, the Chairperson of the Trustees, and the Chairperson and Vice Chairperson of the Council. It shall be the responsibility of the Counseling Body to meet together regularly for prayer, support and fellowship in connection with the ministries and operations of the church. The Counseling Body



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shall oversee all aspects of the ministries and operations of the church, exercising oversight not under compulsion, but voluntarily, according to the will of God, and leading the flock by example. In carrying out its responsibilities, the Counseling Body shall follow the precepts of the Constitution and By-laws.

## **ARTICLE XI. MEMBERSHIP**

The members of this church shall be comprised of (1) charter members, (2) those people who have been baptized by this church, and (3) those people who have transferred their membership from another church.

Charter members are those who became members at the time of the granting of the charter. Those who become members through baptism are baptized by the lawful authority of the church upon a profession of faith, and have accepted Jesus Christ as his or her Savior and Lord. For those who become members through transfer of membership, the church must receive a letter of transfer from another Baptist church, or a church with the same beliefs, or upon the member's statement that they subscribe to Baptist beliefs and practices. Each member in good standing shall have the right to vote in church business meetings. Membership has no term, and is only terminated upon death, transfer of membership, resignation or removal.

The candidate for membership may be recommended by another member of this church to either the Senior Pastor or the Pastor for consideration of membership. The candidate shall successfully attend membership class, and be interviewed by two members of the church appointed by the Senior Pastor or Pastor. Those who become members through baptism must also attend a baptism class. Upon confirmation of the candidate's faith, the candidate is recommended to the Church Council. After being accepted by the Church Council, the candidate is then recommended to the church members. The membership is granted and shall be effective upon the candidate having been accepted into the membership by the church members upon baptism or transfer of membership. It is the responsibility of all members to abide by the Church Constitution and By-Laws, obey teachings in the Bible, and give tithes and offerings to the church to support its ministries.

A member is considered to be in good standing if he or she attends church services regularly. A member who is required to be away from the area for an extended period of time but intends to continue active membership, may request consideration to maintain his or her active membership status (i.e., students, job assignments, illness, etc). A member shall be placed on the inactive list by the church council, and shall be ineligible to vote if he or she does not attend church for two months, does not participate in the fellowship and/or does not support the ministries of the church. The member's active status may be restored after the member has resumed his obligations to the church, and has been reinstated by the Church Council.

## **ARTICLE XII. MEETINGS AND QUORUM**

The regular meetings of this church for the transaction of business shall be held on such date or dates as designated by the church, and 50% of members in active standing shall constitute

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a quorum for such a purpose. A signed absentee ballot shall be considered a valid vote, and shall be counted toward forming a quorum. Meetings may be called by the Senior Pastor or Chairperson of the Church Council with a minimum of 2 weeks' notice. Meetings shall be conducted according to rules described in Robert's Rule of Parliamentary Law.

Church Council meetings shall be held once every two months, or as needed when called by the Chairperson of the Council. A minimum of 50% of the Church Council members shall constitute a quorum for the transaction of business. Meetings shall be conducted according to rules described in Robert's Rule of Parliamentary Law.

Every motion must be seconded, and requires a simple majority vote to carry, unless otherwise specified by Robert's Rules of Parliamentary Law or elsewhere in these By-laws.

### **ARTICLE XIII. ORDINATION**

Ordination is the recognition and confirmation by the church of a member's evident call of God to the gospel ministry. An ordination begins with a request for ordination from one of the members. The Church Council will consider the request and make its recommendation to the church. The church members, by vote, should proceed to call an examining council, consisting of ordained men from its own ranks and from neighboring churches. Prayerful and considerate but searching inquiry should be made into the candidate's experience of grace, the soundness of his conversion, the certainty of his call, the adequacy of his preparation, the quality of his character, the vitality of his faith, the worthiness of his concept of his calling, the steadfastness of his loyalty to the church, the determination which he discloses as to his future life of sacrificial devotion and continuous advancement toward the ideal of "a good minister of Jesus Christ." The examining council will recommend the candidate to the members upon satisfactory confirmation by the council. The church members will vote on the confirmation of the candidate for ordination. Ordination should not take place until a man is called to a definite field of labor.

### **ARTICLE XIV. CONFIRMATION OF SERVICE**

To assist the pastor/ministerial staff and church to know each other, the church council and the pastor/ministerial staff will provide feedback to each other at designated intervals. The council will communicate the results of the feedback to the members after which the members will vote to confirm the calling to service of the pastor/ministerial staff by two-thirds vote. Should the vote fail to meet the two-thirds requirement, the term of service will not be extended. This feedback and confirmation process will occur within one month before and after the first, second and fourth anniversaries from the start of service.

### **ARTICLE XV. RESIGNATIONS**

Resignations shall be submitted in writing to the appropriate officer of the church. It shall then be considered and accepted by the Church Council. However, upon the request of the Senior Pastor, such acknowledgment may be delayed for thirty days after the resignation is submitted.

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## **ARTICLE XVI. DISCIPLINE**

It shall be the basic purpose of Tri-City Chinese Baptist Church to take every reasonable measure to assist any member struggling with sin. In dealing with such matters, church members must exhibit love and follow Biblical guidelines for teaching, reproof, correction and training in righteousness. Members of the Counseling Body are available for counseling and guidance.

## **ARTICLE XVII. REMOVAL**

A member who has purposely opposed or acted against the beliefs of this church, or the Church Constitution and By-laws, or who may otherwise be a hindrance to the purposes of this church may be removed from the membership and fellowship of the church. In such instances, the Counseling Body shall consider and research the matter. If the involved person is a member of the Counseling Body, he or she will be excused from the deliberations of the Counseling Body.

All such proceedings shall be exemplified by and controlled by a spirit of Christian kindness and forbearance. However, if it is found that the welfare of the church body would be best served by the removal of the member, the matter will be referred to the Church Council for their consideration and approval. Upon approval of the Church Council, the matter shall be referred to the church members. Any member may be removed by a majority vote of the church members after having been given two weeks notice of such contemplated action.

## **ARTICLE XVIII. VACANCIES**

The Search Committee shall be responsible for searching for candidates to fill church staff vacancies. The Search Committee shall consider the candidate for the qualifications and criteria for the vacant position. If the requirements are met, the candidate shall be recommended to the Church Council. Upon approval by the Church Council, the candidate shall be recommended to the church members. The church shall call the candidate to serve in such position upon a two-third vote by the church members.

Church Council committee vacancies shall be filled by appointment by the Church Council. The appointee shall serve through the remainder of the current term.

## **ARTICLE XIX. CHURCH ASSET MANAGEMENT**

Cash offerings shall be deposited into the church fund as designated by the donor. Non-designated offerings shall be deposited into the general fund. Non-cash offerings shall be liquidated as soon as possible, with the cash proceeds deposited into the designated fund if designated, or in the general fund, if not designated. Church assets shall not be put into speculative investments. Contribution guidelines are described in Appendix B.

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**ARTICLE XX. DISSOLUTION CLAUSE**

If at any time the whole body of the members of this church decides to cease to function as a church body, the property and assets, both real and personal, will be distributed by the deacons, trustees, and Church Council to Christian evangelical organizations.

**ARTICLE XXI. AMENDMENTS**

The Church Constitution & By-laws may be amended by a two-third vote of the church members.

Appendix A Church Council Committee helpers/workers qualifications

Appendix B Church Contribution Guideline