



SHEPHERD'S GATE CHURCH

Constitution & By-Laws

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SHEPHERD'S GATE
CONSTITUTION & BY-LAWS

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PREAMBLE

It is the intent of the members of Shepherd's Gate Lutheran Church to offer, in writing, a positive and meaningful document that describes who we are and what God is calling us to be and do. We solemnly pledge ourselves before God and one another to be governed by the following constitution and by-laws.

ARTICLE I

NAME

- Sec. 1 The name of this congregation shall be Shepherd's Gate Lutheran Church, Shelby Township, Michigan.
- Sec. 2 This congregation shall be incorporated as an ecclesiastical corporation, not for profit, under the laws of the state of Michigan.

ARTICLE II

PURPOSE

- Sec. 1 Our purpose is to incarnate 2 Cor. 5:18-19. "Christ reconciled us to Himself and gave us the ministry of reconciliation. God was in Christ reconciling the world to Himself, not counting their trespasses against them, and entrusting to us the message of reconciliation."
- Sec. 2 We will develop responsible disciples of Jesus Christ (Eph. 4:12-13), by the administration of the sacraments and by the religious instruction of youth and adults in God's Word, according to the confessional standards of the evangelical Lutheran Church (See Article III), and foster Christian fellowship and charity.
- Sec. 3 We will pass this message of reconciliation on to the lost in the world. (2 Cor. 5:20, Matt. 28:19)

ARTICLE III CONFESSION

- Sec. 1 As a Lutheran congregation of God's people, we accept all the prophetic and apostolic scriptures of the Old and New Testaments as the inspired Word of God and as the only trustworthy and reliable authority in all matters of faith and life, doctrine and conscience.

- Sec. 2 We also accept all the confessional writings contained in the Book of Concord, 1580, as a faithful exposition of Christian doctrine drawn from God's Word: The Apostles', Nicene, and Athanasian Creeds, The Unaltered Augsburg Confession, The Apology of the Augsburg Confession, The Smalcald Articles, Luther's Large Catechism, Luther's Small Catechism, and the Formula of Concord.

ARTICLE IV AFFILIATION

- Sec. 1 This congregation shall be affiliated with the Lutheran Church-Missouri Synod as our advisor as long as that synod remains true to the Word of God and the Lutheran Confessions.

- Sec. 2 We agree to support by our spiritual and natural resources the God-pleasing endeavors undertaken by the Missouri Synod.

- Sec. 3 Disaffiliation: A vote is required by the voters (Article V, Sec. 2C, Article VI, Sec. 2, Article VI, Sec. 5) to cause disaffiliation.

ARTICLE V

MEMBERSHIP

- Sec. 1 It is a privilege to belong to and accept responsibility for a local congregation that is part of the universal body of Christ.
- Sec. 2 Types of membership
- A. Baptized member: One who has been baptized according to Matt. 28, and who is affiliated with us and governed by this constitution.
 - B. Communicant member: One who has been baptized, Sec. 2A, and instructed in the Lutheran Church so that one may receive the privilege of joining with fellow believers in receiving the Lord's Supper frequently, and who is affiliated with us and governed by this constitution. Communicant members may not be members of a secret society, or of any other organization conflicting with the Word of God.
 - C. Voting member: One who is a baptized communicant member, at least eighteen (18) years of age, who agrees with and subscribes to the Christian principles set forth in the constitution and by-laws of this congregation.

ARTICLE VI

ORGANIZATION

- Sec. 1 Policies that are proposed by the Senior Pastor, any individual or group, must be ratified by the Council. The voting members have the power to make, review, modify, or eliminate any policy.
- Sec. 2 Voter's meeting or a ballot without a voter's meeting (By-Laws: Article II, Sec. 4)
- Motions may be passed by a vote during a voter's meeting (Article VI, Sec. 3) or with a ballot vote without a voter's meeting (Article VI, Sec. 4).
- Sec. 3 Voting at a Voter's meeting
- A. Any meeting of voters must have at least 51% of the current voting members present to constitute a quorum for a meeting to begin. Once a meeting has begun it may continue until conclusion, or until the number of remaining voting members present does not exceed 20% of the current voting members. All decisions are based on 75% majority vote of the votes cast. However, motions may be amended during the meeting by a simple majority.

ARTICLE VI

ORGANIZATION

- B. If a quorum is not present, (Article VI, Sec. 3 A), Council is authorized to set a new percentage of current voting members present to constitute a quorum for this particular meeting if Council elects to do so.
- C. Proxy votes are allowed for applicable motions. If a motion is changed after a proxy vote is submitted, then that proxy vote is discarded.
- D. A proxy vote will be made available, with exceptions of new motions brought up at a voter's meeting, or because of an emergency voter's meeting, at least two (2) weeks prior to the voter's meeting for voters not able to be present at said meeting. A valid proxy is a proxy that is signed, dated, and received in the church office prior to the start of the meeting. Once submitted, a proxy cannot be changed. Proxies received by the church office can be reviewed only after the motion has been voted on at a voter's meeting and only in the presence of Council*, Senior Pastor*, and whoever called for the vote* (By-Laws: Article II, Sec. 4). * or their representative (s)

Sec. 4

Voting with a ballot vote without a voter's meeting

- A. All decisions are based on 75% majority vote of the valid votes cast. Motions may not be amended.
- B. A valid ballot is a ballot that is signed and dated, or an electronic transmission, that is received in the church office during a minimum eight (8) consecutive day period starting on a Sunday determined by whoever called for the vote (By-Laws: Article II, Sec. 4). Once submitted, a ballot cannot be changed. Ballots received by the church office can be reviewed only after the minimum eight (8) consecutive day period starting on a Sunday has expired and only in the presence of Council*, Senior Pastor*, and whoever called for the vote*. *or their representative(s)

Sec. 5

In the following articles and sections of the constitution, the voting members must be given at least four (4) advanced notices over at least four (4) weeks before any vote can be taken regarding these items:

Article IV	Sec. 3 - Disaffiliation from Lutheran Church-Missouri Synod
Article VII	Sec. 2 - Dismissal of Senior Pastor
Article IX	Sec. 1 - Disbandment of congregation
Article X	Sec. 1 - Amendments to the constitution

Advanced notice may be written notices placed in the member's church boxes, announcements during the weekly services, or other similar means.

ARTICLE VI

ORGANIZATION

Sec. 6

All paid staffing positions must be ratified by the Council.

If the office of Senior Pastor is vacant, then the Council will assume the administrative duties and responsibilities of the office of Senior Pastor. Word and Sacrament ministry will be conducted by an Interim, Vacancy Pastor, or another Pastor certified by the Lutheran Church-Missouri Synod. The voters must ratify the Council or elect a new Council before twelve (12) months have expired after the office of the Senior Pastor is vacant. This procedure is to be repeated every six (6) months thereafter until the office of the Senior Pastor is filled.

The Senior Pastor will be responsible for the staffing of all other paid staff in accordance with this constitution and by-laws.

The Senior Pastor will be responsible for the staffing of all volunteer staff in accordance with this constitution and by-laws.

The voters have sole responsibility for the staffing of the Senior Pastor position.

No paid staff position will have tenure.

All staff ultimately report to, and are ultimately responsible to the Senior Pastor.

The Council is responsible for budget preparation prior to approval by voters. Senior Pastor may modify line item expenditures during a budget year, as long as they do not exceed the approved total budget. Council may modify the budget total during a budget year, as long as they do not exceed the approved total budget by more than 5% (Article VI, Sec. 7)

Sec. 7

The voters shall not delegate any of the following decisions:

Annual total budget approval

Expenditures from the operating budget accumulating in excess of 5% of the total budget during the budget year.

The calling of a Senior Pastor

The excommunication of members

The purchase or disposal of land and/or buildings

Any changes to the constitution or by-laws

ARTICLE VI

ORGANIZATION

Disaffiliation from the Lutheran Church-Missouri Synod

Dismissal of Senior Pastor

Disbandment of the congregation

Ratification of Officers and Council members
(By-laws Article II, Sec. 3)

ARTICLE VII

OFFICE OF PASTOR

Sec. 1 The Pastoral office shall be conferred upon those qualified persons who profess and are faithful to the confessional standards set forth in Article III of this constitution, and are certified by the Lutheran Church-Missouri Synod.

Sec. 2 A Senior Pastor may be dismissed from office by our congregation for any of the following causes:

- A. Persistent adherence to false doctrine (Titus 1:9)
- B. Scandalous life without subsequent repentance (1 Tim 3:1-7)
- C. Inability to perform his official duties by the willful neglect of such duties (1 Cor. 4:1,2)

Dismissal may be carried out only after personal admonition conferring with the district president and the casting of a ballot in a Christian lawful order, in love, by the voting members.
(Article V, Sec. 2C), (Article VI, Sec. 2), (Article VI, Sec. 5)

ARTICLE VIII

AUXILIARY ORGANIZATIONS

Sec. 1

All auxiliary organizations within this congregation shall exist to assist the Church body in its total ministry to the membership and to all those whom it can reach with the gospel of Christ. These special interest groups may be organized only upon the authorization of the Senior Pastor and Council who in turn will approve their policies and guide their activities. Regular reports concerning their membership, work, and finances will be submitted to the Council for review.

ARTICLE IX

OWNERSHIP

Sec. 1

In the event a vote to totally disband this congregation is approved, the real and personal property and all rights connected therewith shall be transferred to the Missouri Synod and the representative district in which it holds membership, or otherwise disposed of as agreed upon by the voting members in accordance with the Articles of Incorporation and amendments thereof (Article V, Sec. 2C), (Article VI, Sec. 2), (Article VI, Sec. 5).

ARTICLE X

AMENDMENTS

Sec. 1

Article III shall not be subject to amendment or revision. All other articles of this constitution may be amended by a vote at a regular or special voter's meeting or by a ballot without a voter's meeting of this congregation by the voting members (Article V, Sec. 2C), (Article VI, Sec. 2), (Article VI, Sec. 5).

BY-LAWS

ARTICLE I

MEMBERSHIP

Sec. 1

Termination of membership

- A. Transfer to another Lutheran congregation
- B. Release to other Christian congregation
- C. Whereabouts unknown and/or inactivity of membership as determined by Senior Pastor
- D. Self exclusion
- E. Excommunication

The Senior Pastor will determine the process and procedure to be followed according to Matt. 18:15-18 to determine if voter action is required (Constitution Article VI, Sec. 7).

- F. Death

Sec. 2

The responsibility for accepting and terminating members shall be in the hands of the Senior Pastor, subject to these stated Articles and By-laws.

ARTICLE II

ADMINISTRATION

Sec. 1

Officers - The Officers shall be: Chairman, Treasurer, Secretary, and others as needed.

Sec. 2

Other leaders shall be those needed to effectively carry out the work of this congregation.

ARTICLE II

ADMINISTRATION

Sec. 3 The procedure for designating all officers and council members shall be determined by the Senior Pastor. All officers and council members must be ratified by the voters. In the event of a vacancy during the term of an officer or council member, the Senior Pastor and the Council will be responsible for the staffing of the remainder of the term.

Sec. 4 Voter's meeting or a ballot without a voter's meeting

A. Voter's meetings or a ballot without a voter's meeting shall be called, as needed, by the Senior Pastor, Chairman, or 25% of the voting members. A notice shall be given to all voting members at least two (2) weeks in advance unless it is an emergency in which case a reasonable attempt shall be made to notify all voting members. Meetings of the voters shall not exceed three (3) hours unless approved by simple majority of the voters present.

B. It is recommended that at least one (1) meeting or ballot without a voter's meeting per year be scheduled.

C. For purposes of order, Robert's Rules of Order shall be utilized as a guide when not in conflict with this constitution and by-laws.

Sec. 5 Duties of the officers and the staff will be outlined in the job descriptions. Execution of decisions and choice of methods and resources in harmony with the policies which are maintained in the policy manual are the responsibilities of the officers and staff under the direction of the Senior Pastor.

ARTICLE III

AMENDMENTS

Sec. 1 These by-laws may be amended by a vote of members. (Article VI, Sec. 2)