

# **By-Laws**

of

## **THE FIRST PRESBYTERIAN CHURCH**

Aurora, Kane County, Illinois

### **PREAMBLE**

The First Presbyterian Church of Aurora, Illinois, was organized June 13, 1858, and was incorporated as a religious society under the laws of the State of Illinois on July 27, 1900.

Having been founded on the fundamental truths of the gospel, it has steadfastly adhered to the doctrines and teachings of Holy Scripture through the years.

Great honor and credit are due to the faithful and loyal Pastors, officers, and members of former days, many of whom have long since joined the Church Triumphant, who by their unceasing efforts and conscientious service laid the foundations so firmly and made possible our present Church.

Our Church seeks to be a missional Church. This means we want to stimulate and help our congregation and elders to be directly engaged in outreach and ministry to our communities and the world. We live in a world where we need wisdom and challenge from each other to be effective in communicating the gospel to unchurched people.

These By-Laws, in conformity with and in the spirit of the Governing Documents of the Evangelical Presbyterian Church ("EPC"), will be our guide as we seek to promote peace and harmony and the advancement of Christ's Kingdom in and through our Church.

### ***ARTICLE I***

#### **Name**

- Section 1. In accordance with the certificate of incorporation, this society shall be known as "The First Presbyterian Church of Aurora, Kane County, Illinois" ("First Pres").
- Section 2. The government of this Church shall be in harmony with the EPC.
- Section 3. In all cases where the words "congregation" or "Church" are used, it shall be understood to refer to the body composed of Church members and the Church Corporation of First Pres.

## ***ARTICLE II***

### **Membership**

- Section 1. Membership of the congregation and corporation shall be those baptized persons received by the Session on confession of faith in Jesus Christ, reaffirmation of faith in Jesus Christ, or by certificate of transfer from the church in which they have most recently been a member in accordance with the EPC.
- Section 2. Active members shall have voice and vote in all matters pertaining to the congregation or corporation (EPC Book of Government – Chapter 6).
- Section 3. Members shall be dismissed or deleted from membership as approved by the Session, in accordance with the EPC.

## ***ARTICLE III***

### **The Session**

- Section 1. The Session shall consist of the Pastor (an ordained Teaching Elder), who shall be Moderator; other ordained staff, who are members of the Rivers and Lakes Presbytery; and at least six (6) Ruling Elders in active service, elected, ordained and installed according to the EPC.
- Section 2. Ordained pastors shall be elected and installed according to the EPC and shall faithfully discharge those duties which properly belong to his or her pastoral office. Pastors serve as ex officio members of all Church Committees.
- Section 3. Under the EPC, the Session has spiritual oversight of the Church. It maintains government and discipline; receives and dismisses members; administers the Sacraments; has charge of worship services; and allocates mission monies. It has oversight of the music. It determines the use of all Church property. It administers all benevolent offerings to all causes it deems worthy. The Session shall act in all matters in accord with these By-Laws and the Guiding Principles of First Pres and The Book of Order of the EPC.
- Section 4. Ruling Elders, together with the Pastor(s), may represent the Church at Presbytery meetings.
- Section 5. Ruling Elders on the Session shall be divided into three classes of two or three persons, so elected that one class expires at the end of each calendar year. Ruling Elders shall be elected for three-year terms. Each Ruling Elder may serve an additional three-year term for a total of six consecutive years. A Ruling Elder having served a total of six consecutive years shall be ineligible for reelection to this office for a period of one year. Persons elected by the Session or congregation to fill uncompleted terms on the Session shall be elected for the unexpired term only.

- Section 6. Elders from the same household shall not serve as Ruling Elders on Session at the same time.
- Section 7. A simple majority of the Session members plus the Moderator shall constitute a quorum.
- Section 8. The Session shall meet at least monthly, and at other times when convened by the Moderator, or at the written request of any two Session members. The Session may meet by digital means in total, and individual Session members may join a live meeting digitally.
- Section 9. The Session shall elect a Clerk annually, to fulfill the duties of a Clerk as specified in the EPC.
- Section 10. It is the duty of the Session to keep legible and accurate records of all its proceedings, including all meetings of the congregation and the corporation in a suitable book. This book shall be submitted to Rivers & Lakes Presbytery for annual review. The Session shall also keep a legible and accurate church register of Pastors, Ruling Elders, Deacons, other officers, communicants, baptized children, baptisms, marriages performed in the church or by its Pastors, and deaths of members.

## *ARTICLE IV*

### **Trustees**

- Section 1. Ruling Elders shall be the Trustees of the Church Corporation.
- Section 2. The Trustees may annually appoint a Finance Commission from among the membership of the congregation, which shall consist of a presiding officer, a secretary, and other members as deemed necessary. At least one Ruling Elder shall serve on the commission along with the Church Administrator.
- Section 3. With proper Session approval, the Finance Commission shall have power:
- a. to receive, hold, encumber, manage, and transfer property, real or personal, for the Church;
  - b. to accept and execute deeds of title to such property;
  - c. to hold and defend title to such property;
  - d. to manage the Memorial and Scholarship Funds and any special funds for the furtherance of the purposes of the Church, all subject to the approval and authority of the Session; and
  - e. to prepare the annual church budget, present it to the Session for approval, and present it at the annual meeting for adoption.
- Section 4. The Finance Commission shall not borrow money in the name of the Church without the specific authorization from the Congregation.

## *ARTICLE V*

### **Deacons**

- Section 1. The Board of Deacons shall consist of as many members as the Session shall determine annually. Deacons shall be elected, ordained, and installed according to the EPC. At least one member of the pastoral staff shall serve as an ex-officio member of the Board of Deacons.
- Section 2. Deacons on the Board shall be divided into three classes, so elected that one class expires at the end of each calendar year. Deacons shall be elected for three-year terms. Each Deacon may serve an additional three-year term for a total of six consecutive years. A Deacon having served a total of six consecutive years shall be ineligible for reelection to this office for a period of one year. Persons elected by the Session or congregation to fill incomplete terms on the Board shall be elected for the unexpired term only.
- Section 3. The Board shall receive all monies approved by the Session to underwrite the Board's ministry; disburse such funds by their own action as a Board; and make a full report to the Session twice a year, and to the congregation annually.
- Section 4. The Board of Deacons shall elect the following officers annually by and from the Board:
- a. A Chairman;
  - b. A Vice-Chairman, if desired, to serve at the Chairman's request;
  - c. A Secretary, who shall keep a record of all transactions, and submit twice a year to the Session a copy of the minutes of each meeting; and
  - d. A Treasurer, who shall receive, record, and disburse all funds of the Board by its action.
- Section 5. Duties of the Board of Deacons shall be those prescribed by the Session and the EPC, plus such other duties specifically delegated to them from time to time by the Session, and/or by the Pastor, and subject to its supervisory authority.
- Section 6. The Board shall meet monthly, and at other times when called to do so by their Chairman, by the Pastor, or by the Session.
- Section 7. One third of its members shall constitute a quorum of the Board.

## *ARTICLE VI*

### **Ecclesiastical Meetings**

- Section 1. The Annual Meeting of the Congregation and the corporation shall be held by the end of September, and its business shall include:
- a. The Call to the Meeting;
  - b. Establish a quorum;
  - c. Prayer;
  - d. Approval of the previous Annual Meeting's minutes;
  - e. Acceptance of annual reports of all Church organizations, including auditor's report;
  - f. Old business;
  - g. New business, including the report of the LFC and the election of officers.
  - h. The annual meeting of the Church Corporation, including acceptance of the church budget and approval by the congregation of pastoral compensation package; and
  - i. Adjournment and benediction.
- Section 2. The Election Meeting of the Congregation shall be held annually in October, and its business shall include:
- a. The Call to the Meeting;
  - b. Establish a quorum;
  - c. Constituting prayer and opening worship;
  - d. Approval of the previous Election Meeting's minutes;
  - e. Election of Leadership Facilitation Committee.
  - f. Appointment of counters and a reporter, if needed;
  - g. Voting;
  - f. Reporting; and
  - g. Adjournment and benediction.
- Section 3. Special meetings of the congregation shall be called by the Session, or by the Session when requested in writing by one fifth of the active membership. The call shall clearly state the purpose of the meeting, and no other business shall be transacted save that specified in the call. Minutes of called meetings shall be read for correction and approval at the next congregational meeting.
- Section 4. All congregational meetings shall be announced at public worship on two Sundays preceding any/and each respective meeting. The hour of each meeting shall be set by the Session.
- Section 5. The Moderator of all congregational meetings shall be the Pastor, or his designated representative, except as otherwise provided in the EPC. The Clerk of Session shall serve as Clerk of all congregational meetings. If the Clerk is unable to serve, the Moderator shall appoint one for that meeting.
- Section 6. Ten percent of the active membership of the Church at the time of the first call shall be the quorum necessary to transact business in any congregational meeting.

- Section 7. All active members of the Church of whatever age have the right to vote in all elections and to participate in the transaction of all business at any congregational meeting.
- Section 8. Elections shall be in the form of voice vote except in the case of multiple nominees for the same position, in which case votes will be cast by secret ballot.
- Section 9. Ecclesiastical Meetings may be conducted digitally, with members joining remotely awarded both voice and vote.

## ***ARTICLE VII***

### **Worship Particulars**

Worship is the active demonstration of our love for God and our desire to be in communion with God and in ministry with one another. Worship is fundamental to the life of a Christian and the ministry of the Church. Therefore, all services of worship should be planned and implemented with prayerful consideration and in an attitude of thanksgiving to God.

To help ensure the integrity of a worship service and its various elements, the Session, in accord with the EPC, must authorize all services of worship. The Session may allow the Pastor to decide upon the appropriateness of a particular worship service when the timing does not allow for Session approval; however, when such a situation does arise, the Session should be notified at their next scheduled meeting that such a service was performed.

In light of the above qualifications, the Session will uphold the following policies regarding worship.

#### Section 1. The Lord's Supper

- a. The Session is responsible for authorizing all observances of the Lord's Supper, ensuring regular and frequent celebration of this Sacrament. The Lord's Supper shall ordinarily be administered by a minister of the Word and Sacrament in the context of a regular service for the Lord's Day. Such administration shall be done by a minister of First Pres except upon invitation of the Pastor and/or Session. The Pastor(s) may administer this Sacrament outside of a regular service of worship with the approval of the Session and with the participation of at least one officer of the church or a representative from the congregation who has been authorized by the Session.
- b. All individuals who have been baptized and who profess Christ as Lord and Savior shall be invited to participate in the celebration of this Sacrament (EPC Book of Worship 3-3 I and J).

#### Section 2. Baptism

- a. All baptisms must be approved by the Session except under extreme circumstances. In such extraordinary cases the Pastor may approve and/or perform a baptism, notifying the Session at the next scheduled meeting that it has occurred. When such a baptism is performed, at least one member of the Session, or a representative from the congregation who has been authorized by the Session, must be present.
- b. Baptism is ordinarily to be celebrated as part of a service of public worship (EPC Book of Worship 3-2 E.1).

- c. The parent(s)—or one(s) rightly exercising legal responsibility—may present a child for baptism provided at least one parent is an active member of a Christian church. When that membership is not at First Pres, the Session may approve such a request for baptism only after consulting with, and receiving approval from, the governing body of the church in which at least one parent/legal guardian holds active membership. Upon the performance of the Sacrament, the church in which that membership is held shall be notified by the Clerk of the Session that the baptism of the child has taken place.
- d. All baptisms shall be approved by the Session on the condition that those requesting baptism for themselves, or for a child for whom they are the parent or legal guardian, have met with the Session or the Pastor of First Pres and have been instructed on the meaning and significance of baptism and the attendant responsibilities. When such consultation has occurred, and if it is believed by the Pastor and/or Session that there is an adequate understanding of the meaning of baptism, the Session shall then vote to approve the request for baptism and set an appropriate time for the baptism to take place.

### Section 3. Weddings

- a. Definition: We believe marriage is a covenant between one man and one woman (understood as one's biological sex; see EPC Position Paper on Human Sexuality) and between the participants and God. God has ordained marriage as the fundamental institution of society. In marriage, one man and one woman leave their families of origin and become united as "one flesh" in a new family unit. The judgment of Scripture is that such marriage is to be honored by all (see Westminster Confession of Faith XXIV.I).
- b. Christian marriage should be celebrated in the place where the community gathers for worship. As a service of Christian worship, a marriage service at First Pres shall be under the direction of the officiating pastor and the supervision of the Session. Others may be invited to participate as leaders in the service at the discretion of the Pastor. The Pastor shall determine the order of worship for the marriage ceremony, shall approve all music and special elements to be included in the marriage ceremony, and shall delegate areas of responsibility throughout the worship service to any guests who may have been invited to participate in the marriage ceremony by the officiating pastor.
- c. All marriages at First Pres shall be performed only after approval by the Session and in fulfillment of any premarital counseling requirements of the officiating pastor. All couples requesting to be married at First Pres must contact the church and arrange for an initial counseling session with the officiating pastor at least five months before the proposed wedding date. No marriage shall be scheduled to take place at First Pres without first meeting with the officiating pastor and mutually agreeing to begin the premarital preparation process. In extraordinary circumstances the officiating pastor may waive the five-month time requirement provided the church is available and there is sufficient time to provide adequate premarital counseling.
- d. If, in the process of preparing for the marriage, issues arise that concern the Pastor regarding the suitability of the couple presenting themselves for marriage, or if the couple fails to comply with the premarital counseling requirements of the Pastor, then the Pastor, in consultation with the Session, has the right not to perform the marriage ceremony.
- e. No Pastor of First Pres may officiate at a service of marriage at any location without the permission of the Session of First Pres.

## Section 4. Funerals

- a. The service on the occasion of death of a member of First Pres ordinarily should be held in the usual place of worship in order to join this service to the community's continuing life and witness to the resurrection. The service shall be under the direction of the Pastor of First Pres. Others may be invited to participate as leaders in the service at the discretion of the officiating pastor.
- b. A Pastor of First Pres may officiate at or participate in a service on the occasion of death for an individual who is not a member of First Pres when so invited, without approval of the Session.
- c. When a funeral has been performed, the Pastor should inform the Session, giving the name of the deceased as well as the date, time, and location of the funeral service.

## ***ARTICLE VIII***

### **Appointed Officers**

Section 1. Church Administrator: An active member shall be appointed by the Session to oversee all administrative functions of the church including: office staff, all Church facilities, all financial monies received for the total mission of the Church; to serve as a member of the Finance Commission; oversee the approval of Church contracts and disbursement of monies for the Church's total mission as provided in the adopted annual budget, or as may be specifically authorized by the Finance Commission or the Session; and to give surety bond as the Session may require, with the premium to be paid by the Church. The Church Administrator shall report directly to the Pastor, but will be responsible for providing an accountability report directly to the Session at least quarterly or as often as the Church Administrator or Session deems necessary to keep the Session current on significant matters of the Church. This report may be rendered by the Church Administrator or the Chair of the Finance Commission.

Section 2. Financial Secretary: A Financial Secretary shall be appointed by the Session to administer monies received for the total mission of the Church; to disburse monies for the Church's mission as provided in the adopted annual budget, or as may be specifically authorized by the Finance Commission or by the Session; and to give surety bond as the Session may require, with the premium to be paid by the Church. Members of the Finance Commission have sole authority for check approval and signature. The Financial Secretary shall report to the Church Administrator.

Section 3. Church Treasurer: An active member shall be appointed annually by the Session to administer the deposit of all offerings in the bank; to assist the Financial Secretary as may be required; and to give surety bond as the Session may require, with the premium to be paid by the Church.

Section 4. Others: The Session may appoint other people from time to time to any necessary position. Every position appointed by the Session shall make regular reports to the Session and an annual report to the congregation.



## ***ARTICLE IX***

### **Committees**

#### Section 1. The Leadership Facilitation Committee

- a. The Leadership Facilitation Committee (“LFC”) is formed for the purpose of nominating qualified candidates for all open and expired terms of Ruling Elders and Deacons. The LFC shall be composed of at least seven (7) active members, one to be elected by and from the current Session; one to be elected by and from the Board of Deacons; and at least four others, not serving as members of the Session or Board of Deacons, to be elected by the congregation. The Session shall name the Chairperson of the LFC. The Pastor(s) shall serve as ex-officio member(s) without vote. No two (2) members of the LFC shall be from the same household. The LFC shall be formed annually at the time of the Election Meeting, to serve until the next Annual Meeting.
- b. Names of Ruling Elder and Deacon candidates to be nominated by the LFC shall be published at least two weeks prior to the Election Meeting.
- c. Members of the LFC and of their respective households shall not be nominated by the LFC for election to any Church office, except for active Ruling Elders and Deacon representatives who are eligible to serve a second consecutive term.

#### Section 2. The Benevolence and Missions Committee

- a. The Committee shall consist of no less than five (5) active members from the Congregation. The Chairperson shall be an ordained Elder with at least one year’s experience on the Missions Committee.
- b. The Missions Treasurer shall be an active member of the congregation, approved by the Session, to assist the Financial Secretary in the area of missions giving; to record all monies received for missions; to disburse monies for missions as authorized by the Missions Committee or as designated by contributors; to submit monthly reports to the Missions Committee; annual reports to the Session; and to give surety bond as the Session may require, with the premium to be paid by the Church.

#### Section 3. The Audit Committee

- a. All financial records of the Church, and of all auxiliary organizations, shall be audited at the end of each year by either a special Committee of knowledgeable active members or an accounting firm selected by the Session. An audit report shall be included in the First Pres Annual Report.

## ***ARTICLE X***

### **Annual Reports**

Written annual reports of all Church organizations, Commissions and Committees shall be submitted to the Church Administrator no later than five weeks prior to the Annual Meeting, for their review, approval, and presentation to the congregation. Such reports shall be filed by the Session as part of the permanent church records.

## ***ARTICLE XI***

### **Amendments**

Section 1. These By-Laws may be amended by a two-thirds vote at a congregational meeting.

Section 2. Amendments may be proposed either by the Session or by any active member of the Congregation. In the latter case, the proposed amendment shall be signed by at least ten active members and presented to the Session, which shall review the proposal and present it to the congregation with its recommendation.

Section 3. Notice of a proposed amendment, together with a synopsis of its intended effect, shall be given in writing to all active members at least two weeks prior to the congregational meeting at which action to amend is to be taken.

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Revised: January 17, 1962

January 15, 1963

October 13, 1963

February 25, 1979

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February 23, 1986

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December 10, 2011

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