

# Constitution, Ukrainian Orthodox Church of St. Demetrius

As amended June 5, 2011

## Section I NAME AND AFFILIATION

### Name

1. The name of the parish shall be "The Ukrainian Orthodox Church of St. Demetrius" ("the Parish").

### Affiliation

2. The Parish shall be a constituent part of the Ukrainian Orthodox Church of Canada and shall be governed by:

- (a) the Charter and Constitution of the said Church;
- (b) decisions of the regular and special *Sobors* of the Church;
- (c) directives of the Church's Consistory; and
- (d) the present Constitution to the extent that it is not in conflict with any of the foregoing.

### Spiritual Services Only from Priests of the UOCC

3. The Parish shall accept spiritual and liturgical services only from Priests in good standing with the Ukrainian Orthodox Church of Canada who have been assigned it by the Church.

## Section II AIMS AND OBJECTIVES

### Aims and Objectives

4. The Aims and Objectives of the Parish shall be:

- (a) To meet the spiritual needs of its Members, and others, through religious activities and services that reflect the dogmas and canons of the Universal Orthodox Church as these are expressed through the particular customs, traditions, and practices of the Ukrainian Orthodox Church of Canada.
- (b) To provide an environment in which its Members might develop their potential as individuals and members of the Parish community in an atmosphere of Christian fellowship, mutual help, and support.
- (c) To carry on its activities and operations without purpose of material gain for its Members; and any surplus of moneys, profits, or other gains shall be used solely in promoting its purposes and realizing its Aims and Objectives.

### Activities and Programs

5. To achieve the above Aims and Objectives the Parish will conduct and arrange for appropriate activities and programs, including, but not limited to:

- i) Worship and Needs (*Treby*) Services;
- ii) Religious training and instruction, including children's and adult catechism and other classes; spiritual retreats; seminars and lectures;
- iii) Training and instruction ancillary to Worship and *Treby* services, including those related to choral music; chant; and, duties of servers, elder brothers and sisters; precentors, and readers;
- iv) Instruction in the history, customs, traditions and practices of the Ukrainian Orthodox Church and its historical and cultural context including the history, language, and culture of the

Ukrainian people in Canada and Ukraine;

- v) Presentations, lectures, and other undertakings to enable Members to function more effectively and participate more fully within the context of the broader Canadian society;
- vi) Charitable works;
- vii) Programs and activities of a social and recreational nature.

Power to Acquire and Hold Property

6. The Parish shall have the power to acquire and maintain such physical facilities as are deemed necessary to house the activities required to achieve its Aims and Objectives, including a house of worship, chapels, auditoriums, classrooms, meeting rooms, library, boardrooms, recreational facilities, etc. (ref. Para. 92)

Power to Hire

7. In order to ensure implementation of its services and programs and proper maintenance of its facilities, the Parish shall have authority to hire full-time or part-time personnel, enter into purchase-of-service contracts, recruit volunteers, and otherwise provide the personnel required to administer Parish affairs, carry out its programs, and deliver its services.

### SECTION III MEMBERS; MEMBERSHIP

Qualifications to Become a Member

8. Every Orthodox Christian person who is eighteen (18) years of age or older and who acknowledges the faith, teachings, traditions, and customs of the Ukrainian Orthodox Church of Canada, and is of good character, may apply for Membership in the Parish through the procedure given below. Upon acceptance and approval of the application by the Parish Council and fulfilment of related obligations, that person becomes a Member of the Parish.

9. A Spouse of a Member of the Parish who in his/her own right is not qualified to become a Member as per 8. above may, with the concurrence of the Member Spouse and the Parish Council, become a Spousal Member of the Parish.

Types of Membership

10. (a) Individual Membership is membership in his/her own right by an individual Member, ("Individual Member").

(b) In the event of death of the partner in a Spousal Membership qualified to be a Member in his/her own right, a surviving Spousal Member may, with the Parish Council's concurrence, remain a Spousal Member of the Parish with the right of appeal to a General Meeting of Members should the Council determine otherwise.

Life Membership; Honorary Membership

11. (a) Widows of those Priests who die while appointed to the Parish may, with their agreement, be granted the status of Life Members of the Parish, shall be excused from payment of dues, but shall enjoy all the rights and privileges by other Members of the Parish.

(b) Honorary Membership may be extended to specific individuals by the action of the Parish Council, as approved by a regularly-constituted General Meeting of Members. Honorary Members shall not be required to pay dues, and their Membership will not confer any rights related to Parish governance, such as the right at Meetings of Parish Members to vote, run for office, or be counted in the quorum. Honorary Members, however, may as appropriate, participate in the spiritual and other services and programs available in the Parish.

### Application for Membership

12. (a) An individual who wishes to become a Member or Spousal Member of the Parish and who is otherwise qualified as per 8. or 9. above, shall

i. submit the prescribed "Application for Membership" to the Parish Council;

ii. include with it as a token of earnest a sum of money in an amount corresponding to the membership dues as set for the current year by the Annual Meeting of Members in the amount prorated from the first day of the month in which the application is submitted to the end of the Parish Fiscal Year.

(b) The completed "Application for Membership" shall be reviewed by the Parish Council and the Priest and following such a review at the next closest meeting of the Council a decision to accept or reject the application by motion properly moved, seconded, and voted upon shall be entered in the minutes of that meeting and the token of earnest shall become payment of Membership Dues to the end of the current fiscal year .

13. (a) In the event of a favourable vote, the Applicant's name shall be entered in the Register of Parish Members and he/she informed of the fact in writing.

(b) In the event of an unfavourable vote, the Applicant shall be duly informed in writing and the full amount of moneys paid by him/her returned.

(c) An Applicant whose Application for Membership has been rejected shall have the right of appeal to the next General Meeting of Members of the Parish qualified to conduct business.

(d) Should a majority of Members at the General Meeting of Members grant the appeal, the name of the Appellant after payment of the appropriate dues shall be entered into the Register of Parish Members.

### Rights of Members

14. (a) Every Member shall have the right:

i. to participate in all General and Special Meetings of Members of the Parish; and, to be counted in the quorum;

ii. to have a voice in discussion;

iii. to vote on all matters presented to the Members;

iv. to vote in the election of Members and Officers of the Parish Council; and,

v. to be a candidate during such elections.

(b) Spousal Members may attend General Meetings of Members of the Parish and may, at the discretion of the Chair, be extended the privilege of participating in discussion; but may not vote on any matter; be a candidate to a position on the Parish Council; or be counted in the quorum.

15. Every Member and Spousal Member shall enjoy access, as appropriate, to the spiritual services provided in the Parish, as well as access to participation in the cultural, educational, social, charitable, and recreational activities available in the Parish.

### Obligations of Members

16. (a) It shall be the obligation of every Member

i. to fulfil to the best of his/her ability the spiritual duties set upon Orthodox Christians by the Universal Orthodox Church in general, and by the Ukrainian Orthodox Church of Canada, in particular; and,

ii. in his/her personal, family, professional, and public life to act in a manner likely to bring credit to the Parish.

(b) It shall be the obligation of every Member and Spousal Member to participate, as possible and appropriate, in the various spiritual, social, educational, charitable, recreational, and other activities undertaken by the Parish.

(c) It shall be the obligation of every Member and Spousal Member of the Parish to safeguard the welfare of the Parish and to work for its growth in terms of membership, activities, resources, capital facilities, through personal participation, volunteer effort, and financial contribution

#### Dues

17. (a) Annual Membership Dues shall be paid by those holding an Individual Membership or a Spousal Membership in the amount set by the Annual Meeting of Members for each specific class of Members and Memberships.

(b) The annual Membership Dues shall fall due on January 1st, the beginning of the Parish Fiscal year, and shall be paid for the current year by no later than March 31.

18. (a) Members and Spousal Members who as of June 30 are in arrears in respect of dues for the current year shall lose all the privileges in 14 (a) above.

(b) Members and Spousal Members in arrears for fewer than two (2) years, including the current year, may achieve reinstatement by paying in full the amount in arrears, including dues for the current year.

(c) i. Members and Spousal Members who are in arrears for two (2) years or more including the current year shall be deemed to have ceased to be Members or Spousal Members, as applicable, of the Parish. Such persons who seek to be reinstated as Members or Associate Members of the Parish shall submit an "Application for Membership" as per 12. above.

ii. Such an application from a lapsed individual Spousal Member shall be considered only on the basis of that Spousal Member's past association with the Parish as a partner in a Spousal Membership.

#### Cause for Suspension of Member's Rights; Expulsion

19. The Parish Council shall take immediate remedial action should it come to its attention that a Member or Members and/or Spousal Member or Members, have individually or together knowingly by word or deed acted:

- i. to bring the good name of the Parish or the UOCC into disrepute;
- ii. to affect adversely the welfare of the Parish or the UOCC;
- iii. to affect adversely the unity and good order of the Parish or the UOCC;
- iv. to commit heresy, blasphemy, sacrilege, schism, and/or otherwise to act contrary to the dogmas, canons, beliefs, and traditions of the Universal Orthodox Church in general, and the Ukrainian Orthodox Church of Canada in particular.

#### Procedures re: Suspension, Expulsion

20. (a) On being made aware of particulars related to 19 above in respect of any Member or Spousal Member of the Parish by the Parish Council or any Member of it, or by the Priest, the matter shall be placed on the Agenda of the next nearest regular or special meeting of the Parish Council.

(b) i. It shall be noted in the Minutes of that Meeting that the truth of the matter will be the subject of an inquiry by a Committee of the Whole, the first meeting of which Committee shall take place immediately after adjournment of that regular or special meeting of the Council. Minutes

shall be kept of this and every other meeting of the Committee of the Whole.

ii. Time is of the essence.

iii. The Committee of the Whole shall draw up and submit to the Parish Council a report of its findings regarding the truth of the matter.

iv. Where the matter pertains in whole or in part to 19 (iv) above, a recommendation shall be made to refer the matter or that part of the matter to the Eparchial Bishop for resolution.

21. (a) Should the Committee of the Whole find that the matter lacks credible substance, it will so report to the Parish Council and the Council shall dismiss the matter.

(b) Should the Committee of the Whole find that actions as outlined in 19 i., ii., iii., iv., above have indeed taken place, and that these have adversely affected the interest of the Parish, the Council shall place the matter on the Agenda of the next nearest General Meeting of Members together with a recommendation as to what sanctions, if any, might be applied, and at which time those concerned, having received written notice of the meeting as per paragraph 29 by registered mail, shall be provided an opportunity to speak in their own defense.

### Sanctions

22. (a) The sanctions in 21 (b) above might consist of one, several, or all of the following:

i. a vote of censure by the Meeting;

ii. suspension of Member's rights for a specified period of probation, followed by reinstatement, if considered appropriate;

iii. expulsion from Membership in the Parish.

(b) i. Where the matter relates to activities under 19 (iv) no action will be taken until the Parish Council has been informed of the Eparchial Bishop's finding and decision in the matter.

ii. According to the nature of the Bishop's finding and decision, the matter shall be referred to the next nearest General Meeting of Members at which time sanctions as per (a) above, or as recommended by the Bishop, may be applied.

### Right of Appeal

23. (a) i. Sanctions imposed by a General Meeting of Members may be appealed to the Consistory of the Ukrainian Orthodox Church of Canada which appeal must be submitted in writing no later than thirty (30) days beginning with the day on which the General Meeting at which sanctions were imposed was held, with a copy of the appeal sent to the Parish.

ii. Pending the Consistory's findings, the rights of Member(s) in question shall be suspended.

(b) Should the Consistory grant the appeal, the decision of the General Meeting of Members shall be deemed to be null and void.

(c) A recommendation by the Consistory to mitigate the sanction shall be placed on the Agenda of the next nearest General Meeting of Members.

(d) Adverse findings by the Eparchial Bishop may be appealed to the Synod of Bishops, with a copy of the appeal sent to the Parish .

### Officers or Other Members of the Parish Council

24. (a) i. Should any of 19 i., ii., iii., or iv. relate to a person or persons who hold positions on the Parish Council such person or persons shall cease to participate in all activities of the Council and all related duties, or to be counted in the quorum, until the matter has been resolved as per 23. above.

ii. Should the General Meeting of Members determine to apply any of the sanctions noted in 22 (a) i., ii., iii. above and the matter be appealed to the Consistory, to the Eparchial Bishop, or to both, the person or persons shall not participate in any activities of the Council and related duties until a decision regarding the appeal has been rendered.

(b) Should the appeal as in 23. above be rejected, the person(s) shall cease to be *de jure* holders of positions on the Parish Council which positions shall be declared vacant.

Application to Life Members, Honorary Members

25. The provisions of Sections 19, 20, 21, 22, and 23 shall also apply *mutatis mutandis* to Life and to Honorary Members.

#### Section IV **MEETINGS OF PARISH MEMBERS**

26. From time to time, but not less than once per calendar year, there shall be held General Meetings of Parish Members notice of which shall be provided Members in the manner prescribed below.

Types of Meetings: General, Annual, Informational, Special Meetings

27. (a) The General Meetings of Members may be:

i. Business Meetings at which decisions binding on the Parish Council and/or Members are arrived at and which are recorded in the Minutes; or

ii. Informational Meetings called for the purpose of providing information to Members and for an exchange of opinions but at which no binding decisions are reached and the Minutes of which may be limited to recording the purpose of the Meeting and the fact that it occurred.

iii. Special Meetings (ref. Paras 30, 37 below).

(b) When only one General Meeting of Members is held in a calendar year, that Meeting shall be the Annual Meeting of Members.

28. Annual Meeting of Members shall be called for a day as early as practical after the beginning of the Parish Fiscal Year but no later than for the last Sunday of March.

Notice

29. (a) General Meetings of Members convened to conduct business, including the Annual Meeting, shall be called by written notice issued by the Parish Council, signed by the President and Secretary, and sent to all Members through the mails which notice may be supplemented through a public announcement by the Priest in church on two successive Sundays; and/or, through printing in two consecutive numbers of the Parish bulletin/newsletter and also posted on the Parish Bulletin Board.

(b) Informational Meetings of Members may be called by written notice issued by the Parish Council, signed by the President and Secretary, and sent to all Members through the mails; and/or through a public announcement by the Priest in church on two successive Sundays; and/or, through printing in two consecutive numbers of the Parish bulletin/newsletter; and through posting on the Parish Bulletin Board.

(c) Except in cases of Special Meetings, Members must be given notice a full thirty (30) calendar days before the day for which the Meeting is called. The notice will include the place, date, and hour of the Meeting and also the proposed agenda.

30. (a) Notice for Special Meetings shall be not less than fourteen (14) full calendar days and the authority convoking a Special Meeting shall use the appropriate means of sending such notice in writing to every member, which notice shall be signed by the individual(s) convoking the meeting.

(b) In addition to the written notice as in (a) above, if feasible, the Special Meeting shall be announced by the Priest on the nearest Sunday after issuance of the notice and an announcement concerning the meeting shall be posted on the Parish Bulletin Board.

## Quorum

31. (a) i. At Informational Meetings, during which no business requiring a vote is to be transacted, the quorum shall consist of not less than twenty-five (25) Members in good standing and present at the set hour.

ii. Should a quorum not be present at the set hour, the calling to order shall be delayed by one hour after which the Meeting shall be deemed legal and proper regardless of the number of Members present.

32. Should the Parish Council consider the attendance insufficient to proceed with the Meeting, it shall have the option to cancel the Meeting or delay the calling to order of the Meeting by no more than fourteen (14) days. In the latter case the Meeting shall be deemed to be the same Meeting originally scheduled and a new thirty (30) days' notice shall not be required.

33. (a) At meetings during which business requiring a vote is to be transacted the quorum shall consist of one half plus one of the number of all Members of the Parish in good standing and present at the appointed hour.

(b) Should such a quorum not be present at the appointed time, the call to order shall be delayed by one hour after which the Meeting shall be deemed legal and proper provided not fewer than twenty-five Members in good standing are present.

(c) In the latter case, should fewer than twenty-five Members be present, the calling to order of the Meeting shall be delayed by no more than fourteen (14) calendar days and it shall be the same Meeting originally scheduled and a new thirty (30) days' notice shall not be required.

34. When the calling to order of a Meeting as per sub-section 33. above is delayed to a day other than that on which the Meeting was originally scheduled, the original provisions regarding quorum applicable to that Meeting shall apply. In the absence of such a quorum at that time, however, the call to order shall not be delayed to another day and the Meeting shall be cancelled.

## Chairing of Meetings

35. All General Meetings of Members, with the exceptions noted below, shall be chaired by the President of the Parish Council, or failing him, the First Vice-President, or, failing him, the Second Vice-President, or subsequently any other Member of the Parish Council delegated by the Council; and minutes of the Meeting shall be taken by the Secretary of the Parish Council, or, failing him, any other person delegated by the Council.

36. Annual Meetings of Parish Members shall be conducted by a Meeting Presidium to consist of a Chairman and a Secretary elected for that purpose by Members in attendance. Should the Meeting so wish, an Assistant Secretary may also be appointed to the Presidium.

37. (a) i. A Special Meeting called by the Parish Council shall be chaired as in 35 above.

ii. A Special Meeting called by the Audit Committee or pursuant to a petition of Parish Members shall be conducted in the manner as provided for Annual Meetings in 36 above.

iii. A Special Meeting called by the Consistory of the Ukrainian Orthodox Church of Canada shall be chaired and conducted as directed by the Consistory.

iv. A Special Meeting called to inquire into, examine, consider the activities of an Officer or Officers, Member or Members, of the Parish Council, and their fitness to hold office shall be conducted as per 36 above.

## Manner of Voting

38. (a) At all Meetings at which it is proper for a vote to be taken,
- i. voting shall be by a show of hands and the tally shall be taken by the Secretary(s) with such assistance of others as may be required.
  - ii. Voting may be by secret ballot on motion properly made, seconded, and passed. No fewer than three persons, acceptable to all present, shall be appointed scrutineers by the Chair.
  - iii. There shall be no voting by proxy.
  - iv. The decision shall be determined solely by the number of votes cast.
  - v. Except in the case of voting by ballot, at the request of any Member(s), the Secretary(s) shall record his/their vote or abstention.
- b) At all Meetings at which a vote may properly be taken, the Chair of the Meeting shall have a casting vote.

#### Annual Meeting of Members

39. The Annual Meeting of Members shall be the main deliberative and decision-making body for the ordering of Parish affairs.

#### Agenda of Annual Meetings

40. The following Agenda shall govern the Annual Meeting:
1. Call to order by the Parish Council Chair
  2. Opening Prayer and Commemoration of deceased Members
  3. Election of the Annual Meeting Presidium (as per 36. above)
  4. Additions and Amendments to the Agenda, and Acceptance
  5. Minutes of the previous Annual Meeting
  6. Reports from the Parish Council
    - Council Chair
    - Secretary
    - Financial Secretary
    - Property Manager
    - Cultural-Educational Director
  7. Report of the Audit Committee
  8. Discussion on the Reports and Acceptance
  9. Report of the Parish Priest
  10. Setting of annual dues for the year next following
  11. Examination and approval of the Budget for the current fiscal year
  12. Report of the Nominating Committee
  13. Elections
    - Chairperson
    - First Vice-Chair; Second Vice-Chair
    - Secretary
    - Financial Secretary
    - Treasurer
    - Property Manager
    - Cultural/Educational Director
    - Member-at-Large
    - Two (2) Alternate Members
    - Three (3) Members of the Audit Committee
    - Elder Brothers and Sisters
  14. Election of Nominating Committee (3 members)
  15. New Business
  16. Adjournment; Prayer



## Special Meetings

41. A Special Meeting shall have the authority to inquire into, examine, and decide all matters presented in the agenda included in the notice of the meeting, except as specified in 47 below.

42. Special Meetings may be held when considered warranted and only as a dire necessity, and may be called by:

- i. the Parish Council on its own initiative; or,
- ii. at the written request of the Audit Committee; or,
- iii. by a petition signed by one-third of the current Members in good standing of the Parish;
- iv. by the Consistory of the Ukrainian Orthodox Church of Canada.

43. Should the Parish Council refuse or fail to call a Special Meeting at the request of the Audit Committee, or in response to a petition by Members, as per ii. and iii. above, the Meeting shall be called by the Audit Committee.

44. (a) When considered warranted and only as a dire necessity, the Parish Council may be directed by the Consistory of the Ukrainian Orthodox Church of Canada to call a Special Meeting of Members.

(b) Should the Parish Council refuse or fail to call a Special Meeting as per (a) above within fourteen (14) days after having been directed by the Consistory to do so, the Consistory may direct the Audit Committee to call such a Meeting.

(c) Should the Audit Committee refuse or fail to call the Special Meeting as per (b) above, the Special Meeting may be called directly by the Consistory itself.

45. (a) Notice required for Special Meetings shall be determined by the urgency of the matters to be acted upon, but shall be no less than fourteen (14) calendar days.

(b) Such notice shall be in writing and sent to all Members individually, and shall include the agenda. No matter may be acted upon at the Special Meeting that has not been included in the agenda presented with the notice.

46. Decisions through motions properly made, seconded and passed at a Special Meeting, shall have the same validity and power as motions made, seconded, and passed at an Annual General Meeting of Members of the Parish.

47. No decision reached at a Special Meeting is proper, valid, or binding if it is in any way contrary to or seeks to alter any matter that is under Section I of this Constitution.

## Section V The Parish Council

### Composition of the Parish Council

48. (a) The Parish Council shall consist of nine (9) voting Members, of whom eight (8) shall also be Officers of the Parish, elected at the Annual Meeting of Members of the Parish or otherwise appointed to office as provided by this Constitution. These shall be:

- 1) Chairperson
- 2) First Vice-Chairperson
- 3) Second Vice-Chairperson
- 4) Secretary

- 5) Treasurer
- 6) Financial Secretary
- 7) Property Manager
- 8) Cultural/Educational Director
- 9) Member-at-Large

(b) The Annual General Meeting shall also elect two Alternate Members for the Parish Council:

- 1) First Alternate Member
- 2) Second Alternate Member

#### Term of Office

49. (a) The Officers and Members of the Parish Council elected at an Annual Meeting of Members, or otherwise appointed, shall hold office until the close of the Annual Meeting at which their successors are elected, or until they are replaced as provided by this Constitution. Officers and members of the preceding Parish Council shall attend the first meeting of the newly-elected council to transfer all Parish documents and records in their custody and possession.

(b) No person shall serve on the Parish Council in any capacity for more than seven (7) consecutive terms and no such person shall be included in the list of nominees presented by the Nominating Committee to the Annual Meeting of Members, or nominated from the floor. Such person shall once more become eligible for nomination only after his absence from membership on the Council for at least one term has elapsed.

#### Nomination and Election to the Parish Council

50. A list of Nominees for positions on the Parish Council shall be presented to the Annual Meeting by the Chairperson of the Nominating Committee chosen by the previous Annual Meeting of Members to seek out nominees for positions on the Parish Council and to nominate them; or, failing him/her, another member of the Nominating Committee.

51. Presentation of the list shall constitute nomination of each specific Officer and Member of the Parish Council individually.

52. Members present at the Meeting may nominate individually additional candidates for specific positions of Officers or Members of the Parish Council.

53. Where there is no nomination from the floor for a particular position, the nominee included in the list presented by the Nominating Committee shall be declared elected by acclamation.

54. Persons included in the list as presented by the Nominating Committee, or nominated from the floor, but who are not present in person at the Annual Meeting shall not stand for election if the Nominating Committee or the nominator has not been provided by them with written agreement to stand for the position.

#### No Personal Benefit

55. (a) Employees of the Parish or other persons receiving a financial benefit from the Parish, even if otherwise qualified, shall stand for election and serve only on condition that they cease employment or the receipt of the financial benefit for the term of their office.

(b) No Member of the Parish Council and no Member of a Standing or *Ad hoc* Committee shall have a beneficial interest in Council, Standing Committee, or *Ad hoc* Committee membership.

(c) Members of the Parish Council, Standing, or *Ad hoc* committees shall serve without remuneration.

#### Manner of Election

56. A separate vote shall be held for every position on the Parish Council, except where election is by acclamation.

57. (a) Where there is more than one candidate for a position elections shall be held either by show of hands; or by secret ballot, through motion properly made, seconded, and passed.

(b) Where there are two (2) candidates for a specific position, election shall be by a simple majority of votes cast.

(c) i. Where there are more than two (2) candidates for a position as Officer on the Council that candidate who receives the majority of votes cast shall be declared elected.

ii. Should, after the first vote, no candidate for a position as Officer on the Council receive a majority of votes cast, that candidate receiving the least number of votes cast shall retire from the field and another vote taken; and this shall be repeated until a candidate has been elected through a majority of votes cast.

iii. All other elections, other than those of Officers on the Parish Council, in which there are more than two (2) candidates, shall be determined through a plurality of votes cast.

(d) There shall be no voting by proxy.

#### Standing Committees

58. The Parish Council shall form from among Officers and Members Standing Committees including those dealing with:

- 1) Parish Membership;
- 2) Finance and Investments;
- 3) Worship Services/Religious Education;
- 4) Charitable Works;
- 5) Culture and Heritage Education;
- 6) Facilities and Maintenance.

59. (a) Every Standing Committee except that on Worship Services/Religious Education, shall be chaired by an Officer or Member, including Alternate Member, of the Parish Council. It shall report to the Parish Council and through the Chair of the Council to the Annual Meeting of Parish Members.

(b) The Standing Committee on Worship Services/Religious Education shall be chaired by the Parish Priest, or an alternate named by him, and a report of its activities shall be included in the report made by the Priest to the Annual Meeting of Members.

60. Chairpersons of Standing Committees may, if they wish and with the concurrence of the Parish Council. co-opt other Parish Members to serve on their Standing Committees.

#### *Ad Hoc* Committees

61. The Parish Council shall have the power to form such *Ad hoc* Committees as it considers necessary; and shall be free to co-opt to serve on such committees any Parish Members in any capacity.

#### Reporting; Disbursal of Funds by Committees

62. Standing and *Ad hoc* Committees shall report to the Parish Council through their chairpersons, and disburse only those funds allocated them by the Council.

#### Chairperson an *ex officio* Member of Committees

63. The Chairperson of the Parish Council shall be *ex officio* a member of all Standing and *ad hoc* committees of the Council.

#### Parish Council, Frequency of Meetings

64. (a) The Parish Council shall meet no less than ten (10) times in the twelve months of its term; and no less than two (2) times in any quarter of its term.

(b) At meetings of the Parish Council the quorum shall be 'half the number plus one' of members of the Council serving at the time the meeting is held.

#### Vacancies

65. (a) When vacancies on the Council occur, they shall be filled by Council action from among its current constituents, and the Alternate Members.

(b) Should the number of Officers fall below eight (8) and it prove impossible to fill vacancies as per (a) above, a Special Meeting of Parish Members shall be called to fill those specific vacancies.

#### Right to Set Procedures

66. The Parish Council shall have the right to set procedures to govern its meetings and operation which procedures shall be based on the principle of majority rule.

#### Right to Attend Meetings

67. (a) Alternate Members also shall have the right to attend all regular meetings of the Parish Council as such, and participate in proceedings as agreed to by a consensus or vote of the meeting but shall not be counted in the quorum and shall not vote.

(b) Members of the Parish shall have the right to attend regular meetings of the Parish Council as observers but shall not otherwise participate in the proceedings.

68. Members of the Parish wishing to make representation before the Council shall be permitted to do so provided they have given at least three days' notice to the Chair in writing or orally and stating the specific topic they wish to address. The representation shall be entered into the agenda for that meeting and the Member's or Members' participation shall be limited to that item of the agenda.

#### Duties of the Parish Council

69. The Parish Council shall be a collegial body and shall act to:

a) oversee all Parish programs and activities not within the specific jurisdiction of the Priest as given below;

b) administer the facilities, properties, and goods of the Parish;

c) manage the financial affairs of the Parish;

d) have authority to formulate and implement policies and rules governing the operations of the Parish;

e) be the representative of the Parish in all official dealings with the Consistory, informing the Consistory of significant developments in the Parish;

f) work together with the Priest and the Membership to fulfil the mission, aims, and objectives of the Parish.

## Authority and Duties of Officers and Members

70. (a) The authority of Officers and Members of the Parish Council to exercise their respective duties shall derive from the fact of election to the Council in accordance with the provisions of this Constitution, and such duties shall be exercised on behalf of the Council.

(b) The duties of individual Officers, Members, and Alternate Members of the Parish Council shall be:

i. Chairperson: to coordinate the work of the Parish Council and its constituents, such as committees; represent the Parish in the community; act as liaison with the Parish Priest; as appropriate, sign or co-sign documents, contracts, and other instruments on behalf of the Parish; report on the work of the Council, its committees, and on the state of the Parish to the Annual Meeting of Parish Members; to call and preside at meetings of the Parish Council, and other Meetings of Members as provided by this Constitution.

ii. First Vice-Chair: to perform all duties of the Chairperson when the former is unable to do so; or, as delegated to do so by the Chairperson; may serve in any capacity on Standing Committees, *ad hoc* Committees; to be Chair of the Standing Committee on Parish Membership and to maintain an accurate register of Parish members.

iii. Second Vice-Chair: to perform all duties of the First Vice-Chair when the former is unable to do so; or, as delegated by the First Vice-Chairperson with the concurrence of the Council; may serve in any capacity on Standing Committees, *ad hoc* committees; to be Chair of the Standing Committee on Charitable Works.

iv. Secretary: to record proceedings of Parish Council meetings, and Parish Members' Meetings, as appropriate; maintain all minute books in permanent form; send and receive Parish correspondence; as appropriate sign or co-sign documents, contracts, and other instruments on behalf of the Parish; maintain secular records and documentation pertaining to Parish history and activities.

v. Treasurer: to maintain the cash book; receive moneys for deposit to favour of the Parish; issue interim receipts; and, to be Vice-Chair of the Standing Committee on Finance and Investments.

vi. Financial Secretary: to oversee all aspects of Parish finances; maintain records of Parish financial accounts, investments, holdings; settle Parish financial obligations such as payment of bills, salaries; to deal with financial institutions serving the Parish; issue income tax receipts; prepare financial reports for presentation to Parish Members; submit a draft budget for the coming year to the Annual General Meeting; to be Chair of the Standing Committee on Finance and Investments.

vii. Property Manager: to oversee all Parish properties and facilities, including installations, equipment, and furnishings; to oversee maintenance and repairs, and ,as appropriate to perform same; to maintain an accurate inventory of Parish property, facilities, furnishings and equipment; to be Chair of the Standing Committee on Facilities and Maintenance.

viii. Cultural-Educational Director: to organize, co-ordinate, and oversee as appropriate the holding by the Parish of various cultural-educational functions and celebrations such as concerts, talks or presentations of an educational nature, including permanent or temporary educational courses and/or classes on topics of interest to Parish Members; to be Chair of the Standing Committee on Culture and Heritage Education.

ix. Member-at-Large: to carry out short-term assignments as directed by the Council; to be the designate to perform the function of an Officer in the latter's absence or inability to act.

x. Alternate Members: to fill vacancies on the Council.

Section VI  
**AUDIT COMMITTEE**

Election and Composition of Audit Committee

71. The Annual Meeting of Parish Members shall elect an Audit Committee of not less than three (3) members who shall choose from amongst themselves a Chair and a Secretary concerning which the Parish Council shall be notified in writing without delay.

Duties and Rights of Audit Committee

72. (a) The Audit Committee shall have the right of access to and to examine all financial records and supporting documentation relating to the operation of the Parish and all committees, organizations, or other bodies whose activities are sanctioned and overseen by the Parish Council.

(b) Members of the Audit Committee shall have the right to be present at meetings of the Parish Council and its standing and *ad hoc* committees, in an observer capacity.

Reporting Relationship and Powers of the Audit Committee

73. a) During the current Council's term of office the Audit Committee, when it considers that necessary, may inform the Council in writing regarding deficiencies it has identified together with suggestions for improvement.

b) The Audit Committee shall report its findings resulting from 72. (a) above to the next Annual Meeting of Parish Members.

Services of External Auditors

74. The Audit Committee shall have the right to engage the services of arm's-length professional accountants or auditors for which the Parish is to bear the cost.

Section VII  
**ELDER BROTHERS AND SISTERS**

Elder Brothers and Sisters (Vergers) May be Elected or Appointed

75. (a) The Elder Brothers and Sisters are elected by the Annual Meeting of Parish Members, or appointed by motion of the Parish Council in the number by consensus deemed appropriate.

(b) All Members of the Parish with the exception of those who are also members of the Audit Committee may serve as Elder Brothers and Sisters.

Duties of Elder Brothers and Sisters

76. The duties of the Elder Brothers and Sisters include seeing to the good order in the church during and after services; ensuring that objects required for worship and *Treby* services are at hand, in good repair and presentable; and, providing such other assistance as may be necessary, for which activities they shall be answerable to the Parish Priest and the Parish Council.

Section VIII  
**TRUSTEES**

Officers of the Parish Council Trustees

77. The Officers of the Parish Council shall collectively act as Trustees of Parish immovable properties.

## Section IX

### **PARISH ORGANIZATIONS; INDEPENDENT ORGANIZATIONS**

#### Right of Parish to Form Ancillary Bodies

78. The Parish through the Parish Council shall have the right to organize or cause to be organized, or sanction the creation of, ancillary bodies such as clubs, interest groups, etc., to be composed of Parish Members and/or of others in order to assist the Parish to achieve its Aims and Objectives.

#### Relationship of Such Bodies to the Parish

79. (a) The activities of such subsidiary bodies shall be carried on in accordance with terms of reference drawn up by the Council in consultation with those directly concerned.

(b) The Parish Council shall have the right to appoint one of its Members, or a Member of the Parish acting on its behalf, to act as liaison with and advisor to such bodies.

(c) Such bodies shall not solicit funds on behalf of the Parish, or on their own behalf, within or outside the Parish, nor raise moneys in any way without the prior knowledge and concurrence of the Parish Council.

#### Independent Organizations

80. (a) The Parish through the Parish Council shall have the right to enter into cooperative relationships with formally-constituted bodies whose activities are not under the direct control of, or overseen by, the Ukrainian Orthodox Church of Canada or of the Parish Council and which may be affiliates, sub-divisions, branches of organizations external to the Parish and whose members may or may not be also Members of the Parish but which pursue goals not contrary to those of the Parish.

(b) This relationship shall continue only so long as the goals, objectives, and activities of the said bodies are supportive of and in harmony with those of the Ukrainian Orthodox Church of Canada and/or the Parish.

#### Parish Membership Not a Pre-Condition

81. Parish Membership shall not be a pre-condition for membership in such organizations as those specified in 80 above.

#### No Parish Rights

82. Participation or membership in such formally-constituted bodies as in 80 (a) above shall not in itself confer any rights or privileges relating to the business of the Parish or to Parish facilities or services except as may flow from agreement with the Parish through the Parish Council.

#### Assumption of Liability

83. Bodies as in 80 (a) above, utilizing Parish facilities for meetings, lectures, concerts, or other events sponsored or organized by them shall be required to have in force insurance policies or make such other provisions as may be necessary to hold the Parish free from liability.

## Section X

### **PARISH PRIEST**

#### A Priest of the Ukrainian Orthodox Church of Canada

84. The Parish Priest shall be a Priest who is in good standing with the Ukrainian Orthodox Church

of Canada and who has been assigned to the Parish by the appropriate Authority of the said Church.

#### Assignments and Withdrawals

85. Assignments to and withdrawals of Priests from the Parish shall be effected by the Consistory in consultation with the Parish Council, but the final decision shall rest with the appropriate Authority of the Church.

#### Duties of the Priest

86. (a) The Priest shall be advisor to the Parish and its Members on all matters pertaining to the Orthodox faith and practice and of the particular customs, usages, and traditions of the Ukrainian Orthodox Church of Canada.

(b) He shall provide or oversee all religious services or activities in the Parish, including:

- i. worship and needs (*Treby*) services;
- ii. spiritual counselling, and pastoral visitation;
- iii. Orthodox Christian education and training;
- iv. liaison on spiritual matters on behalf of the Parish with other Ukrainian Orthodox

Parishes or other religious congregations in the region, the Eparchy and its Bishop, the Consistory, and the Metropolitan.

(c) With the concurrence of the Parish Council he may represent the Parish externally on matters within the purview of the Parish Council.

#### Authority in Spiritual Matters

87. All matters related to worship and *Treby* services, religious observances, spiritual exercises, religious education and training, their form, content, timing, and duration shall be determined by the Priest and be consistent with standards, guidelines, and directives set by the Consistory.

#### Right to Attend Meetings

88. The Priest shall have the right to attend meetings and participate in the discussions of the Parish Council, its Standing, and *ad hoc* Committees.

#### Parish Registers and Documentation

89. The Priest shall maintain the Parish register of baptisms, marriages, funerals, etc., and shall provide relevant documentation pertaining to them to affected parties on request, consistent with the policy and practice of the UOCC and provincial authorities.

### Section XI

## **REAL PROPERTY; MONEYS**

#### Held in the Parish Name

90. All property, real or otherwise, including goods, funds and financial instruments, pertaining to the Parish shall be held in the name of the Parish as a constituent part of the Ukrainian Orthodox Church of Canada in conformity with the Charter of the said Church.

#### Power to Raise Funds

91. The Parish shall have the power to set and receive dues, organize fund-raising campaigns and events, solicit donations, conduct various functions the proceeds of which are to be used to fund Parish activities, including administrative and maintenance costs.



Section XII  
**FISCAL YEAR**

92. The calendar year according to the civil calendar shall be the fiscal year of the Parish.

Section XIII  
**RULES OF ORDER**

93. Where procedures are not otherwise specifically provided for in this Constitution, the general rules of order governing parliamentary procedures during General and Special Meetings of Members and of the Parish Council shall be *Robert's Rules of Order*, Bantam Books, publisher.

Section XIV  
**DISSOLUTION**

94. On dissolution, after payment of all outstanding debts and liabilities, the residue of assets of the Parish whether real estate, buildings, cash and cash instruments, inventory, etc., shall accrue to the benefit of the Ukrainian Orthodox Church of Canada.

Section XV  
**COMING INTO FORCE**

Approval by Members; Ratification by the Consistory

95. The provisions of this Constitution shall come into force after its acceptance by an Annual General or Special Meeting of Parish Members and thirty (30) days after ratification by the Consistory of the Ukrainian Orthodox Church of Canada, except as noted below in Paragraph 102, and shall then replace all previous constitutions and by-laws of the Parish.

Some Provisions not to Apply

96. Persons who were Members of the Parish, whether as Individual or Spousal Members, immediately prior to approval of this Constitution by an Annual or Special Meeting of Parish Members shall not have their status or rights as Members adversely affected thereby.

To Apply to New Members

97. All provisions of this Constitution shall apply fully to persons who become Individual or Spousal Members of the Parish subsequent to its ratification by an Annual or Special Meeting of Parish Members and its coming into force.

Section XVI  
**AMENDMENTS**

Amendments, By Whom Proposed

98. The Parish Council, the Audit Committee, or a Special Constitution Committee convened through the action of a General Meeting of Parish Members shall have the power to propose amendments to this Constitution for submission to an Annual Meeting or Special Meeting of Parish Members; except that at that time any Member present at such a Meeting may propose amendment(s) to the amendment(s) for consideration and disposition by the Meeting.

#### Text of Amendments To Be Included in Notice

99. Notice of an Annual or Special Meeting of Parish Members on the agenda of which amendments to the Constitution are proposed for inclusion shall be given as provided by paragraphs 29 and 30 and the exact text of the proposed amendment(s) in Ukrainian and English shall be included in the notice.

100. At such an Annual or Special Meeting of Parish Members the agenda of which includes amendment(s) to this Constitution, only that/those amendment(s) of which prior notice has been given as per paragraph 99 above shall be considered and no other amendment(s) shall be proposed or considered at that time.

#### Two-Thirds Vote Required

101. Amendments to this Constitution shall be effected only through a two-thirds majority of votes cast at a properly-constituted Annual or Special Meeting of Parish Members.

#### To Be Ratified by the Consistory

102. (a) Amendments approved by an Annual or Special Meeting of Members shall be submitted to the Consistory for ratification and shall come into effect thirty (30) days after such ratification has been obtained.

(b) Should the Consistory not ratify the Constitution as amended, the Parish Council shall convene a Special Working Committee to consult as may be required with the Consistory to produce a mutually-acceptable text of the amended Constitution.

(c) The text agreed to by the Consistory and the Special Working Committee shall be submitted to Parish Members for their consideration following procedures outlined in paragraphs 99, 100, and 101 above.

### Section XVII INTERPRETATION

103. The text of this Constitution shall be available in the Ukrainian and in the English language. In case of conflict, the English-language version shall prevail.

104. In this Constitution the singular shall include the plural and *vice versa*; the masculine shall include the feminine and *vice versa* unless the context requires otherwise.

105. In this Constitution,

(a) "Ukrainian Orthodox Church of Canada" (abbreviated "UOCC") means the body corporate holding a Charter being the Statutes of Canada, 1929, Chapter 98, and amendments thereto;

(b) "Consistory" means the Consistory of the said Ukrainian Orthodox Church of Canada;

(c) "*Sobor*" means the regular and extraordinary councils convened by the leadership of the said Church as its supreme legislative body.

(d) "Member(s)" means a person(s) who has/have applied for membership in The Ukrainian Orthodox Church of St. Demetrius, and has/have been accepted as per Section III; or, to whom paragraph 98 Of this Constitution applies.

(e) "Member in good standing" means a Member of the Parish who has not lost rights as a Member under paragraphs 18, 19, 20, 21, 22, 23, 24, and 25.

## INFORMATIONAL APPENDIX "A"

### RIGHTS AND POWERS OF THE CONSISTORY RELATIVE TO THE PARISH

#### Power to Suspend

1. In the event that the Parish Council:

- a) acts in a manner contrary to this Constitution, or the Constitution of the Ukrainian Orthodox Church of Canada;
  - b) tolerates, conducts, promotes, or encourages activities within or outside the Parish detrimental to the spiritual welfare and morals of the Parish and its members; or,
  - c) spreads teachings contrary to the canons and dogma espoused by the Universal Orthodox Church and the Ukrainian Orthodox Church of Canada in particular,
- the Consistory of that Church shall have the right to suspend the Parish Council in part or in its entirety, and immediately upon receiving notice of such suspension, the Parish Council in part or in its entirety, as specified in the notice of suspension, shall be bereft of any and all powers and authority conferred by its Constitution and shall immediately cease the exercise of all duties related thereto.

#### Consistory Trustees

2. Before, simultaneously with, or following the suspension in whole or in part of the Parish Council, the Consistory shall have the right to appoint three persons as "Consistory Trustees" to administer Parish affairs until a final determination shall have been made by the Consistory as per paragraph 79 of the *Statut i Pravyla* of the UOCC.

*This Constitution was adopted by the Annual General Meeting of members of St. Demetrius Parish on February 27, 2005.*

*This Constitution was ratified by the presidium of the Ukrainian Orthodox Church of Canada at the meeting in Winnipeg, Manitoba on November 16, 2005, subject to amendment of paragraph 21 (b) and Section X and appropriate renumbering.*

*The amendments were approved by the Annual General Meeting of members of St. Demetrius Parish on February 26, 2006.*

*Amendments to this Constitution (Schedule "A") pages 20-21 were approved by a Special Meeting of members on June 5, 2011.*

*This is a true copy of the Constitution of the Ukrainian Orthodox Church of St. Demetrius as amended June 5, 2011.*

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Michael Kalimn – President

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Antonia Michalczuk – Secretary

**SCHEDULE “A”**  
**AMENDMENTS TO CONSTITUTION**  
**OF THE UKRAINIAN ORTHODOX PARISH OF ST. DEMETRIUS**  
**June 5, 2011**

**ORIGINAL**

**AS AMENDED**

**TITLE**

Constitution, Ukrainian Orthodox Parish of St. Demetrius

**TITLE**

Constitution, Ukrainian Orthodox Church of St. Demetrius

**NAME**

**SECTION I NAME AND AFFILIATION**

**Paragraph 1**

The name of the Parish shall be  
“The Ukrainian Orthodox Parish of St. Demetrius”

**NAME**

**SECTION I NAME AND AFFILIATION**

**Paragraph 1**

The name of the parish shall be the  
“Ukrainian Orthodox Church of St. Demetrius”  
 (“the Parish”)

**SECTION II AIMS AND OBJECTIVES**

**Paragraph 4**

The Aims and Objectives of the Ukrainian Orthodox Parish of St. Demetrius shall be:

**SECTION II AIMS AND OBJECTIVES**

**Paragraph 4**

The Aims and Objectives of the Parish shall be:

**New paragraph 4 (c)**

To carry on its activities and operations without purpose of material gain for its Members; and any surplus of moneys, profits, or other gains shall be used solely in promoting its purposes and realizing its Aims and Objectives

**SECTION III MEMBERS; MEMBERSHIP**

**Paragraph 11. (a) i.**

Individuals who have been Members in good standing of the Parish for at least five (5) consecutive years immediately before attaining the age of eighty-five (85) years, shall on attaining that age, become Life Members of the Parish, shall be excused from the payment of dues, but shall enjoy all the rights and priveleges enjoyed by other Members of the Parish

**SECTION III MEMBERS; MEMBERSHIP**

**Paragraph 11. (a) i.**

DELETED  
RESULT – Life Membership eliminated

**Paragraph 11. (a) ii.**

Notwithstanding the provisions of section (a) i above, Widows of those Priests who die while appointed to the Parish may, with their agreement, be granted the status of Life Members

**Paragraph 11. (a) ii.**

DELETED

**New paragraph 11. (a)**

Widows of those Priests who die while appointed to the Parish may, with their agreement, be granted the status of Life Memebtrs of the Parish, shall be excused from payment of dues, but shall enjoy all the rights and privileges enjoyed by other Members of the Parish

**Paragraph 18 (b)**

Members and Spousal Members in arrears for fewer than three years, including the current year, may achieve reinstatement by paying in full the amount in arrears, including dues for the current year.

**Paragraph 18 (b)**

Members and Spousal Members in arrears for fewer than two (2) years, including the current year, may achieve reinstatement by paying in full the amount in arrears, including dues for the current year.

**Paragraph 18 (c) i**

Members and Spousal Members who are in arrears for three years or more including the current year shall be deemed to have ceased to be Members or Spousal Members, as applicable, of the Parish. Such persons who seek to be reinstated as Members or Associate Members of the Parish shall submit an "Application for Membership" as per 12, above

**Paragraph 18 (c) i**

Members and Spousal Members who are in arrears for two (2) years or more including the current year shall be deemed to have ceased to be Members or Spousal Members, as applicable, of the Parish. Such persons who seek to be reinstated as Members or Associate Members of the Parish shall submit an "Application for Memebership" as per 12, above.

**SECTION V THE PARISH COUNCIL**

**Paragraph 49 (b)**

No person shall serve on the Parish Council in any capacity for more than four (4) consecutive terms and no such person shall be included in the list of nominees presented by the Nominating Committee to the Annual Meeting of Members, or nominated from the floor. Such person shall once more become eligible for nomination only after his absence from membership on the Council for at least one term has elapsed.

**SECTION V THE PARISH COUNCIL**

**Paragraph 49 (b)**

No person shall serve on the Parish Council in any capacity for more than seven (7) consecutive terms and no such person shall be included in the list of nominees presented by the Nominating Committee to the Annual Meeting of Members, or nominated from the floor. Such person shall once more become eligible for nomination only after his absence from membership on the Council for at least one term has elapsed.

**Paragraph 49 (c)**

The provisions of paragraph 49 (b) shall come into effect and apply in relation to the first Annual Meeting of Members held two (2) years after the coming into force of this Constitution

**Paragraph 49 (c)**

DELETED

END

END