

**OUR SAVIOR'S EVANGELICAL LUTHERAN CHURCH  
CONSTITUTION  
Roy, Utah**

**Effective March 1, 2011  
Amended December 22, 2013**

**PREAMBLE**

We the baptized, responding to the grace of God known through Jesus Christ by the power of the Holy Spirit, unite together for the purpose of the mission of God, to make disciples, baptize, and teach the Word of God, and administer the Sacraments ordained through His divine will, revealed through the Holy Scriptures to be our way of life; for this reason this Congregation shall unite in one body, as members of Christ's Holy Church, to love God and to love one another as God has loved us. We confess that all power and authority resides in God the Father and our Lord Jesus Christ and is revealed through the power of the Holy Spirit, One God now and forever.

**Chapter 1 - NAME AND INCORPORATION**

- C1.01 The name of this Congregation shall be Our Savior's Evangelical Lutheran Church.
- C1.02 For the purpose of this Constitution and the accompanying Bylaws, the Congregation of Our Savior's Evangelical Lutheran Church is hereinafter designated as "the Congregation" or "this Congregation".
- C1.03 This Congregation shall be incorporated under the laws of the State of Utah.
- C1.04 This Congregation may also do business as "Our Savior's Lutheran Church".

**Chapter 2 - CONFESSION OF FAITH**

- C2.01 This Congregation confesses God the Father, God the Son and God the Holy Spirit, the only One Triune God
- C2.02 This Congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
  - a. God chose the people of Israel to reveal His plans for the salvation of mankind, and within this people the Word of God was made flesh.
  - b. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death and resurrection God fashions his new creation.
  - c. Jesus is the Savior of all mankind for all generations. The Gospel of Christ has not changed. The Mission of Christ is still the same. Jesus is the way, the truth and the life. He was Yesterday, He is Today, and He will be Forever.
  - d. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation and centering in all its fullness in the person and work of Jesus Christ.
  - e. The canonical Scriptures of the Old and New Testaments are the written Word of God, inspired by the Holy Spirit spoken through the prophets, and accepted by this Congregation. The Scriptures reveal God's revelation centering in Jesus Christ, and the grace of God that creates and sustains the Christian faith and establishes fellowship for the ministry of the Gospel.
  - f. We believe and teach the Gospel of Jesus Christ that justification is by God's grace alone, through faith alone, in Jesus Christ alone, as revealed in the Holy Scriptures; and this Gospel is the sole criterion against which all teaching, practice, structure, and polity must be judged.

- C2.03 This Congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith.
- C2.04 We affirm and identify with the confessions of the Lutheran Church, especially the following: The Unaltered Augsburg Confession; Luther's Small Catechism; Luther's Large Catechism; and the Book of Concord of 1580. We affirm the centrality of grace alone, faith alone, and Word alone.

### **Chapter 3 - PURPOSE OF THIS CONGREGATION**

- C3.01 The members of this Congregation shall:
- a. be Disciples of and for Jesus Christ;
  - b. provide a welcoming, loving environment where all are invited to worship our Lord, hear the Word of God, and receive the sacraments;
  - c. provide pastoral care and assist all members to participate in this ministry;
  - d. challenge, equip and support all members in carrying out their calling in their daily lives and in this Congregation;
  - e. teach and witness to the Word of God, in faithfulness to the command of our Lord Jesus Christ to make disciples of all peoples;
  - f. respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society;
  - g. motivate its members to provide support for the Congregation's ministry;
  - h. foster and participate in ecumenical and interdependent relationships with other congregations consistent with the beliefs of this Congregation.
- C3.02 This Congregation shall develop an organizational structure to be described in the Bylaws. The Congregational Council shall prepare descriptions of the responsibilities of each committee, task force or other organizational groups and shall review their actions. Such description shall be contained in Continuing Resolutions of the Congregational Council.
- C3.03 This Congregation shall adopt a mission statement that is consistent with our confession of faith.

### **Chapter 4 - POWERS OF THE CONGREGATION**

- C4.01 The powers of this Congregation are vested in the Congregational Meeting called and conducted as provided in this Constitution and Bylaws.
- C4.02 Only such authority as is delegated to the Congregational Council or other organizational units in this Congregation's governing documents is recognized. All remaining authority is retained by the Congregation:
- a. the right of calling a Pastor or teachers shall be vested solely in the Congregation as specified in Chapter 8;
  - b. approve the annual budget;
  - c. acquire real and personal property by gift, devise, purchase or other lawful means;
  - d. hold title to and use its property for any and all activities consistent with its purpose;
  - e. sell, mortgage, lease, transfer or otherwise dispose of its property by any lawful means;
  - f. elect its Congregational Council and hold them accountable to carry out their duties in accordance with the Constitution, Bylaws and Continuing Resolutions.

### **Chapter 5 - CHURCH AFFILIATION**

- C5.01 This Congregation is a member of the Lutheran Congregations in Mission for Christ (LCMC) and is subject to its beliefs and disciplines. This Congregation may choose to associate with other organizations to promote the Gospel of Jesus Christ in accordance with the confessions of this Congregation

- C5.02 To sever this Congregation's relationship with LCMC, a simple majority vote is required of a quorum of the voting members present and voting at a Congregational Meeting. To become effective, the decision to sever must be ratified by a two-thirds (2/3) majority vote of a quorum of the voting members present and voting at a Congregational Meeting held at least ninety (90) days after the initial vote was taken. To join another Lutheran organization, the same procedure will be followed. These processes may run concurrently.

#### **Chapter 6 - PROPERTY OWNERSHIP**

- C6.01 All titles to property of this Congregation shall continue to reside in the name of this Congregation regardless of affiliation.
- C6.02 All property that is acquired by the Congregation will be held, owned, and titled in the name of the Congregation. The Congregation's real property will not be purchased, disposed of, or encumbered in any manner except as approved by a two-thirds (2/3) majority vote of a quorum of the voting members present and voting at a Congregational Meeting.
- C6.03 To terminate the Congregation's existence, a two-thirds (2/3) majority vote of a quorum of the voting members present and voting at a Congregational Meeting is required. Should the Congregation disband, title to its land and other estates, real and personal, properties must be used for charitable purposes as directed by a two-thirds (2/3) majority vote of a quorum of the voting members present and voting at a Congregational Meeting.

#### **Chapter 7 - MEMBERSHIP**

- C7.01 Members of this Congregation shall be those baptized persons on the roll of this Congregation at the time that this Constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this Constitution and its Bylaws. Although all are welcome to participate in the worship life and activities of this church, voting members of this Congregation may hold and maintain membership in only this church.
- C7.02 Members shall be classified as follows:
- a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism.
  - b. Confirmed members of this Congregation are the baptized who have been received through adult baptism or affirmation of faith in accordance with this Congregation's confession of faith.
  - c. Voting members are confirmed members who have received approval of the Congregational Council.
- C7.03 Members are to be received at the Pastor's discretion. In the absence of the Pastor, members are to be received by the President or Acting President of the Congregational Council.
- C7.04 All applications for voting membership shall be submitted to and shall require the approval of the Congregational Council. No Congregational Council approval for voting membership shall be granted for the two-week period preceding an announced and scheduled Congregational Meeting.
- C7.05 It shall be the privilege and faithful duty of members of this Congregation to:
- a. make regular use of the means of grace, both Word and Sacraments;
  - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church;
  - c. support the work of this Congregation through contributions of their time, talents and/or financial stewardship as testimony of their faithfulness to the grace of God.

- C7.06 Membership in this Congregation shall cease for the following reasons:
- a. death;
  - b. resignation;
  - c. transfer or release;
  - d. disciplinary action by the Congregational Council;
  - e. removal from the rolls due to inactivity as defined in the bylaws.
- C7.07 Voting rights are a privilege and can be rescinded by action of the Congregational Council as a disciplinary action.

### **Chapter 8 - THE PASTOR**

- C8.01 The authority to call a Pastor shall reside in the Congregation.
- a. A committee of the Congregation shall be designated by the church Council to identify qualified candidates for Pastor, and recommend to the Council a call for Pastor.
  - b. The call shall be issued at a properly called special Congregational Meeting.
  - c. An approval vote of two-thirds (2/3) majority of those members present and voting shall be required.
- C8.02 A Pastor called and ordained by this Congregation shall adhere to the confessions of faith defined and accepted by this Congregation, and therefore shall:
- a. preach and teach the Word of God as revealed in the Old and New Testaments;
  - b. administer the Sacraments, i.e. Holy Baptism and The Lord's Supper;
  - c. assist in the teaching ministry of this Congregation so that together all may be strengthened in the faith and love for Jesus Christ;
  - d. minister to all the members of this Congregation according to the needs and visit the members as a service of pastoral care;
  - e. lead, inspire, and train the church members of this Congregation to enlist and encourage active membership in this Congregation all those in the community who are not currently affiliated with a Christian congregation;
  - f. lead, inspire, and equip the members in fulfilling their responsibility to witness for Christ according to the mission of this Congregation;
  - g. give pastoral leadership for the meetings and activities of the Congregation, i.e. Church Council, boards, committees, and organizations this Congregation may partner with for the mutual ministry of the Gospel;
  - h. conduct the services as agreed upon by this Congregation, i.e. regular worship, Holy Communion, baptisms, confirmations, weddings, funerals, and any other services as specified and in accordance with the confessions of this Congregation;
  - i. record promptly and properly all pastoral acts in accordance with the traditions of this Congregation, i.e. baptisms, confirmations, marriages, funerals, communion, and membership for the purpose of historical statistical records;
  - j. keep and practice harmony with the Word of God and the confessions of this Congregation, strive in word and deed to be a faithful example in Christian living, avoiding conduct which might endanger the faith of others;
  - k. the Pastor shall become a member of this Congregation.
- C8.03 An accepted call shall constitute a mutual commitment until:
- a. the term of the call is completed;
  - b. there is a mutual agreement to terminate the call;
  - c. the Pastor offers a letter of resignation;
    1. such letter must be presented to the Church Council;
    2. a period of 30 days must be allowed for such resignation to take effect;
  - d. suspension by Church Council.
- C8.04 A Pastor's call may be terminated by a legally called Special Congregational Meeting by a two-

thirds (2/3) majority vote of those members present and voting for behavior and or practices that do not conform to the confessions of this Congregation, or the conduct expected of a Pastor as listed above.

C8.05 At the time of pastoral vacancy, the Congregation may acquire the services of an interim Pastor.

### **Chapter 9 - CONGREGATIONAL MEETINGS**

- C9.01 The Annual Meeting of this Congregation shall be held at a time specified in the Bylaws.
- C9.02 A special Congregational Meeting may be called by the Pastor, the Congregational Council, the president of this Congregation, or can be called at the written request of ten-percent (10%) of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C9.03 Notice of all meetings of this Congregation shall require a minimum of two (2) weeks' notice to the Congregation, shall be given at the services of worship on the preceding two (2) consecutive Sundays and/or by mail to all voting members at least thirty (30) days in advance of the date of the meeting. The posting of such notice in the regular mail and sent to the last known address of such members shall be sufficient.
- C9.04 Ten-percent (10%) of voting members present and voting shall constitute a quorum.
- C9.05 Voting by proxy or by absentee ballot shall not be permitted.
- C9.06 All actions by the Congregation shall be by simple majority vote of the members present and voting except as otherwise provided for in this Constitution.
- C9.07 Robert's Rules of Order, latest edition, shall be used as a guide to govern parliamentary procedure of all meetings of this Congregation.

### **Chapter 10 – OFFICERS**

- C10.01 The officers of this Congregation shall be a President and a Vice-President.  
a. Duties of the officers shall be specified in the Bylaws.  
b. The officers shall be voting members of the Congregation.
- C10.02 The Congregational Council shall elect its officers, and they shall be the officers of the Congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the first regular Congregational Council meeting following the Congregation's Regular Meeting at which they were elected.
- C10.03 No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

### **Chapter 11 - CONGREGATIONAL COUNCIL**

- C.11.01 Any voting member of this Congregation may volunteer to seek to be elected to the Congregational Council. All members seeking to serve on the Congregational Council must be approved by either the sitting Congregational Council or be nominated and approved by the Congregation at the Regular Meeting of the Congregation.
- C11.02 The voting membership of the Congregational Council shall consist of not less than nine (9) members of the Congregation, including the officers of the Congregation. The Pastor shall be ex-officio members of the Congregational Council. Any voting member of this Congregation may be elected, subject only to the limitation on the length of continuous service permitted in that

office. A member's place on the Congregational Council shall be declared vacant if the member (a) ceases to be a voting member of the Congregation, or (b) is absent from two regular meetings of the Congregational Council without cause, or (c) submits a letter of resignation, or (d) no longer participates in the life and activities of the Congregation which shall include regular attendance at Sunday worship services, in this case the President can recommend and put to a vote to the Congregational Council. A 2/3 majority of the voting members of the Congregational Council is required for removal of that member.

- C11.03 The members of the Congregational Council, except the Pastor(s), shall be elected at the Regular Meeting for a term of office of three (3) years. The Council shall be announced/installed at a worship service prior to the date they assume office. No Council member may be elected by the Congregation to serve more than two (2) consecutive terms.
- C11.04 Non-voting members of the Congregational Council shall include: Treasurer, Financial Secretary, Secretary and Lay Ministry Leader. The Treasurer, Financial Secretary, Secretary shall be appointed by the Congregational Council to terms as determined by the Congregational Council
- C11.05 Should a member's place on the Congregational Council be declared vacant, the Congregational Council shall elect, by majority vote, a successor to serve the remainder of the term. This member shall be installed on the Sunday following his/her election.
- C11.06 The duties of the Congregational Council shall include but not be limited to the following:
- a. the general oversight of the life and activities of this Congregation that promotes faithfulness in the long range goals and priorities of the Congregation;
  - b. to worship, learn, witness and support according to the confessions of the Congregation;
  - c. to provide oversight and enable the administration to fulfill its functions;
  - d. to assist the Pastor and staff, and provide them an annual evaluation to guide and assist them in their duties;
  - e. to live an exemplary Christian life, as an example of the baptized and confirmed members of this Congregation;
  - f. to mediate any differences and/or conflicts in order to promote good will and peace as examples of Christian love;
  - g. to provide or arrange for pastoral service in the absence of the Pastor;
  - h. to promote cooperation and partnership with other Congregations according to the established beliefs of this Congregation;
  - i. to recommend and encourage the use of program resources, and to comply with the confessional values of this Congregation;
  - j. to seek out, encourage and assist qualified persons to prepare for the ministry of the Gospel of Jesus Christ.
- C11.07 The Congregational Council shall be responsible for the financial and property matters of this Congregation.
- a. The Congregational Council shall be the board of trustees of this Congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Utah except as otherwise provided herein.
  - b. The Congregational Council shall not have the authority to buy, sell or encumber real property unless specifically authorized to do so by a meeting of the Congregation.
  - c. The Congregational Council shall prepare an annual budget for adoption by this Congregation at the Regular meeting.
  - d. The Congregational Council may not enter into any contract or financial obligation greater than five-percent (5%) of the approved budget without specific approval from the Congregation.

- e. The Congregational Council is to ascertain that the financial business of the Congregation is being conducted efficiently in that all debts and obligations are promptly paid.
  - f. The Congregational Council shall be responsible for this Congregation's investments and its total insurance program.
  - g. The Congregational Council shall arrange for an annual audit of all financial records of the Church.
- C11.08 The Congregational Council shall see that the provisions of this Constitution, its Bylaws and the Continuing Resolutions are carried out.
- C11.09 The Congregational Council shall provide oversight for an annual review of the membership roster.
- C11.10 The Congregational Council shall be responsible for the appointment, support and supervision of the salaried lay workers of this Congregation.
- C11.11 The Congregational Council shall submit a comprehensive report to this Congregation at the Annual Meeting.
- C11.12 The Congregational Council shall normally meet once each month. Special meetings may be called by the Pastor or the President, and shall be called at the request of at least one-half (1/2) of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C11.13 A quorum for the transaction of business shall consist of a simple majority of the members of the Congregational Council, including the Pastor or interim Pastor, except when a Council member requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.
- C11.14 Members of the Congregational Council whose terms are expiring shall actively encourage and solicit qualified member of the Congregation to seek election to the Congregational Council.

### **Chapter 12 - CONGREGATIONAL COMMITTEES/TEAMS**

- C12.01 The officers of this Congregation, the Pastor, and the Lay Ministry Leader shall constitute the Executive Committee.
- C12.02 When a pastoral vacancy occurs, the Congregational Council shall appoint a Call Committee. The term of office of the Call Committee will terminate upon installation of the newly called Pastor.
- C12.03 Other Congregational Committees may be formed as the need arises, by decision of the Congregational Council and as provided for in the Bylaws.
- C12.04 Duties of Congregational Committees shall be specified in the Bylaws and/or Continuing Resolutions.

### **Chapter 13 - ORGANIZATIONS WITHIN THE CONGREGATION**

- C13.01 The organizations of and within this Congregation shall be for the purpose to aid and foster the ministry of this Congregation and its mission.
- a. They shall inspire and implement activities and expressions of Congregational life.
  - b. They shall report annually to the Congregation at the Annual Meeting in regard to the beliefs, finances and activities of their organization.

- C13.02 Special interest groups may be organized only after the Congregational Council has given authorization.

#### **Chapter 14 - DISCIPLINE OF MEMBERS AND ADJUDICATION**

- C14.01 It is recognized by this Congregation that we live and exist in a fallen world in accordance with the confessions ascribed to in this Constitution, that errant behavior that is not acceptable to our Confessional Christian values may be demonstrated by individuals from time to time. Such behavior shall be dealt with as defined by procedures in the Bylaws of this Congregation.

#### **Chapter 15 - BYLAWS**

- C15.01 The purpose of the Bylaws is to provide meaningful clarity to the provisions of this Constitution by giving definition and explanation for the governing of the affairs of this Congregation.
- C15.02 The Congregation may adopt Bylaws for the above purposes that do not conflict with this Constitution or the amendments to this Constitution, or the Gospel of Jesus Christ.
- C15.03 Any voting member may submit changes to the Bylaws, provided this is done in writing and presented to the Congregational Council sixty (60) days minimum prior to the date said changes are to be considered by the Congregation.
- C15.04 Changes or additions to the Bylaws can only be made by the approval of a majority of the Congregation present and voting at a duly called Congregational Meeting.

#### **Chapter 16 - CONTINUING RESOLUTIONS**

- C16.01 The Congregational Council may enact Continuing Resolutions, which describe the function of newly appointed committees and organizations of this Congregation.
- C16.02 Continuing Resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregational Council.

#### **Chapter 17 - AMENDMENTS**

- C17.01 Amendments to this Constitution may be proposed by at least ten percent (10%) of the voting members in a signed petition, or by the Congregational Council. Proposals must be filed in writing with the Congregational Council a minimum of sixty (60) days before formal consideration by this Congregation at its Annual Congregational Meeting or a special meeting called for that purpose. The Congregational Council shall notify the members of the Congregation of the proposal with their recommendation(s) at least thirty (30) days in advance of the meeting.
- C17.02 A proposed amendment to this Constitution shall be ratified without change at the next Annual Congregational Meeting or a special meeting called for that purpose by a two-thirds (2/3) vote of those members present and voting, and shall have the effective date included in the resolution and noted in the Constitution.