

The By-Laws
of
HEART CRY CHRISTIAN FELLOWSHIP



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(Rev. 02/25/2021)



**BY-LAWS
OF
HEART CRY CHRISTIAN FELLOWSHIP**

A New York State Corporation (Church)¹
(Rev. Date 01/28/2021)

Preamble

Resting our faith wholly in the Lord Jesus Christ for our salvation and believing in the teachings of the Holy Bible as the complete and verbally inspired Word of the living God, we have affiliated ourselves with one another as a body of baptized believers, and we adopt this constitution as a declaration of our convictions so that we may carry out the Lord's work decently and in order. This constitution will preserve the liberties of each individual church member.

Article 1 – Name

The name of this organization shall be **Heart Cry Christian Fellowship**. It is incorporated as a nonprofit corporation under the laws of the state of New York.

Article 2 – Purpose

The purpose of Heart Cry Christian Fellowship is three-fold:

1. The worship of the Triune God: God the Father, God the Son and God the Holy Spirit.
2. The edification of the church of Jesus Christ (as modeled in Acts 2:42) through:
 - a. The teaching of the Word (the Bible) and the ministry of the Holy Spirit
 - b. Fellowship of like-minded believers
 - c. Communion as a memorial of the sacrificial love of God for us
 - d. Prayer
 - e. Perfecting the saints for the work of the ministry (Ephesians 4:12)
3. The persuasion of men and women to repent and confess Jesus Christ as Lord

¹ For the purposes of this document, the words "corporation" and "church" are synonymous.



Article 3 – Associations

This church is an independent, autonomous church, subject only to Jesus Christ, the Head of the Church. It has the right to cooperate and associate with other Biblical groups on a voluntary basis as determined by the leadership and congregation. There shall be no cooperation with any group that permits the presence of apostasy or heresy, or that endorses groups that permit the presence of apostasy or heresy.

Article 4 – Articles of Faith

(This article may be found under separate cover entitled:
Heart Cry Christian Fellowship Statement of Faith & Doctrinal Distinctives)

Article 5 – Membership

This church shall be composed of members who profess to be saved by God's grace, through faith in the Son of God, Jesus Christ, and have participated in the ordinance of baptism. Confirmation of membership is in no way binding to the individual or Heart Cry Christian Fellowship.

Section 1. Qualifications and Reception to Participating Membership.

1. **General Membership** shall be open to any believing and confessing Christian, who:
 - a. Acknowledges and accepts Jesus Christ as Savior and Lord
 - b. Has followed Christ in the Ordinance of Water Baptism
 - c. Has fellowshipped with us at least one (1) year
 - d. Is active in sharing their faith
 - e. Is active in Christian service
 - f. Faithfully supports the ministry of HCCF with their tithes and love offerings
 - g. Are free from any disqualifying issues (e.g., unresolved or on-going church discipline, etc.)
 - h. Is willing to subscribe to the policies, By-Laws and Doctrinal Distinctives of this corporation
 - i. Is free from causing dissension and strife within the church
 - j. Desires to preserve the unity of the Spirit in the bond of love and peace



2. Voting Membership shall consist of:

The Board of Directors and shall be subject to the provisions and qualifications outlined in Article 7, section 4. Only Directors shall be entitled to a vote in any matters of business of the church. All rights and powers shall be held by the Board of Directors.

Section 2. Annual Congregational Meeting

The annual congregational meeting of this corporation shall be held on the last Wednesday of February each year at 7:00 pm at the principal office of this corporation, or at any other time and at any other place determined by a resolution of the Board and giving two week notice. No notice need be given if the meeting is held on the date, time and location immediately stated above.

Section 3. Special Congregational Meetings

Special congregational meetings of this corporation may be called at any time by the President of the corporation or by a majority of the Board members.

Notice of the time and place of a special meeting of the congregational members shall be given by either conspicuously posting the same at or near one or more of the entrances to the congregational place of worship, placing it in the church bulletin, and/or by announcement in the regular Sunday service for at least one (1) week preceding said meeting.

Section 4. Church Discipline

It shall be the basic purpose of Heart Cry Christian Fellowship to emphasize to its members that every reasonable measure will be taken to assist any troubled member. The pastor, elders and deacons are available for counsel and guidance. Reconciliation rather than punishment should be the guideline which governs the attitude of one member towards another.

Should some serious condition exist which would cause a member to become a liability to the Christian testimony of the church, every reasonable measure will be taken by the pastor and by the deacons to resolve the problem. All such proceedings shall be pervaded by a spirit of Christian kindness and forbearance. But, finding that the testimony of the church will best be served by the exclusion of the offending member, the church may take this action by a two-thirds vote of the voting members present at a meeting, called for this



purpose, and the church may proceed to declare the offender to be no longer in the fellowship of the church.

All matters of discipline shall be conducted in accordance with Matthew 18:15-17, and 1 Timothy 5:19-22.

Section 5. Inactive Members

If any member of the church, who, for six consecutive months does not communicate with the church, does by such action, remove themselves from General Membership.

Article 6 – Ordinances

Section 1. Baptism

Those professing faith in Christ shall be baptized by immersion in water by the pastor or someone else appointed by the church. Baptism by immersion, as a believer, shall be a prerequisite to church membership.

Section 2. The Lord's Supper

The Lord's Supper shall be served to the assembled church by the pastor, or another person authorized by the church at times to be decided by pastor and deacons. Since it is the Lord's Table, none that are His shall be barred. The pastor shall state the scriptural meaning of the ordinance. The elements shall be unleavened bread and grape juice.

Article 7 – Officers

The Board of Directors (also referred to as Directors, Board or Trustees) is comprised of Pastor, Elders and Deacons, shall be the governing body of the church. There shall be a minimum of three (3) and maximum of nine (9) Directors.

The Directors shall oversee the ministry of the church.

Subject to limitations of the Articles of Incorporation, other sections of the By-Laws and of New York law, all corporate powers of the corporation shall be exercised by or under the authority of, and the business and affairs of the corporations shall be controlled by the Directors. Without limiting the general powers, the Directors shall have the following powers:

1. To appoint and remove all other officers, agents and employees of the corporation, prescribe such powers and duties for them as may be consistent with law, the



Articles of Incorporations or the By-Laws, ratify their compensation and require from them faithful service.

2. To conduct, manage, and control the affairs and business of the corporation, and to make rules and regulations consistent with law, the Articles of Incorporation, or the By-Laws.
3. To borrow money, and incur indebtedness for the purposes of the corporation and for that purpose cause to be executed and delivered, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, or other evidence of debt and securities.

Section 1. Officers of the Church

The officers of the church shall be the President, Vice President, Treasurer and Secretary and such other officers as the Board of Directors may appoint. One person, other than the President, may hold more than one of these offices. Officers of the church may be male or female. The officers of the church shall also be members of the Board.

Section 2. Election

The Board of Directors shall elect by simple majority the officers of the corporation to serve for terms of three (3) years.

Section 3. Vacancies

A vacancy in any office because of death, resignation, disqualification, removal or otherwise, shall be filled by the Board of Directors, by a majority vote.

Section 4. Qualifications

All officers shall be spiritually mature, of unquestioned Christian character, loyal to the Word of God, dedicated and devoted to the Lord Jesus Christ and to the spiritual and material welfare of this church according to Titus 1. They shall also be faithful in attendance and participation, both in regular services and business meetings of the church. Their moral conduct shall be beyond reproach and free of carnal indulgences and



other worldly practices. In the light of 1 Timothy 3, the home and family relationships must be considered, as well as individual qualifications.

Section 5. Responsibilities

- a. President – The President shall direct the operations of the Board of Directors and make annual reports to the church.
- b. Vice President – In the absence or disability of the President, the Vice President shall perform temporarily all the duties of the President and in so acting, shall have all the powers of the President until the Directors fill the vacancy. The Vice President shall have such powers and perform such other duties as may be prescribed from time to time by the Board of Directors.
- c. Treasurer – The Treasurer shall oversee the finances of the church and shall make regular reports to the Board of directors regarding the financial state of the church. The Treasurer shall make annual financial reports to the church.
- d. Secretary – The Secretary shall keep a full and complete record of all the proceedings of the Board of Directors, shall keep the seal of the corporation and affix it to such papers as may be required in the regular course of business, shall prepare and make service of such notices as may be necessary or proper, shall supervise the keeping of the records of the corporation, and shall discharge such other duties of the office as prescribed by the Board of Directors.

Article 8 – Pastors, Elders and Deacons

Section 1. The Headship of Christ

Pastors, Elders and Deacons of this church shall be focused on seeking and maintaining the Lordship and direction of Jesus Christ over His Body. All those in authority shall continually seek His mind and will, through His Spirit and the Word of God in all actions and decisions.

a) Pastor

A candidate for Pastor shall be carefully examined by the pulpit committee (such committee shall be constituted by the Board of Directors and include a woman and a man from among the church membership) as to his salvation, doctrine, Christian conduct and call to the ministry. If he has served in other churches, his ministry there should be explored.

He shall be required to state his acceptance of, and adherence to the articles of faith and constitution of this church. Any differences which he holds concerning



these documents should be submitted to the pulpit committee in writing. He shall also state in writing any differences which he holds relating to groups and associations with which this church is in fellowship.

A meeting of the church called for the purpose of calling a Pastor shall be held according to the provisions of Article 5, section 3. The pulpit committee shall present only one man at a time for the consideration and vote to the church membership. A *three-fourths* majority of members present² shall be necessary for a call. Voting shall be by closed ballot (yes or no) with printed ballots made available to members who are unable to attend. Ballots will be collected from attending members and, along with any ballots from non-physically present members, will be counted the following Sunday by the church leadership. A written call and agreement shall be presented to the prospective Pastor, giving details of church-pastoral relationship, to include all salary, benefits and vacations, etc. Upon acceptance of the call, the Pastor will become a member of this church and the Board of Directors.

The Pastor shall continue in office until he resigns or is dismissed by a *two-thirds* majority vote of the Board of Directors. The Pastor shall give the church not less than thirty day notice of his intention to discontinue as Pastor. The church shall give the pastor not less than thirty day notice of dismissal. If, in the judgment of the Board of Directors, the conduct of the Pastor justifies immediate termination of his ministry, the Board of Directors may declare the pulpit vacant. At the complete discretion of the Board of Directors, up to two (2) month severance pay may be provided to the Pastor.

The Pastor shall have charge of the spiritual welfare of the church; he shall preach the Gospel, teach the Word and have charge of the services of the church; he shall administer the ordinances and perform the usual duties of a minister. The pastor shall be an ex officio member of all boards and committees, serving in an advisory capacity.

The Pastor shall give a report to the congregation at the annual business meeting. The Pastor shall fully approve other workers such as a Christian education director, youth leader or worship leader. These individuals shall serve under the Pastor's direction.

b) Elders

It shall be the duty of the Elders to assist the Pastor(s) in promoting the spiritual welfare of the church, to be his helpers and counselors, to exercise prudent watch

² Present either physically or by electronic communication.



care over the church membership, to visit the sick, to assist at baptisms, and to supervise the preparation and distribution of the Lord's Supper. Elders shall be appointed by the Pastor subject to approval by the Board of Directors. They shall be members of the pulpit committee.

c) Deacons

It shall be the duty of the Deacons to assist the Pastor(s) in promoting the physical welfare of the church, to seek out such members as need assistance, to assist the Elders and Pastor(s) as needed and to maintain the physical aspects of the church facilities. Deacons will be servants to the church membership.

Article 9 – Amendment of the By-Laws

These By-Laws may be amended or replaced, and new By-Laws adopted by two-thirds vote of the Board of Directors.

Article 10 – Principal Office

The principal office for the transaction of the business of the corporation is fixed and located at Heart Cry Christian Fellowship, 7609 County Road 36, Naples, New York 14512. The mailing address is P.O. Box 95, Naples, NY 14512. The Board of Directors may, at any time or from time to time, change the location of the principal office from one location to another in the county.

Article 11 – Annual Accounting Period

The annual accounting period for this corporation shall begin on the first day of January and shall end on the last day of December.

Article 12 – Miscellany

Section 1. Execution of Documents

The Board of Directors may authorize by majority vote any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the church and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent or other person shall have any power or authority to bind the church by any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount.



Section 2. Inspection of By-Laws & Articles of Incorporation

The church shall keep in its principal office the original or a copy of its Articles of Incorporation (filed with the Ontario County Courthouse in Canandaigua, New York) and By-Laws, as amended to date, certified by the Secretary, which shall be open to inspection by the members at all reasonable times during office hours. (Please note that Articles of Incorporation were originally filed under the name of Calvary Chapel of the Bristol Hills).

Section 3. Dissolution

In the event that Heart Cry Christian Fellowship dissolves as a church and ceases to exist, subject to oversight provisions as established by New York State and as outlined in our NYS Articles of Incorporation, assets are to be distributed as follows:

- a. All outstanding debt and financial obligations shall be satisfied.
- b. Any remaining assets will be distributed equally among the current missions beneficiaries.

In the event the church building and property cannot be sold, it is to be offered to the Town of Naples for use by the Naples community (including civil, social and religious groups).

Section 4. Appropriations of Church Funds: Spending Limits and Approvals

- a. Recurring Expenses – Recurring expenses (e.g., electric, propane, telephone, internet, insurance, etc.) shall be paid by the Treasurer without specific approval by the Board of Directors.
- b. Non-Recurring Expenses – Non-Recurring expenses and purchases will be approved by a majority of the Board of Directors.

Section 5. Benevolence Fund

Heart Cry Christian Fellowship, in the exercise of its religious and charitable purposes, has established a benevolence fund to assist persons in financial need. The church welcomes contributions to the fund. Donors are free to suggest beneficiaries of the fund or of their contributions to the fund. However, such suggestions shall be deemed advisory



rather than mandatory in nature. The administration of the fund, including all disbursements, is subject to the exclusive control and discretion of the Board of Directors. The Board of Directors may consider suggested designations, but in no event is it bound in any way to honor them, since they are accepted only on the condition that they are merely nonbinding suggestions or recommendations. As a result, donors will not be entitled to a return of their designated contributions on the ground that the church failed to honor their designations.

Donors wishing to make contributions to the benevolence fund subject to these conditions may be able to deduct their contributions if they itemize their deductions on their federal income tax return. The church cannot guarantee this result and recommends that donors who want assurance that their contributions are deductible seek the advice of a tax attorney or CPA. Checks should be made payable to the church, with a notation that the funds are to be placed in the church benevolence fund.

Before an applicant can receive help from the benevolence fund, applicants must:

- 1) provide proof that a genuine need exists
- 2) provide proof that they do not have available resources to meet their needs (e.g., payroll stubs, bank accounts, IRA's, retirement plans, etc.).

The Board of Directors may authorize up to \$1000.00 per benevolence request per applicant per year. At the discretion of the Board of Directors, additional distributions can be made.

Requests for benevolence will be considered in the following priority:

- 1) HCCF Members (as define by HCCF By-Laws)
- 2) Attenders of HCCF who have not become official members
- 3) Born-Again Christians not attending HCCF who reside in the surrounding communities
- 4) Non-Christians who reside in the surrounding communities
- 5) All others

Section 6. Short Term Mission Funding

If a member (see Article 5 for qualification) requests assistance to fund a short term mission trip, the church will provide matching funds up to \$2500 based on the sole discretion of the Board of Directors having reviewed the following criteria:

- 1) Do they meet "Membership Requirements?"



- 2) Is it genuine missions (i.e. is it a vacation in disguise)?
- 3) What “ministry work” will they be involved in/conducting?
- 4) Is it something that “fits” philosophically with our vision as a church?
- 5) Has the church ever supported this individual on a mission trip before? How many other short term mission trips have they already been on?
- 6) How much of their own way have they earned?
- 7) How much have they collected from others?
- 8) How much support has their own family provided?
- 9) Do they make themselves available to serve the church when help is asked for (e.g., chore days, Children’s Church, etc.)?
- 10) Are they willing to do a short presentation when they get back?

Section 7. Use of Church Facilities

The use of all church facilities shall be restricted to church related functions designed to fulfill the core mission of the church, or upon review and written approval of the Board of Directors. Any use of church facilities excludes activities that may cause Heart Cry Christian Fellowship to violate any federal, state or local Public Accommodation Laws and activities where the general public is invited or solicited onto church property to participate in events unrelated to the core mission of Heart Cry Christian Fellowship.

Section 8. Submitting Questions and Concerns

Questions, concerns or business issues should not be addressed to church leadership during scheduled times of church worship, prayer, fellowship, Bible studies, home groups, etc. Church leadership should be allowed the same courtesy to worship and fellowship without distraction, as others attending regularly scheduled church activities.

A mutually convenient time for all parties to meet can be made upon request. However, at the discretion of any Elder or Deacon receiving the question, the individual making the request may be requested to attend a regularly scheduled meeting of Heart Cry Christian Fellowship’s full church leadership.

When requested, individuals making inquiry may also be requested to submit all questions and concerns in writing along with the reason(s) for the individual(s) questions and concerns.



Section 9. Church Policies and Operational Practices

Miscellaneous Church Policies and Operational Practices may be found in a separate collection entitled *“Heart Cry Christian Fellowship Church Policy Manual”*.



CERTIFICATION

I, the undersigned, do hereby certify:

1. That I am the duly elected and acting Secretary of *Heart Cry Christian Fellowship*, a New York State corporation: and
2. That the foregoing By-Laws constitute the By-Laws of said corporation as duly adopted at a meeting of the Board of Directors held on the 25th day of February 2021.

Date Approved for Entry

Troy Duerr
Secretary
Heart Cry Christian Fellowship