

Constitution and Canons  
Of the  
Episcopal Church  
In the  
United States of America  
In the  
Diocese of Southern Virginia  
2008

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### CONSTITUTION OF THE EPISCOPAL CHURCH IN THE DIOCESE OF SOUTHERN VIRGINIA

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**CONSTITUTION**  
**of the**  
**EPISCOPAL CHURCH**  
**in the**  
**DIOCESE OF SOUTHERN VIRGINIA**  
**Adopted June 8, 1893,**  
**as amended.**

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**ARTICLE I: GEOGRAPHICAL COMPOSITION**

The Diocese of Southern Virginia shall consist of the following counties and cities in the Commonwealth of Virginia:

The Counties of: Accomack, Amelia, Appomattox, Brunswick, Buckingham, Charlotte, Chesterfield, Cumberland, Dinwiddie, Greensville, Halifax, Isle of Wight, James City, Lunenburg, Mecklenburg, Northampton, Nottoway, Pittsylvania, Powhatan, Prince Edward, Prince George, Southampton, Surry, Sussex and York.

The Cities of: Chesapeake, Danville, Emporia, Franklin, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, South Boston, Suffolk, Virginia Beach, Williamsburg, and that portion of the city of Richmond lying South of the James River.

**ARTICLE II: DATE AND PLACE OF ANNUAL COUNCIL**

There shall be a Council of this Diocese which shall convene annually in one session to be held in February of each year at such place or places within the Diocese as shall have been designated by the previous Council. When necessary or expedient to change places or dates so designated, the Bishop with the advice and consent of the Standing Committee, or if there be no Bishop, the Standing Committee, may order a change of place or date of meeting upon four weeks advance notice to clergy entitled to seats and to the congregations entitled to lay representation in the council.

**ARTICLE III: SPECIAL COUNCIL**

The Bishop, or if there be no Bishop, the Standing Committee shall have power to call a Special Council and to designate the date and place thereof. The Clergy entitled to seats and the Parishes and Organized Missions entitled to Lay representation in such Council shall be notified of the date, place, and purpose of such Council at least four weeks prior thereto. No business shall be transacted at any such Council other than that stated in the notice.

**ARTICLE IV: COMPOSITION OF COUNCIL**

The Council shall be composed as follows:

1. The Bishop, Bishop Coadjutor, and Suffragan Bishop, if there be such.
2. All other Clergy not under ecclesiastical censure who are canonically resident in this Diocese on the date of the convening of Council.
3. Lay Delegates, who shall be adult Communicants in good standing as prescribed by Title I, Canon 17, Sections 1, 2, and 3 of the Canons of the Protestant Episcopal Church in the United States of America, of this Diocese, as follows: the Chancellor, the Vice Chancellor, the Treasurer, the Secretary, the Historiographer, the

President of the Episcopal Church Women, the President of the Episcopal Youth Community [age notwithstanding], all elected and ex officio lay members of the Executive Board, all elected lay members of the Standing Committee, and the Lay Delegates from each Parish and Organized Mission.

The number of Lay Delegates from each Parish or Organized Mission shall be as follows: One to one hundred communicants, one delegate; one hundred and one to three hundred communicants, two delegates; three hundred and one to eight hundred communicants, four delegates; eight hundred and one or over communicants, six delegates. All Lay Delegates shall be confirmed Communicants in good standing in the Parish or Mission they are elected to represent.

4. A representative from each Christian body with which the Episcopal Church has official dialogue, as determined by the Council of the Diocese of Southern Virginia and based on the work of the Standing Commission on Ecumenical Relations of the Protestant Episcopal Church in the United States of America. Each representative is to be appointed by, and his or her status as laity or clergy determined by, the appropriate judicatory leader or body.

#### **ARTICLE V: QUORUM**

1. One half of the total number of Clergy entitled to membership in Council and residing within the geographical boundaries of the Diocese and not listed as retired with the Church Pension Fund and Lay Delegates from at least one half of the total number of Parishes and Organized Missions shall constitute a quorum for the transaction of business, but a smaller number may adjourn to a specific date.

2. In the determination of a quorum each Cure Parish and each Mission Cure shall be considered as a single unit regardless of the number of congregations located within each Cure.

#### **ARTICLE VI: VOTING PROCEDURE**

In all matters before the Council, the Clergy and Laity shall deliberate in one body, and the action of a majority shall give validity to any measure. However upon the request of five (5) members, or where provided for by the Constitution or Canons of the Church, there shall be a vote by Orders. When a vote by Orders is taken, each member of the Clergy and each Lay Delegate shall be entitled to one vote, and a majority of the votes of each Order on a concurrent ballot shall be necessary for a decision.

#### **ARTICLE VII: ELECTION OF BISHOPS**

1. The election of a Bishop, Bishop Coadjutor, or Suffragan Bishop shall be at a regular annual meeting of the Council or at a special Council called for this purpose.

2. The vote shall be by ballot and by Orders, a concurrent majority of the Orders being necessary for election, provided that two thirds of all the Clergy entitled to vote and Lay Delegates from two thirds of all the Parishes and Organized Missions entitled to representation be present, otherwise, two-thirds of the votes of each Order as determined by Article V shall be necessary for election.

#### **ARTICLE VIII: PRESIDENT OF THE COUNCIL**

The Bishop shall be the President of the Council. It shall be his duty to give the Council annually a report of his official acts and a general view of the state of the Church. He may declare his views on any subject after it has been discussed, and before a vote thereon. The Bishop Coadjutor, if there be one, and if there be none, the Suffragan Bishop if there be one, and if there be none the Assistant Bishop if there be one, shall preside in the absence of the Bishop.

In case of a vacancy in the Episcopal office, the Council, immediately upon its assembling, shall choose by joint ballot a President from among the order of Presbyters, who shall remain in office until the next annual Council, or until the next election of a President. If neither the Bishop nor the Bishop Coadjutor nor the Suffragan Bishop nor the Assistant Bishop be present at any meeting of the Council, it shall elect, by ballot, a President pro tempore.

## **ARTICLE IX: DEATH, ABSENCE OR DISABILITY OF BISHOPS**

The Council may provide by canon that upon the death, absence, or disability of the Bishop, and of the Bishop Coadjutor if there be one, the Suffragan Bishop may be placed in charge of the Diocese and become temporarily the Ecclesiastical Authority thereof.

## **ARTICLE X: EXECUTIVE BOARD OF THE DIOCESE**

There shall be an Executive Board of the Diocese constituted as the Canons shall direct and with the authority and duties committed to it in this Constitution and the Canons of the Diocese.

## **ARTICLE XI: SECRETARY OF THE DIOCESE**

The Executive Board of the Diocese shall elect a Secretary of the Diocese, who shall be an adult confirmed communicant in good standing and who shall hold office at the pleasure of the Board. The Secretary shall perform such duties as may be required by the Council and by the Executive Board.

The Secretary may appoint, with the approval of the Executive Board, an Assistant Secretary to assist in the performance of the duties of the office, and to perform the duties thereof in the event of absence or disability of the Secretary.

## **ARTICLE XII: TREASURER OF THE DIOCESE**

The Executive Board shall elect a Treasurer of the Diocese, who shall be an adult confirmed communicant in good standing, and who shall hold office at the pleasure of the Executive Board. The Treasurer shall perform such duties as may be required by the Council and by the Executive Board.

## **ARTICLE XIII: CHANCELLOR AND VICE-CHANCELLORS OF THE DIOCESE**

The Bishop shall nominate and the Council shall elect annually a Chancellor of the Diocese, who shall be an adult confirmed communicant in good standing and an active member of the Virginia State Bar, and who shall continue in office until a successor is elected. The Chancellor may serve for no more than five consecutive years.

The Chancellor shall be the legal advisor to the Bishop, the Standing Committee, and the Executive Board.

With the advice and consent of the Chancellor, the Bishop may nominate and the Council may elect annually Vice Chancellors, who shall assist the Chancellor in discharging the duties of the office. The Vice Chancellors shall have the same qualifications as the Chancellor.

In case of a vacancy in the office of Chancellor, or Vice Chancellor between meetings of Council, the Ecclesiastical Authority may fill such vacancy.

## **ARTICLE XIV: THE HISTORIOGRAPHER OF THE DIOCESE**

The Bishop shall nominate and the Council shall elect annually a Historiographer of the Diocese, who shall be an adult confirmed communicant in good standing and who shall continue in office until a successor is elected. The Historiographer shall serve as archivist as well as the official historian of the Diocese; shall receive, preserve and place for safekeeping, under the direction of the Council or the Bishop, books, papers and other official records and documents bearing upon the history of the Church in the Diocese of Southern Virginia and perform such other duties pertaining to the office as may be required by the Council or Bishop. The Historiographer shall serve as resource person for all historical records and shall annually report to the Council.

In case of a vacancy in the office of Historiographer, between meetings of the Council, the Ecclesiastical Authority may fill such vacancy.

#### **ARTICLE XV: THE STANDING COMMITTEE OF THE DIOCESE**

The Standing Committee of the Diocese shall consist of six members, three of whom shall be of the clerical order entitled to membership in the Council, and three of the lay order who shall be adult confirmed communicants of the Church in this Diocese in good standing.

The Council shall elect annually by ballot one member of each order to serve for a term of three years. Each member of the Standing Committee shall continue to serve until a successor is elected. No person may serve as a member of the Standing Committee for more than three consecutive years, unless filling an unexpired term.

The Standing Committee shall have the authority conferred upon it by the Constitution and Canons of the Episcopal Church and of this Diocese.

Should a vacancy occur more than three months prior to the next scheduled meeting of the Council, the Executive Board may elect a person to fill the unexpired term.

#### **ARTICLE XVI: ADMISSION OF PARISHES AND MISSIONS**

The Council may provide by canon for the admission of new Parishes and Missions into union with the Church in this Diocese.

#### **ARTICLE XVII: APPLICATION OF THE CONSTITUTION AND CANONS**

Every Parish and Mission Church within this Diocese, as now constituted and organized, or which may hereafter be constituted and organized, shall be benefited and bound equally by every rule and canon which shall be framed by any Council acting under this constitution, for the government of this Church.

#### **ARTICLE XVIII: ALTERATIONS AND AMENDMENTS**

This constitution shall not be altered or amended except in the following manner: The proposed alteration or amendment shall be submitted in writing to the annual Council, and if approved by a majority of each order, it shall lie over to the next annual Council, and if then adopted by a majority of each order, such alteration or amendment shall become valid and obligatory; provided, that if less than two thirds of the clergy entitled to vote, and Lay Delegates from less than two thirds of the Parishes and Organized Missions entitled to representation, be present at the final vote, then two thirds of those present and voting of each order shall be necessary for its final adoption.

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**CANONS**  
**of the**  
**EPISCOPAL CHURCH**  
**in the**  
**DIOCESE OF SOUTHERN VIRGINIA**  
**Adopted June 10, 1893, as amended.**

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**CANON I**  
**OF A LIST TO BE MADE OF THE CLERGY IN THE DIOCESE**

SECTION 1. The Ecclesiastical Authority shall prepare and maintain in the Diocesan Office a list of all the Clergy canonically resident in this Diocese with the name of their respective ecclesiastical positions, or, in regard to those who have no ecclesiastical position, their places of residence only, and shall specify in said list those who are entitled to membership in the Council. Such list, as corrected, shall be laid before the Council on the first day of meeting. The list shall be included by the Secretary in the Journal of Council and transmitted to the Secretary of the General Convention.

SECTION 2. The right of any member of the Clergy to membership in the Council shall, if questioned, be determined by the Council according to the Constitution and Canons.

SECTION 3. The Clergy shall attend every meeting of the Council unless excused by the Bishop. All parishes and missions shall pay the expenses of their Clergy for attendance at the Council..

**CANON II**  
**OF LAY DELEGATES**

SECTION 1. Each Parish and Mission in union with Council shall send to the Council the number of Lay Delegates to which it may be entitled, and shall pay their expenses.

SECTION 2. The Delegates and Alternates shall be elected by the Vestry. The election shall be certified, on the form provided by the Diocese, by the Priest in charge and the Register, or if there be no Priest in charge, by one of the Wardens and the Register. The Council shall have the right to receive other evidence of election when such certificate has been lost, or is not in proper form.

SECTION 3. Each Parish and Mission shall transmit the Certificate of election to the Secretary of the Diocese by a date designated by the Ecclesiastical Authority. The Secretary of the Diocese shall prepare a list of the persons so certified, which shall be used in the organization of the Council. Should the right of any lay delegate or alternate to membership be challenged, the matter shall be referred to a committee on credentials.

**CANON III**  
**OF THE DUTIES OF THE SECRETARY**  
**OF THE DIOCESE**

SECTION 1. The Secretary of the Diocese shall record the proceedings of the Council, and have them printed in a journal; preserve its journals and records; attest its public acts; and deliver to a successor all books, papers and records relating to its affairs. The Secretary shall keep a list of the Parishes and Missions entitled to representation in the Council, and publish the same annually in the Journal of Council.

SECTION 2. The Secretary shall give notice, as required by the Constitution, of the time and place of the meeting of the Council, and in case of a vacancy in the office of President of the Council, shall call the Council to order upon its assembling and preside over the same until a President is elected.

SECTION 3. The Secretary of the Diocese shall also be the Secretary of the Executive Board of the Diocese.

SECTION 4. The Secretary of the Diocese shall perform such other duties as are prescribed by the Canons or which by resolution the Council may require.

**CANON IV**  
**OF THE DUTIES OF THE TREASURER**  
**OF THE DIOCESE**

SECTION 1. The Treasurer of the Diocese shall be elected by the Executive Board of the Diocese and shall serve at its discretion

SECTION 2. The Treasurer of the Diocese shall have the authority and the duties as may from time to time be imposed by the Constitution and Canons of the Diocese and the Constitution and Canons of the General Convention of the Episcopal Church of the United States of America. (ECUSA)

SECTION 3. The Treasurer shall be the Chief Financial officer of the Diocese and shall have responsibility for all financial matters affecting or relating to the Diocese.

SECTION 4. The Treasurer shall provide for:

- (a) The deposit of all monies or funds belonging to the Diocese in such banks or places of deposit as the Executive Board of the Diocese may authorize;
- (b) disbursing of all funds;
- (c) the keeping of books of accounts, which shall be open to inspection of the Executive Board of the Diocese.

SECTION 5. The Treasurer shall provide such information relating to the finances of the Diocese and the conduct of the Treasurer's office as may be required by the Executive Board of the Diocese or by Council. The Treasurer shall submit annually to Council a report of the financial state of the Diocese, including the Balance Sheet, the Operating Revenues/ Expense Statement, and the restricted accounts, as of the end of the prior year.

SECTION 6. The Treasurer shall arrange for all accounts for which the Treasurer has responsibility to be audited by a certified independent public accountant or firm of accountants selected by the Executive Board of the Diocese.

SECTION 7. The Treasurer shall assist the Program Budget & Review Committee of the Executive Board in preparing and presenting to the Executive Board the Committee's recommended Diocesan Budget. The Treasurer also shall present to, or arrange for someone to present to, each Convocation and to Council the Executive Board's recommended budget.

SECTION 8. In case of a vacancy in the office of the Treasurer, or in the case of the Treasurer's disability, the Executive Board of the Diocese shall elect an interim Treasurer, and the person so elected shall continue to serve until the Executive Board shall elect a new Treasurer.

SECTION 9. In addition to the Treasurer, the Executive Board of the Diocese may elect a Comptroller of the Diocese who shall, under the general supervision of the Treasurer, serve as the principle agent for the receipts and disbursements of the monies collected by the Diocese.

## **CANON V**

### **OF THE DUTIES OF THE STANDING COMMITTEE**

SECTION 1. In case of a vacancy in the Episcopal Office, the duties of the Bishop as to discipline, except pronouncing sentence of suspension or deposition from the ordained Ministry, shall be performed by the Standing Committee.

SECTION 2. The Standing Committee shall make a report of its proceedings at every Annual Council.

## **CANON VI**

### **OF NOMINATIONS**

SECTION 1. A Diocesan Nominating Committee shall be elected annually by the Executive Board, and be composed of one member of the clergy and one member of the laity from each of the convocations.

SECTION 2. The Committee shall meet and draft a slate of nominations at least sixty days preceding Council. Each member of the Committee shall solicit and report all recommendations for nominations received from the Convocation. The Committee may nominate any person without prior recommendation. No nominations shall be made for any position for which specific provision is made in the Constitution or Canons.

SECTION 3. The Nominating Committee shall submit a slate of persons to include nominees for deputies to the General Convention. In formulating a slate of nominees for the General Convention, the Nominating Committee shall:

- (a) Seek out actively a slate which is representative in terms of sex, race, age, geography, and size of congregation.
- (b) Ensure that at least half the nominees in each order have not served previously as elected deputies.
- (c) As a precondition of nomination, require of each prospective nominee a commitment, if elected, to:
  - (1) Prepare adequately for full participation in the legislative process of the House of Deputies;
  - (2) Attend all sessions of the House unless replaced by a duly certified alternate, or unless prevented for serious cause.
- (d) Present a slate of at least twice as many in each order as necessary to fill deputy and alternate positions.

SECTION 4. The report of the Committee shall include brief biographical information for each person nominated for distribution to council members prior to the council. The report shall not preclude nominations from the floor.

**CANON VII**  
**OF FINANCES**

SECTION 1. Program Budget & Review Committee.

- (a) The Program Budget & Review Committee is a standing committee of the Executive Board of the Diocese and is charged with (1) overseeing the finances of the Diocese, (ii) developing recommendations to be presented to the Executive Board on financial management matters, (iii) after discussion and feedback with the various entities seeking funding, preparing with the Treasurer the annual budget and presenting it to the Executive Board for their approval, and (iv) meeting with the independent auditors to review the annual financial report.
- (b) The Program Budget & Review Committee chairman shall be appointed by the Bishop and confirmed by the Executive Board of the Diocese and serves at the discretion of the Executive Board.
- (c) Each February or when a vacancy exists, upon consultation with the Bishop, the Program Budget & Review Committee chairman shall appoint members to the Program Budget & Review Committee. Members need not be members of the Executive Board. Each member will serve a one-year term and may be reappointed for subsequent one-year terms. A new member's term commences with his appointment. The Program Budget & Review Committee may remove any member for any reason, including failure to contribute to the work of the committee, for lack of attendance or for not keeping the committee's work confidential. *Ex officio* members of the committee include the Bishop, the Treasurer and the Comptroller.

SECTION 2. Budgets.

- (a) On or before November 15 of each year the Program Budget & Review Committee shall submit to the Executive Board its recommendation for the Budget of the Diocese, which shall be based upon the total amount pledged by the Parishes and Missions for support of the Diocesan programs, along with any other revenues.
- (b) The Executive Board may approve or modify the Program Budgets & Review Committee's recommended Budget. Once the Executive Board has approved the Budget, the Treasurer shall submit the recommended Diocesan Budget to Council for final consideration.
- (c) After receiving and considering the Executive Board's recommended Budget, Council shall adopt a balanced Budget for the Diocese.
- (d) From January 1st of each year until Council approves the Budget, the Treasurer is authorized to disburse funds on the basis of the current year's Executive Board-approved Diocesan Budget.

SECTION 3. Funding.

- (a) On or before November 30th of each year, the Treasurer shall provide each Parish and Mission with a recommended apportionment necessary to fund the Executive Board-approved Diocesan Budget. The recommended apportionment shall be based on a proportionate share of the Executive Board-approved Diocesan Budget, using the Parish's prior year's pledge and plate revenues, set forth in its Parochial Report, to determine the recommended pro rata apportionment.
- (b) Each Parish and Mission shall determine its pledge based on the recommended apportionment of the Executive Board.

- (c) On or before the 31st of December of each year, the Treasurer of each Parish and Mission shall certify in writing to the Treasurer of the Diocese, on a form provided by the Diocese, a statement of the amount the Parish or Mission will pledge to the Diocese for support of its total program during the next year. If the Parish or Mission declines to pledge the recommended apportionment, it shall submit to the Treasurer in writing the reason for its inability to do so. Payment on these pledges shall be remitted during the following year to the Diocesan Treasurer in regular monthly installments.

#### SECTION 4 Audits.

- (a) All financial accounts of Diocesan organizations shall be audited at the close of each year by a certified public accountant; provided, however, that if the amount of income for the year as shown by the account shall be less than one hundred thousand dollars, the audit may be made by an independent accountant.
- (b) The financial accounts of the Diocese shall be audited at the close of each year by a certified public accountant named by the Executive Board.
- (c) All Parishes and Missions, and all other institutions affiliated with the Diocese, shall provide the Diocese with a copy of the annual audit report or a letter from an independent accountant summarizing the annual audit report not later than 30 days following the date of such report, and, in any event, not later than September 1 of each year, covering the financial reports of the previous calendar year.
- (d) The Treasurer shall report to the Bishop and the Council all Parishes, Missions and other institutions affiliated with the Diocese failing to provide the annual audit report.
- (e) Upon the departure of a rector, vicar, or clergy-in-charge of a congregation, an audit of all accounts of the congregation shall be prepared at the direction of the vestry, conforming to the accounting practices set forth in the Manual of Finance and Administration of the Diocese of Southern Virginia. This audit shall be made available to the Interim Priest and candidates interviewing for the vacant position.

#### SECTION 5. Discretionary accounts.

All clergy discretionary accounts in the Diocese shall comply with the following Clergy Discretionary Fund Policy:

- (a) The Clergy Discretionary Fund Policy shall apply to all discretionary funds maintained by, for, or on behalf of any bishop, priest and deacon in the Diocese.
- (b) While clergy discretionary fund records shall be maintained in a confidential manner, Clergy discretionary funds are funds which belong to the Diocese or church, and therefore, all receipts and disbursements, along with resulting fund balances, shall be recorded appropriately on the Diocese's or the church's books by the Diocesan Comptroller or Parish Treasurer or Comptroller. All fees and gifts from any source to the discretionary fund must be deposited and recorded on the books of the Diocese or church, and if a separate checking account has been established for a Clergy discretionary fund, may be subsequently transferred to that checking account. No monies from any other source may be deposited directly into the separate checking account. The bank account must be in the name of the Diocese or church, using the Diocese's or church's employer identification number, and not that of the individual clergy member. Clergy must record in writing, with appropriate receipts attached, the purpose of every check drawn on the Clergy discretionary fund account.

- (c) The traditional uses of Clergy discretionary funds are to provide the clergy with funds for gifts to the poor and for charitable and pious purposes.
- (d) All Clergy discretionary funds are classified as restricted funds of the Diocese or church. As a fund of the Diocese or church, Clergy discretionary funds are subject to audit, even if the fund has a separate checking account. The clergy may be permitted to maintain confidentiality as to the recipient of expenditures of the Clergy discretionary fund. The member of the Clergy responsible for Clergy discretionary fund must follow the recordkeeping methods detailed in The Manual of Business Methods in Church Affairs. Clear records of deposits into the fund and expenditures from it are essential to this process. The Parish or Diocesan Treasurer is responsible for auditing at least once annually the Clergy discretionary account.
- (e) Failure to comply with the above may result in Ecclesiastical Discipline or legal action against the clergy violating this Canon.

SECTION 6. Fiscal year.

The fiscal year for the Diocese and the Parishes and Missions shall begin January 1<sup>st</sup> of each year.

**CANON VIII**  
**OF CONVOCATIONS**

SECTION 1. There shall be nine Convocations in the Diocese as follows:

- (a) The First or Eastern Shore Convocation shall consist of the Parishes and Missions in the counties of Accomack and Northampton and the independent cities adjoining said counties.
- (b) The Second or Virginia Beach Convocation shall consist of Parishes and Missions in the City of Virginia Beach, and that portion of Washington Borough in the City of Chesapeake lying east of Military Highway.
- (c) The Third or Norfolk Convocation shall consist of the Parishes and Missions in the City of Norfolk, and the Borough of South Norfolk in the city of Chesapeake, and that portion of Washington Borough in the city of Chesapeake lying west of Military Highway.
- (d) The Fourth Convocation shall consist of the Parishes and Missions in the cities and counties of Suffolk, Franklin, Isle of Wight, Southampton, Chesapeake (with the exception of the boroughs of South Norfolk and Washington) and Portsmouth.
- (e) The Fifth or Jamestown Convocation shall consist of the Parishes and Missions in the Counties of York and James City and the independent cities adjoining said counties.
- (f) The Sixth or Petersburg Convocation shall consist of the Parishes and Missions in the counties of Surry, Sussex, Dinwiddie, Greensville, and Prince George and the independent cities adjoining said counties, including the City of Colonial Heights.
- (g) The Seventh or South Richmond Convocation shall consist of the Parishes and Missions in the Counties of Chesterfield and Powhatan, and the independent cities adjoining said counties, including that part of the City of Richmond lying south of the James River.

- (h) The Eighth Convocation shall consist of the Parishes and Missions in the counties of Amelia, Nottoway, Lunenburg, Brunswick, Cumberland, Prince Edward, Buckingham, Appomattox and that part of Mecklenburg lying east of and including Union Level, and the independent cities adjoining said counties.
- (i) The Ninth or Danville Convocation shall consist of the Parishes and Missions in the counties of Charlotte, Halifax, Pittsylvania, and that part of Mecklenburg lying west of and including Baskerville and the independent cities adjoining said counties.

SECTION 2. In the event churches in a cure are located in different geographical convocations, they may elect to affiliate as a cure with any one of the convocations in which the churches are located.

SECTION 3. The Bishop, at each Annual Council, shall appoint a Dean from the order of Priests resident in each convocation to serve for a one year term. Deans may be reappointed to successive terms. Deans shall not be members of the Executive Board. The Deans shall act as a council of advice to the Bishop, shall be responsible for the arrangements for all intra-diocesan meetings within the convocation and may be given such other directives and responsibilities by the Bishop as he/she may deem appropriate.

## **CANON IX OF THE EXECUTIVE BOARD**

SECTION 1. The Executive Board shall be constituted as follows: the Bishop; the Bishop Coadjutor, if there be one; the Suffragan Bishop, if there be one; the Assistant Bishop, if there be one; one lay and one clergy representative from each Convocation to be elected by ballot by their respective delegates or alternates and clergy at their pre-council convocational meetings for a term of three years and not more than two members at-large Nominated by the Bishop and elected by the Executive Board to serve for one year. A majority of the members shall constitute a quorum. The Treasurer, Secretary and Chancellor shall have a seat and voice at table but no vote. A representative of the Department of Communications and the Presidents of the Episcopal Church Women and Episcopal Youth Community shall be invited to attend meetings of the Executive Board. The administrative staff of the Diocese shall attend meetings as requested by the Bishop.

### SECTION 2.

- (a) The Dean of each Convocation shall be responsible for the appointment of a nominating committee of three persons, one of whom shall be a member of the clergy, which shall nominate at least two persons for each vacancy on the Executive Board whose names shall be made known to that Convocation's Council delegates no less than two weeks before the Pre-Council Convocation meeting at which the election is to take place. Nominations from the floor may be received. All persons so nominated shall, if possible, be present at the meeting and introduced to Council delegates before the voting takes place.
- (b) Whenever a new Convocation is formed, an Executive Board member residing in the newly constituted Convocation shall represent the new Convocation until the term expires.
- (c) The Secretary of the Diocese shall inform the Deans of the Convocations sixty (60) days prior to Council of any vacancies which should be filled by election at Pre-Council Convocation meetings.
- (d) Any member who is absent without reasonable cause from three successive regular meetings shall be presumed to have resigned, and such resignation presumed to have been accepted unless otherwise determined by vote of a majority of the remaining members.

- (e) Upon the death, resignation or removal from the Diocese of any elected member, a successor from the same convocation shall be elected. The Dean of that Convocation shall call a special meeting or poll of the diocesan council delegates to elect a replacement, who shall serve for the remainder of the unexpired term.
- (f) Any elected member who moves from one convocation to another convocation shall continue to serve until the next regular Council. A successor shall be elected from the original convocation by the convocation's delegates to Council for the remainder of the unexpired term.

SECTION 3. The Diocesan Bishop shall be the Chair of the Executive Board and shall preside at all meetings of the Board. Each year, at its initial meeting, the Executive Board shall elect a Vice-Chair from the lay members of the Board, who shall preside at meetings of the Board in the absence of the Bishop.

SECTION 4. The Executive Board shall foster and coordinate the Program of the Diocese and perform such work as shall be committed to it by Council or in these Canons. It shall have the power to expend all sums of money covered by the Diocesan Budget approved by Council. It shall also have power to undertake such work provided for in the Program approved by the Council, or other work under the jurisdiction of the Executive Board, the need for which may have arisen after the action of the Council, when in the judgment of the Executive Board the income and the available funds of the Diocese will warrant. The Board shall hold not less than three meetings in a conciliar year and shall make a report to the Annual Council.

SECTION 5. Members of the Standing Committee and Deans of Convocations shall not be eligible for membership on the Executive Board.

SECTION 6. The Executive Board shall determine the Departments of the Diocese and define the scope of their work. The heads of Departments shall be nominated by the Bishop with the advice and consent of the Executive Board and shall hold office for one year. The Bishop shall be an ex-officio member of each Department. Each Department shall submit a report to the Secretary of the Diocese by December 1st. The report shall include (1) a summary of the work done by the department; (2) a statement of the opportunities for future needs. Each Department shall submit a request for appropriations for the forthcoming year at a time recommended by the Treasurer.

SECTION 7. Upon recommendation of the Bishop, the Executive Board shall elect and determine the salaries of the Diocesan administrative staff. Such salaries shall be included in the detailed budget submitted to the Annual Council.

## **CANON X**

### **OF DEPUTIES TO THE PROVINCIAL SYNOD**

SECTION 1. At Annual Council, following General Convention, there shall be elected by ballot, one member of the clergy, canonically resident in the Diocese, and one lay person, who is an adult confirmed communicant in good standing of this church, domiciled in this Diocese, to serve three year terms as Deputies to Provincial Synod.

SECTION 2. In the year preceding General Convention, there shall be elected one lay person, who is an adult confirmed communicant in good standing of this Church, domiciled in this Diocese, to serve a three year term as Deputy to Provincial Synod.

SECTION 3. One of the elected deputies to Synod shall be appointed by the Bishop to serve a three year term on the Provincial Council.

SECTION 4. Deputies to Provincial Synod are responsible to the Bishop and the Executive Board, and shall report to the Board following Synod meetings, and shall make a written report to the Annual Journal of Council. The representative to Council shall report to the Bishop following meetings of the Provincial Council.

SECTION 5. Expenses of Deputies to Provincial Synod shall be paid from Diocesan funds.

## CANON XI

### OF DEPUTIES TO THE GENERAL CONVENTION

#### SECTION 1.

- (a) In the year prior to each year in which a regular meeting of the General Convention is to be held, the Council shall elect by secret ballot the full number of Clerical and Lay Deputies and Alternates to the General Convention to which this Diocese is entitled under the Constitution of the Episcopal Church and shall pay their expenses.
- (b) In such election, each delegate to Council shall vote for no more than the full number of clerical and lay deputies to be elected. Clerical and lay deputies to General Convention shall be elected by a majority vote as required by Article VI of the Constitution of the Diocese of Southern Virginia. The results shall determine the deputies in each order. Those receiving the next highest number of votes in each order shall be the alternates.
  - (i) At least one of the lay deputies or alternates to General Convention shall be a youth or young adult who is 16 years of age or older at the time of election and 26 years of age or younger on the opening day of the General Convention to which he/she has been elected. If no person in this age group is elected as a deputy or as a 1<sup>st</sup> through 3<sup>rd</sup> alternate, a separate election for 4<sup>th</sup> alternate shall take place at the next Diocesan Council, with at least 2 youth or young adult candidates for this position. Should a youth or young adult be elected as a lay deputy or 1<sup>st</sup> through 3<sup>rd</sup> alternate, the 4<sup>th</sup> lay alternate shall be the next leading vote receiver. The youth's or young adult's expenses shall be paid by the Diocese no matter what position they are elected to.
- (c) The deputy receiving the highest number of votes, whether clerical or lay, shall be designated chairperson of the deputation whose duties shall include: (1) Communicating to the other deputies any matters coming to the attention of the chairperson before, during or after the Convention; (2) Assuring proper voting procedures by the deputation on all matters requiring votes by ballot; (3) Holding such meetings of the deputation, together with the Bishop, as may be necessary or desirable during Convention; (4) Such additional duties as the Bishop may assign to enhance the deputation's effectiveness.

#### SECTION 2.

- (a) The chairperson of the deputation shall report actions taken at General Convention to the Executive Board of the Diocese at the next meeting of the Board following General Convention. The chairperson shall also see that a written report is made for the next journal of Council of the Diocese.
- (b) Deputies shall make themselves available to parishes, missions, and convocations to report on the actions of General Convention.

## CANON XII

### OF THE COMMISSION ON MINISTRY

SECTION 1. There shall be a Commission on Ministry constituted as follows:

- (a) The Diocesan Bishop or such Bishop as may be designated by the ecclesiastical authority.

- (b) Four committees of no more than twelve (12), members each, constituted as follows:
  - 1) Commission on Ministry - Committee on Formation for the Ministry of the Baptized.
  - 2) Commission on Ministry - Committee on Diocesan Formation for Ordination
  - 3) Commission on Ministry - Committee on Seminary and Diaconal Formation for Ordination.
  - 4) Commission on Ministry - Committee on Priests and Deacons.
- (c) Persons nominated by the Bishop and elected by Council including representatives from the Standing Committee. No persons shall serve more than four (4) consecutive years. Terms of membership shall commence on July 1st the year of election and terminate June 30 following.
- (d) The Chairperson of the Commission shall be appointed by the Bishop.
- (e) The Commission on Ministry shall appoint chairpersons of each committee.

SECTION 2. The Commission on Ministry shall perform those functions specified in the National Canons and may organize such committees as it deems necessary to implement its work. The Commission shall report annually to the Diocesan Council.

### **CANON XIII**

#### **OF STATUS OF PARISHES AND MISSIONS**

SECTION 1. The categories of congregations recognized and published in the Diocesan Journal are as follows:

- 1. Parishes
- 2. Cures
- 3. Missions
- 4. Mission Stations
- 5. Ecumenical Communities
- 6. Chapels
- 7. Shrines

SECTION 2. There shall be a Committee on Status of Parishes and Missions composed of three members of the clergy and three lay members nominated by the Bishop and elected annually by the Council who shall serve from the adjournment of one Annual Council to the adjournment of the next, and who shall be eligible for re-election. The Committee, in consultation with the Bishop, shall declare any changes in the status of congregations which do not require Council action. The Chairperson of the Committee shall notify the Secretary of the Diocese immediately of any change in the official status of congregations.

SECTION 3. Whenever the status of a Parish, Organized Mission, or Mission Station is changed for any reason, the privileges and obligations of the affected congregation and the tenure of the clergy shall be in compliance with all canons applicable to such new status.

SECTION 4. On recommendation to the Ecclesiastical Authority by the Committee on Status of Parishes and Missions, a congregation not meeting the minimal requirements of a Mission Station for one year shall have its services of worship discontinued; its members shall be transferred according to their wishes; and all property involved shall be declared abandoned by the committee.

## CANON XIV

### OF PARISHES

SECTION 1. A Parish in union with Council shall:

- (a) Consist of a congregation of not less than 45 adult communicants in good standing.
- (b) Contribute to the operating account of the Diocese as outlined in Canon VII, Section 3.
- (c) Provide for full support of a rector and any additional clergy by maintaining an annually-approved agreement between vestry and clergy which will:
  - 1) Address the issues of clergy compensation and benefits as recommended annually by the Compensation Commission and approved by the Executive Board.
  - 2) Provide a base salary figure not less than the annual Diocesan Minimum Standard as fixed by the Executive Board, which may be adjusted for part-time clergy.
- (d)
  - 1) Provide for Comprehensive Liability insurance coverage as offered by the Church Insurance Company; or, if insured by another carrier, to certify to the Diocesan Insurance Commission and to the Diocesan Treasurer and Canon for Administration that policy provisions are at least equal to the coverage offered by the Church Insurance Company and that all parish clergy, lay employees and appropriate volunteers have had background checks and training consonant with that prescribed by the Church Insurance Company as a requirement for its coverage.
  - 2) It will be the responsibility of the Diocesan Insurance Commission and the Diocesan Treasurer and the Diocesan Administrator to ascertain that all congregations have complied with the requirements of this Canon.
- (e) Provide for all its other operating expenses and obligations.

SECTION 2. Cures: A Cure is a combination of congregations which together satisfy the requirements defined for a parish or a mission.

- (a) When two or more congregations in the Diocese wish to become joined together in a Cure for the enhancement of their mission and ministry and for mutual support, the member of the clergy in charge (if any) and the wardens shall first seek the advice and obtain the consent of the Ecclesiastical Authority.
- (b) The Vestry of each congregation shall then pass a resolution to be presented to the respective congregations.

- (c) At a meeting of each congregation, announced at least two weeks in advance to all members by mail, a two-thirds majority of those present must approve the plan.
  
- (d) The plan shall include:
  - 1) The names of the congregations involved
  - 2) The name of the proposed Cure
  - 3) The effective date of the relationship
  - 4) The proposed budget of the Cure
  - 5) A clear procedure for negotiating with and calling clergy, including the status of the clergy presently serving the congregations involved
  - 6) Documentation showing that the new Cure will satisfy canonical requirements for a parish or a mission.
  - 7) If diocesan support is anticipated, a plan shall be presented showing when and how the Cure will become self-supporting
  - 8) A statement demonstrating how this relationship will enhance the mission and ministry of the congregation
  
- (e) The minutes of such vestry and congregational meetings, including the plan of joining, duly certified by the Clergy in Charge (if any) and the Wardens and Register of each congregation, shall be forwarded to the Ecclesiastical Authority with a petition requesting permission for the joining. Each congregation shall give separate approval and file a separate petition and statement.
  - 1) The petition shall include the following:
    - (a) Reasons for establishing the cure
    - (b) Accurate number of confirmed adult communicants in good standing
    - (c) List of all properties and resources
    - (d) Statement of compliance with Canon XIV, SECTION 4, of the Diocesan Canons
  
- (f) These petitions with supporting documents shall be forwarded to the Ecclesiastical Authority at least ninety days prior to the convening of the next Annual Council of the Diocese. The Ecclesiastical Authority shall forward same to the Committee on the Status of Parishes and Missions with any recommendations at least sixty days prior to convening of the next Annual Council.
  
- (g) As an early order of business, if necessary consents have been given, the new Cure relationship will be announced at Council.
  
- (h) All the canons regarding Cures shall apply.

- (i) Any change or dissolution of the Cure shall require all of the above steps and permissions, with special care given to the welfare of the remaining congregations and clergy.
- (j) The relationship shall be evaluated by all concerned every five years.
- (k) This canon, where appropriate, shall apply to all existing Cures.

SECTION 3. Any Mission congregation or combination of congregations able to comply with the requirements for Parish status as defined in Section 1 or 2 of this Canon may apply to Council for Parish status in union with the Council by the following procedure:

- (a) At a duly called meeting of the congregation announced at least two weeks in advance, for the purpose of considering application for Parish status in union with the Council, a majority of the members present shall go on record as requesting that Parish status be granted at the next meeting of the Diocesan Council. A statement of the action taken at such meeting duly certified by the member of the clergy in charge, if there be one, and by the wardens or one warden and the register, shall be forwarded to the Ecclesiastical Authority with a petition requesting Parish status. In case two or more congregations are involved the separate approval of each shall be required and each shall file a separate petition and statement.
- (b) The requested petition shall be in the following words:

We, the undersigned, being adult confirmed communicants in good standing of (Name), (state whether mission station, parochial mission, or organized mission) Mission, situated in the City/County of \_\_\_\_\_, Commonwealth of Virginia, desiring that this Mission be accepted as a (part with \_\_\_\_\_ Mission of a Cure) Parish in union with the Council of the Diocese of Southern Virginia, do hereby request that such status be recognized by the Diocesan Council, to assemble in (Place) on (Date).

WITNESS our hands this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord \_\_\_\_.

Signed by: Member of clergy in charge, if any, and officers and majority of the Vestry or Mission Committee.

Attached are:

- 1) Certification of action taken at a duly called congregational meeting as required by Canon XIV, Section 4(a).
- 2) Satisfactory evidence setting forth in detail the congregation's ability to comply with the requirements for Parish status as set forth in Section 1 of said Canon.
- (c) This petition with accompanying papers shall be forwarded to the Ecclesiastical Authority and the Diocesan Committee on Status of Parishes and Missions at least 30 days prior to the convening of the next Diocesan Council. The Committee on Status of Parishes and Missions will provide a written recommendation to the Ecclesiastical Authority at least 10 days prior to the convening of Council.

- (d) As an early order of business the Diocesan Council shall act upon such petition, which shall be submitted by the Committee on Status of Parishes and Missions with its recommendation.
- (e) If the application be approved by majority vote of the Council, such congregation or congregations shall be entitled to parish status effective immediately. The Secretary of the Diocese shall notify in writing the wardens and the member of the clergy in charge of the action of the Council.

**CANON XV**  
**OF MISSIONS**

SECTION 1. Jurisdiction:

- (a) The Missionary Work of the Diocese shall be under the jurisdiction of the Ecclesiastical Authority.
- (b) The Ecclesiastical Authority may appoint and remove from office Archdeacons for the Diocese and may delegate such responsibilities, administrative duties and authority as may be necessary to accomplish the missionary work of the Diocese.
- (c) The approval of the Ecclesiastical Authority and the Department of Mission shall be secured prior to the permanent location of new mission work.

SECTION 2. The Establishment of Missions:

- (a) The Ecclesiastical Authority may give consent to or arrange for regular services by a member of the clergy or lay leaders at any place under the jurisdiction of the Bishop. Such a congregation may be recognized by the Ecclesiastical Authority as a Mission Station or as a Mission if it meets the requirements of Section 4
- (b) Prior to the adoption of an official name for such a congregation the approval of the Ecclesiastical Authority shall be obtained.
- (c) The Ecclesiastical Authority shall give notice of the establishment of any congregations, together with the approved names, and the names of the members of the clergy in charge (and/or the names of the lay leaders), to both the Secretary of the Diocese and the secretary of the Committee on the Status of Parishes and Missions, and shall also report to the next Council.

SECTION 3. Mission Station:

- (a) Any congregation which has three or more adult confirmed communicants in good standing, but which fails to qualify as a Mission, shall be designated a Mission Station under the supervision of the Archdeacon, or some other person appointed by the Ecclesiastical Authority.
- (b) A Mission Station may send one representative with seat, voice and vote to the Diocesan Council.

- (c) The Ecclesiastical Authority shall appoint a warden annually from the adult confirmed communicants in good standing of the Mission Station. A Mission Station may be supported by a Parish. The Rector and Vestry of the sponsoring parish may be delegated responsibility for supervision of the affairs of the Mission Station by the Ecclesiastical Authority. The Ecclesiastical Authority may also delegate responsibility for a Mission Station to a Vicar, Warden, or a Committee of the Mission Station that may be recommended by the Rector and Vestry of the parish and approved by the Ecclesiastical Authority.
- (d) Each Mission Station shall participate in a responsible manner in the life of the Diocese through regular remittances to the Diocesan Budget.
- (e) Every Mission Station shall hold a public service of worship on at least twenty (20) Sundays annually, at least three (3) of which shall be celebrations of the Holy Eucharist.
- (f) Every Mission Station shall be responsible for maintaining its buildings and grounds in good condition.
- (g) The Committee on Status of Parishes and Missions shall review annually each Mission Station's compliance with this canon.

#### SECTION 4. Mission:

- (a) A mission in union with Council shall:
  - 1) Consist of a congregation of not less than 15 adult confirmed communicants in good standing;
  - 2) Hold weekly services;
  - 3) Contribute to the operating account of the Diocese as outlined in Canon VII, Section 3;
  - 4) Provide its share of operating expenses, including the support of a Vicar, as approved by the Ecclesiastical Authority and the Department of Mission
- (b) A mission station able to comply with the requirements outlined in this Canon may apply for mission status in union with the Council by the following procedure:
  - 1) The petition shall include the following:
    - (a) The name by which the Mission is to be known.
    - (b) The location.
    - (c) The amount which the proposed Mission agrees to contribute to its own support, and to the Diocesan Budget.
    - (d) Documentation that the proposed Mission meets the membership requirements of this Canon.
  - 2) The petition shall be in the following words:

“We, the undersigned being adult confirmed communicants in good standing of \_\_\_\_\_ a Mission Station of \_\_\_\_\_ (state whether the Department of Mission, or name of Sponsoring Parish) in the City/County of \_\_\_\_\_, Commonwealth of Virginia, desiring that this Mission be accepted as an Organized Mission in union with the Council of the Diocese of Southern Virginia, do hereby request that such status be recognized by the Council to assemble in \_\_\_\_\_ on \_\_\_\_\_. Documents furnishing information required are attached.

WITNESS our hands this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord \_\_\_.”

Signed by: Member of clergy in charge, if any, and officers and majority of Mission Station’s confirmed communicants.

- 3) The petition shall be submitted to the Ecclesiastical Authority at least 30 days prior to the convening of the next Council. The Ecclesiastical Authority shall forward the same to the Diocesan Committee on the Status of Parishes and Missions, together with written recommendation, at least 10 days prior to the convening of the Council.
  - 4) As an early order of business the Diocesan Council shall act upon such petition, which shall be submitted by the Committee on the Status of Parishes and Missions with its recommendation.
  - 5) If the application be approved by majority vote of the Council, such Mission shall be entitled to all rights applying to such status with the representative in Council becoming a delegate with voice, seat, and vote. The Secretary of the Diocese shall notify the wardens and the member of the clergy in charge, in writing of the action of the Council.
- (c) A Mission Station recognized and received into union with the Council as a Mission, shall elect a Vestry in accordance with Canon XVII.

#### SECTION 5. Ecumenical Communities

- (a) An ecumenical community in union with Council may be established by the Department of Mission for the purpose of sharing congregational life and ministry with other denominations.
- (b) A covenant approved by the Department of Mission and the Ecclesiastical Authority shall establish the procedure by which the ecumenical community shall be formed and the structure by which it will operate.
- (c) The ecumenical community shall contribute to the operating account of the diocese, as outlined in Canon VII Section 3.
- (d) The vestry may meet in common session with the governing bodies of the non-Episcopal components. The canonical responsibilities and authority of the Vestry may be waived or modified by the Ecclesiastical Authority for the purposes of shared and practical leadership.

- (e) The Episcopal member of the Clergy shall be appointed by the Ecclesiastical Authority.

SECTION 6. Chapels and Shrines:

- (a) Chapels and Shrines. A Chapel and a Shrine shall be recognized as classifications of Churches.
- (b) A Chapel is a place of regular worship without any members. Where a mission serves essentially a seasonal congregation and where all the persons to which it ministers remain members of other congregations, it shall be designated a Chapel. Such Chapels may be sponsored either by the Diocese or by a Parish.
- (c) Shrines are preserved church buildings in which an annual service may be held. Trustees nominated by the Ecclesiastical Authority and appointed by the courts are responsible for the maintenance of the buildings, grounds, and cemeteries.

SECTION 7. Appointment and Removal of Vicars:

- (a) Appointment and removal of a Vicar from any Mission Station, Mission or Ecumenical Community shall be vested in the Ecclesiastical Authority. A parish that is supporting a Mission Station or Mission may make recommendations concerning the appointment or removal of a Vicar to the Ecclesiastical Authority.

SECTION 8. Sexual Misconduct Insurance.

Provisions must be made by all missions, which shall include Mission Stations, Missions, and Ecumenical Communities, for Comprehensive Sexual Misconduct Liability Insurance coverage as required for parishes in CANON XIV, SECTION 1, PARAGRAPH (d).

**CANON XVI**

**OF THE CONSOLIDATION OF CONGREGATIONS**

If two or more congregations of this Diocese shall desire to consolidate, or if any existing congregation shall desire to come under the direction of the Rector or Vestry of another congregation, the following procedure shall be followed:

- (a) At a meeting of each separate congregation announced at least two weeks in advance, a two-thirds majority of the qualified members present and voting shall request the consolidation and shall approve the Plan of Consolidation. This Plan of Consolidation shall be binding upon the new congregation and the Vestry thereof.
- (b) The Plan of Consolidation shall include:
  - 1) The name and location of the new congregation.
  - 2) The effective date of the consolidation.
  - 3) A statement of the disposition to be made of the properties and resources of the congregations.
  - 4) A proposed budget for the new congregation.

- 5) Details of agreements concerning the future status of clergy, vestries and other personnel involved.
  - 6) Documentation that the new congregation will meet the requirements for a parish as required by the Canons of this Diocese.
- (c) The minutes of such meetings, including the Plan of Consolidation, duly certified by the member of the clergy in charge if there be one, and by the wardens or one warden and the Register of each congregation, shall be forwarded to the Ecclesiastical Authority with a petition requesting that permission for the consolidation be granted. Each congregation shall give separate approval and each shall file a separate petition and statement.
  - (d) The petitions shall also include the following information:
    - 1) The reasons for the proposed consolidation.
    - 2) An accurate description of the number of adult confirmed communicants in good standing and of the properties and resources involved.
    - 3) A statement of compliance with Canon XIV, Section 1, of the Canons of the Diocese.
  - (e) The petitions, with any supporting documents, shall be forwarded to the Ecclesiastical Authority at least sixty (60) days prior to the convening of the next Annual Council of the Diocese. The Ecclesiastical Authority shall forward same to the Committee on the Status of Parishes and Missions, with any recommendations, at least thirty (30) days prior to the convening of the next Annual Council.
  - (f) As an early order of business the Council shall act upon the petitions submitted to it by the Committee on the Status of Parishes and Missions with its recommendations.
  - (g) If the petitions are approved by the Council, the Secretary of the Diocese shall notify in writing, the wardens and the members of the clergy in charge of the congregations of the action of the Council. The consolidation shall be effective upon the adjournment of the Council or upon the date as stated in the Plan of Consolidation.

## CANON XVII

### OF THE ELECTION AND MEETINGS OF VESTRIES

#### SECTION 1. Election of Vestry Members.

- (a) Each Parish and Mission shall have an annual congregational meeting at which the election by secret ballot of Vestry members shall take place. A Vestry shall include the member of the clergy in charge and not fewer than three nor more than eighteen adult confirmed communicants in good standing qualified to vote as defined in Section 2. Those elected to the Vestry shall remain in office until their successors are chosen and qualified.
- (b) The rotating Vestry system is prescribed for each congregation. In establishing the rotating Vestry system the electors shall elect one-third of the total number to serve a term of three years, one-third to serve a term of two years, one-third to serve a term of one year; and thereafter, shall elect

annually one-third of the total number of the Vestry to serve a term of three years; after serving a term of three years, persons are ineligible for election for at least one year.

- (c) Before balloting begins, a congregation may adopt a two-year system of rotation. At the time of election, one half the number of persons shall be elected for a term of two years and the remainder for a term of one year. Thereafter, one-half the number of the Vestry shall be elected for a term of two years. After serving a term of two years, persons are ineligible for election for at least one year.
- (d) The Vestry members so elected shall take office the first of January following; or, if the election be subsequent to that date, immediately upon election. The number elected shall be the same as for the preceding year, unless changed by a majority vote of the electors before balloting begins.
- (e) When three persons, eligible as Vestry members cannot be found to serve, the electors assembled, may make such provisions as they deem proper for the management of the temporal affairs of the Parish or Mission, until such time as a Vestry may be elected, and qualified.

#### SECTION 2. Qualifications of Electors.

All adult communicants in good standing as prescribed by Title I, Canon 17, Section as 1 and 2 of the Constitution of the National Episcopal Church, who are enrolled confirmed communicants of the congregation and regular participants in its corporate worship, unless prevented by sickness or other sufficient cause, shall be entitled to vote. Votes may be cast only by electors present in person at a meeting of the congregation, with the following exception: upon the authorization of the Vestry, absentee first ballots may be used by members who are identified by the rector or other clergy-in-charge, or in the case of a vacant congregation, by the senior warden, as unable to attend the annual congregational meeting because of illness or other physical infirmity.

#### SECTION 3. Place and Time of Election.

The election shall take place in the usual place of worship, or at some other convenient place. The time and place of the election shall be fixed by the Vestry. If the Vestry fails to act at least two weeks before the second Monday in Advent, the member of the clergy in charge, or if there be none, the wardens may fix the time and place. In case no provision for an election is made, as provided herein prior to the 20th day of December, any three electors may bring the matter to the Bishop, who may order an election at a certain time and place.

#### SECTION 4. Notice of the Election.

Due notice of the time and place of the election shall be given at least two weeks prior to the election: at all corporate worship on the two Sundays preceding; and/or by mail to all electors as far as practicable; and/or by posting at the front door of the place of worship.

#### SECTION 5. Judges of the Election.

The Vestry shall appoint three persons, not more than two of whom shall be Vestry members, to serve as judges of the election. If no such judges be appointed, the Chairperson of the meeting shall appoint three electors to act as judges. The judges shall decide the qualifications of electors, and of those elected to the Vestry. The Secretary of the meeting, if there be one, otherwise the judges of the election, shall certify to the Register of the Vestry the result of the election, and such certification shall be recorded in the minutes of the Vestry.

#### SECTION 6. Two or More Congregations in One Cure.

Each congregation of a Mission shall elect separately from its own membership its Vestry, of not less than three nor more than twelve persons. In addition there shall be a Vestry of the Cure composed of representatives from each congregation. The total number of persons on the Cure Vestry shall originally be determined by a meeting of the wardens of all congregations, together with the member of the clergy in charge. Thereafter the number shall be fixed by the Cure Vestry, but the total shall at no time exceed eighteen. Representation on the Cure Vestry shall be

proportionate to each congregation's number of adult confirmed communicants in good standing. The Vestry of each congregation, together with the member of the clergy in charge, shall have charge of the temporal affairs of that congregation only. The Vestry of the Cure, together with the member of the clergy in charge, shall have charge of matters pertaining to the Cure as a whole. Each Cure Vestry shall elect a Cure Senior Warden from the Cure Vestry, and a Register, and a Treasurer. The Treasurer shall receive funds from the congregations of the Cure to pay the expenses of the clergy of the Cure, including but not limited to salary, housing and utilities, pension, life, and hospital insurance, office and automobile allowance. Each congregation shall be entitled to the same representation in Council to which it would be entitled if it were a separate organized mission.

#### SECTION 7. Vestry Meetings.

- (a) As soon as practicable after January 1st following the election; or, if not elected until after January 1st, as soon as practicable after their election, the Vestry shall assemble at such time and place as the member of the clergy in charge shall appoint, and shall organize the Vestry. The Register and Treasurer of the former Vestry shall attend.
- (b) Other meetings of the Vestry shall be held at such times as the Vestry may prescribe, and may be held at any time upon the call of the member of the clergy-in-charge or of any two Vestry members.
- (c) All members of the Vestry, including the member of the clergy in charge, shall be given reasonable notice of each vestry meeting other than regularly prescribed meetings.
- (d) The member of the clergy in charge shall be entitled to vote as a member of the Vestry, and shall preside at all meetings unless having appointed one of the Wardens to preside.
- (e) At all meetings of the Vestry a majority of the qualified members shall constitute a quorum.

#### SECTION 8. Qualifying Declaration.

Before assuming office every person chosen as a member of the Vestry, shall qualify by subscribing to the following declaration:

I do believe Holy Scripture to contain all things necessary to salvation; and I do solemnly engage to conform to the doctrine, discipline, and worship of the Episcopal Church; and I promise that I will faithfully serve as a member of the Vestry of \_\_Parish (or Mission) in \_\_\_\_\_ County (or City), according to my best knowledge and skill.

#### SECTION 9. Officers of the Vestry.

The Vestry shall elect two Wardens, a Register and a Treasurer, who shall continue in office until their successors are elected. The Warden shall be members of the Vestry, and the Register and Treasurer shall fill the qualifications of electors in Section 2.

#### SECTION 10. Filling Vacancies.

Vacancies in the Vestry may be filled at any meeting by the remaining members. No one shall be elected without receiving the votes of a majority of the members of the vestry.

#### SECTION 11. Removal of Members of the Vestry.

Any member who is absent without reasonable cause from three successive regular meetings shall be presumed to have resigned, and that such resignation presumed to have been accepted, unless otherwise determined by vote of a majority of the remaining members.

## **CANON XVIII**

### **OF THE DUTIES OF VESTRIES**

SECTION 1. It shall be the duty of a Parish Vestry to elect a Rector. All Vestries shall cooperate with the member of the clergy in charge for the promotion of the spiritual welfare of the cure; shall see that the member of the clergy in charge is properly supported, and that salaries and pension fund premiums be paid with regularity and punctuality; and shall inform the Diocese on or before December 31st each year of the amount pledged toward the operating account of the Diocese and to see that the pledged sum is remitted to the Treasurer in regular installments. Further, it shall be the duty of all vestries to make and execute all contracts for the erection, furnishing and preservation of the church edifice and other church property; to regulate the use of the Parish graveyard; to make proper provision for sacred music, subject to the control of the Rector; to provide for the appointment of trustees under the code of Virginia to hold the legal title to the Church property; and generally to act as agents of the Parish or Mission in its temporal business.

SECTION 2. It shall be the joint duty of the Rector and Vestry of a Parish, or the member of the clergy in charge and Vestry of a mission, to submit to the Bishop by the 1st of March the Annual Parochial Report for the preceding year and additional Parish data as required for the Journal of Council. Failure to do so shall result in the Parish being denied vote, but not seat and voice, for their delegates at the subsequent council until such Parochial Report has been submitted to the Bishop.

SECTION 3. It shall be the duty of the Vestry, when the position of Rector of a parish becomes vacant to give notice to the Bishop, or if there be no Bishop, to the President of the Standing Committee.

SECTION 4. It shall be the duty of the Vestry to provide all lay employees, who work a minimum of 1,000 hours annually, retirement benefits through participation in the Episcopal Church Lay Employees Retirement Plan (ECLERP), or an equivalent plan, the provisions of which are at least equal to those of ECLERP; and participation in such a plan shall commence no later than January 1, 1993.

## **CANON XIX**

### **OF THE DUTIES OF WARDENS AND OTHER PARISH OFFICERS**

SECTION 1. It is the duty of the Wardens to oversee church property and its use: to see that it is prepared for all occasions of public worship; to see that it is properly maintained and cleaned; to see that offerings are collected; to see that sacred vessels are cared for and safely kept; to see that, under Vestry direction, Parish Funds are used to provide the Eucharistic elements as well as an adequate supply of books and vestments for public worship; to assist in the seating of the congregation; and to maintain order and decorum during worship.

SECTION 2. It is the duty of the Register to care for the Parish Records, and to keep minutes of all Vestry proceedings. Where there is no Rector, it is the Register's duty to maintain the Church Register, recording all baptisms, confirmations, marriages, deaths and funerals, and to keep all necessary membership records and the annual parochial report.

SECTION 3. It is the duty of the Treasurer to take charge of all offerings and other income, whether for operating expenses or designated for special purposes, except communion alms as outlined in the National Canons, and to disburse these funds under the Vestry's direction. The Treasurer shall make a report thereof to the Vestry.

**CANON XX**

**OF THE CARE TO BE EXERCISED IN THE  
ENROLLMENT OF COMMUNICANTS**

All clergy shall be careful in the enrollment of communicants, and shall require, as far as practicable, that communicants removing from one Parish or Mission to another shall conform to the National Canons.

**CANON XXI**

**OF THE DUTIES OF MEMBERS OF THE CHURCH**

The members of this Church shall conform to its teachings and to the creed upon which it is founded. They shall, as far as in them lies, live in the exercise of those Christian principles and duties prescribed in the Holy Scriptures and illustrated in the Book of Common Prayer. They shall instruct their families and those dependent on them in the like duties and principles, both by example and precept. Further, they shall use all sober and godly conversation, shall daily exercise family worship, be charitable in act and word, and shall celebrate and keep holy the Lord's day, giving all due attention to corporate worship.

**CANON XXII**

**OF THE ECCLESIASTICAL COURT**

SECTION 1. There is hereby established an Ecclesiastical Trial Court in and for the Diocese of Southern Virginia.

SECTION 2.

- (a) The Ecclesiastical Trial Court Shall consist of five (5) members of the clergy and four (4) lay persons. All members of the Court must be persons canonically resident within the Diocese.
- (b) At the winter meeting of each Annual Diocesan Council three persons shall be elected to serve on the Ecclesiastical Trial Court for a term of three years. Persons elected shall be from each order as needed to maintain the required make up of the Court. (At the inception, nine members shall be elected, three to serve one (1) year, three to serve two (2) years, and three to serve three (3) years.
- (c) Vacancies occurring within the membership of the court shall be filled by majority vote of the remaining members of the Court. Persons elected to fill a vacancy must be from the same order as the person they replace. Vacancies must be filled within three months of notification of the vacancy unless sooner required by other provisions of National or Diocesan Canons.
- (d) Within two months following each winter meeting of the Annual Diocesan Council, the member of the Ecclesiastical Trial Court shall elect from among themselves by majority vote one person to serve as Presiding Judge for a one year term.
- (e) Within three months following each winter meeting of the Annual Diocesan Council, the members of the Court shall appoint a duly licensed attorney to serve as Church Attorney for a one year term.
- (f) All persons elected or appointed under this section are eligible to be reelected or reappointed upon the expiration of their terms.

SECTION 3.

- (a) Charges for which a Member of the Clergy may be made to stand trial are contained in the Canons of the Episcopal Church.

- (b) The mode and manner of making charges, securing presentments, and of conducting trials shall be as established in the Canons of the Episcopal Church.

SECTION 4. The provisions of Title IV of the National Canons as revised in September 1994 which refer to Ecclesiastical Discipline and the powers, duties and procedures of the Ecclesiastical Court hereby adopted by reference just as if said provisions had taken effect immediately.

### **CANON XXIII**

#### **OF THE TRIAL OF A MEMBER OF THE LAITY AFTER BEING REFUSED COMMUNION**

SECTION 1. If any person who has been refused Communion shall allege to the Bishop

- (a) that injustice has been done; or
- (b) that the refusal has continued in spite of the professed willingness of the person to comply with the requirements set forth in the Rubric regarding restoration to Communion; a complaint may be presented in writing to the Bishop requesting restoration to Communion.

SECTION 2. The Bishop may restore the communicant due to the insufficiency to the cause assigned by the member of the clergy; or the Bishop may nominate two members of the clergy and two members of the laity; the member of the clergy refusing Communion shall select one of the clergy so nominated, and the communicant one of the laity so nominated, whose duty it shall be to take evidence in the case. The evidence of such witnesses as may be called by either of the parties shall be taken without delay, under oath and in writing, and shall then be certified to the Bishop.

SECTION 3. The Bishop shall judge the case unless further evidence is deemed necessary by the Bishop. Such further evidence shall be obtained and certified either by the same commission or by another appointed in the same manner, as the Bishop may direct, and having obtained such evidence, the Bishop shall judge the case.

SECTION 4. The Bishop shall communicate the judgment to both the member of the clergy refusing Communion and to the communicant so refused. The judgment shall be final if the communicant is restored. If a further continuance of the refusal is ordered, it shall be subject to all the conditions and provisions of the Rubric.

### **CANON XXIV**

#### **OF THE CHURCH PENSION FUND**

SECTION 1. In conformity with the resolutions adopted by the General Convention of 1913, setting forth the principles upon which a pension system for the clergy of the Church and their dependents should be construed, and pursuant to which the corporation entitled the Church Pension Fund was created to effect these principles, the Diocese of Southern Virginia hereby participates in the Church Pension Fund.

SECTION 2. The Ecclesiastical Authority of the Diocese shall appoint annually, a Church Pension Commission, consisting of one member of the clergy, two lay members, and the Diocesan Bishop, who shall be an "ex-officio" member. The duties of this Commission shall be as follows:

- (a) Through the Treasurer of the Diocese, to receive from the Trustees of the Southern Virginia Diocesan Foundation the income designated as The Diocesan Pension Fund (formerly Church Pension Fund), derived from the Disabled Clergy Fund, the Widows and Orphans Fund, and remittances from other sources.
- (b) Through the Treasurer of the Diocese, receive and safely keep such other funds as shall be received from the Trustees of the Southern Virginia Diocesan Foundation, or from others.

- (c) Through the Treasurer of the Diocese, to disburse funds, in the form of grants, to such beneficiaries as the Commission shall deem to be in need of the same, priority being given to disabled clergy, clergy widows and orphans of clergy.
- (d) Through its chairman, to file a written report with Council on the activities of the Commission, including a financial report of its income and expenses, and any pertinent information received from the Diocesan Pension Fund.
- (e) Through the Diocesan offices, to inform the clergy and laity of the Diocese of the pension system created by the General Convention and committed by it to the operation of the Church Pension Fund.

SECTION 3. The Treasurer of the Diocese shall make annual payment to the Church Pension Fund of the premiums payable on behalf of the Bishop of the Diocese, and also of the Bishop Coadjutor and the Suffragan Bishops if there be such, and on behalf of all clergy whose stipends are paid directly by the Diocese.

SECTION 4. The Department of Mission shall provide for the payment of the premiums payable on all stipends of clergy paid by it.

SECTION 5. After December 1st of each year the Bishop, or with the consent of the Bishop, the Treasurer of the Diocese, shall arrange for payment from any available funds all or any part of the current Church Pension Fund premiums due on behalf of any member of the clergy; where such payment may be deemed necessary to protect the interests, actual or provisional, of other clergy of this Diocese or their families; such payment shall be accounted for under Canon XIII as Diocesan aid to the Cure of which the member of the clergy has charge.

## **CANON XXV**

### **OF ABANDONED PROPERTY**

SECTION 1. Whenever any real property, formerly owned or used by any congregation of the Episcopal Church in the Diocese of Southern Virginia, for any purpose for which religious congregations are authorized to hold property under the provisions of the Code of Virginia, has ceased to be used by such congregation, the Executive Board of the Diocese, after receiving a recommendation from the Committee on Status of Parishes and Missions, shall have the authority to declare any such property abandoned and be entitled to take charge and custody on behalf of the Diocese. Title thereafter shall vest in the Trustees of the Diocese.

SECTION 2. It shall be the duty of the Executive Board of the Diocese to make an early disposition of all abandoned property. When the Executive Board deems it desirable to sell any such property, it shall cause to be instituted such proceedings as required by the laws of the Commonwealth of Virginia. The proceeds of any such sale shall be turned over to the Treasurer of the Diocese to be used in such manner as the Executive Board may prescribe.

SECTION 3. Any church building which has been three years abandoned, without prospect of immediate rental or sale to another congregation, and without reason to be declared a Shrine under Diocesan responsibility, shall be razed.

SECTION 4. Whenever any Parish, Diocesan Mission or Chapel shall have been declared abandoned, the communion vessels, church records, and other personal property and contents shall be placed under the custody of the Ecclesiastical Authority. Any cash or any proceeds of the sale of such personal property over to the Treasurer of the Diocese to be used in such a manner as the Executive Board may prescribe.

## **CANON XXVI**

### **OF CHURCH AND DIOCESAN PROPERTY**

SECTION 1. No church building, or any improvement on or to property owned by the church, costing more than \$50,000, shall be constructed in this Diocese on any property owned by the Diocese until title to such property has been approved by the Chancellor or the Vice Chancellor of the Diocese.

SECTION 2. The Executive Board of the Diocese may alienate or encumber, any real property owned by the Diocese and may donate such property for Diocesan, parochial or other religious work.

SECTION 3. In accordance with the laws of Virginia, the Executive Board of the Diocese shall have the authority to appoint Trustees to hold title to any Diocesan property.

SECTION 4. In the event of a vacancy in the Episcopal Office, the Standing Committee shall have authority, after obtaining the written advice of the Chancellor, to give the written consent to alienate or encumber real property as prescribed by National Canons.

## **CANON XXVII**

### **OF CHURCH INDEBTEDNESS AND ALIENATION OR ENCUMBRANCE OF PROPERTY**

SECTION 1. The Council shall elect annually, from nominations made by the Bishop, a Commission of six persons, two members of the clergy and three lay members experienced in finance, who, along with the Treasurer of the Diocese, shall constitute the Commission on Church Indebtedness.

SECTION 2. All grants sought by a parish or mission, and all indebtedness to be incurred by them, shall require the approval of the Bishop and the Standing Committee, acting on the advice of the Committee on Church Indebtedness, except:

- (a) Indebtedness for permanent improvements, replacements or additions to real estate or equipment, where the total indebtedness of the parish or mission, shall not exceed one hundred and fifty percent of its average annual receipts during the past three years.
- (b) Indebtedness for current expenses where the total of such indebtedness shall not exceed twenty percent of the total current revenues of such parish or mission during the preceding fiscal year.
- (c) In computing receipts under paragraphs (a) and (b) of this section, receipts from or for endowments or from bequests shall not be included.

SECTION 3. Under circumstances requiring approval of debt, such approval shall not be granted unless the payment of all such indebtedness shall be specified in a plan of amortization or other method of payment submitted with the application and approved by the lender.

SECTION 4. When the Vestry or Mission Committee shall deem it expedient to alienate or encumber real property belonging to the parish or mission, the consent of the Bishop and Standing Committee, acting on the advice of the Commission on Church Indebtedness if an encumbrance is proposed, shall be obtained in the following manner:

- (a) The resolution to alienate or encumber shall be adopted by a majority of the Vestry or Mission Committee.

- (b) Copies of a resolution to alienate shall be forwarded separately to the Bishop and Standing Committee by the Register together with a statement containing the reasons for alienation, the price to be obtained, and the proposed disposition of the proceeds.
- (c) Copies of a resolution to encumber shall be forwarded separately to the Bishop and the Standing Committee and the Commission on Church Indebtedness by the Register together with a statement of the current financial condition of the parish or mission, the amount of the proposed encumbrance, the rate of interest to be paid, the necessity for the encumbrance, the proposed use of the proceeds, and the method of repayment.
- (d) When the Bishop and the Standing Committee have approved the alienation of the real estate and the proposed disposition of the proceeds, and the Vestry or Mission Committee shall thereafter desire to use such proceeds in some other manner, a resolution setting forth the proposed new disposition shall be forwarded separately to the Bishop and Standing Committee for their approval.
- (e) The status of the funds from the disposition of alienated property, as approved in writing by the Bishop and the Standing Committee, shall be reported to the Bishop under "Report of Other Parish Funds" in the Annual Parochial Report.

SECTION 5. The Commission on Church Indebtedness shall recommend approval of grants to, or indebtedness or encumbrances by, parishes or missions only if it believes that the overall financial circumstances justify such approval. The Commission also shall make known the availability of Diocesan funds for any such requested grants or indebtedness.

SECTION 6. This Canon shall not apply to the refinancing of existing loans.

## **CANON XXVIII**

### **OF CHURCH ARCHITECTURE AND CONSTRUCTION**

SECTION 1. The Council shall elect annually, from nominations made by the Bishop, a Commission of five persons, two members of the clergy, two registered architects and one registered contractor. The elected members shall constitute the Commission on Church Architecture and Construction and a quorum of its may conduct the duties set forth in SECTION 3, below.

SECTION 2. Any parish, before entering into a contract for the construction of any Church, Parish House, or Rectory, may present to the Commission, Site Plans, Preliminary Plans, Working Drawings and Specifications, in the above order, for its recommendations and suggestions.

SECTION 3.

- (a) All Parishes and Missions receiving construction funds from the Diocese or any of its agencies or foundations, and all Diocesan authorities, agencies and departments shall submit the documents described in Section 2 to the Commission for approval.
- (b) Such documents shall be prepared, and construction shall be supervised, by an architect or engineer licensed to practice in Virginia.
- (c) In addition, all such parishes and missions and all Diocesan authorities, agencies and departments shall submit to the Commission a written construction contract approved by the Chancellor or Vice Chancellor. In the event the amount of contract is in excess of \$25,000, a performance bond shall be required of the contractor.
- (d) The requirements of this Section, except for the requirement of a written contract, may be modified or waived by the Commission.

SECTION 4. The Commission shall report in writing its suggestions and recommendations to the parish, mission, Diocesan agency, authority or department within thirty days of receipt of the proposed plans.

#### **CANON XXIX**

##### **OF PLACING A BISHOP TEMPORARILY IN CHARGE OF THE DIOCESE**

SECTION 1. Upon the death of the Bishop, there being no Bishop Coadjutor, the Standing Committee may, by resolution, designate a Suffragan Bishop, if there be any, the Ecclesiastical Authority, until a new Bishop is elected and consecrated.

SECTION 2. During the absence of the Bishop from the Diocese, if there be no Bishop Coadjutor, the Bishop may designate in writing a Suffragan Bishop, as the Ecclesiastical Authority until the Bishop returns or revokes such designation in writing.

SECTION 3. In the event of the disability of the Bishop, the Bishop Coadjutor or a Suffragan Bishop may be declared the Ecclesiastical Authority of the Diocese by the Presiding Bishop.

#### **CANON XXX**

##### **OF AMENDMENTS TO THE CANONS**

These Canons shall be amended as follows:

- (a) The proposed amendment shall be submitted by resolution at least sixty days before the Session of Council at which it will be introduced and must be shared with delegates prior to that Session of Council.
- (b) The proposed amendment shall be referred to, and reported upon by, a committee of at least 2 members of the clergy.
- (c) The proposed amendment shall be adopted during the same Council in which it is proposed only upon a 2/3 majority vote of the members of Council.
- (d) If the proposed amendment receives a majority, but less than 2/3, of the votes of the members of Council, it shall lie over for consideration until the next Annual Council, at which time the vote of a simple majority shall be required for adoption.