

**BYLAWS  
OF  
UTAH CAMBODIAN COMMUNITY BUDDHIST TEMPLE, INC.**

**SECTION I: WHO WE ARE**

**Name and Location**

The name of the organization shall be the Utah Cambodian Community Buddhist Temple, Inc. Hereafter referred to as "UCCBT" has incorporated in the state of Utah as a non-profit organization in pursuant to IRS regulations 501 (C) (3).

UCCBT has established a registered office called Wat Buddhikaram, located at 3325 West 3800 South, West Valley City, UT 84119. The UCCBT may change its registered office and may, from time to time, have the other offices when deemed necessary by the Board of Directors.

**Non-discriminatory Policy:**

The UCCBT is a non-profit organization. UCCBT is committed to provide an environment that does not discriminate in any manner contrary to law and justice on the basis of race, color, gender, sexual orientation, age, religion, disability, marital status, national origin, or ancestry.

At same time, UCCBT cherishes its right and duty to seek and retain personnel who will make positive contributions to its religious character, goal and mission in order to enhance Buddhism and its traditions.

UCCBT would like to reaffirm this policy and call upon all personnel to effectively pursue this policy.

**Purpose**

The UCCBT is organized to operate exclusively as a non-profit organization for religious, educational, cultural and charitable purposes. UCCBT is dedicated to improving the quality of life for our community members by providing cultural and social needs and offering our children the educations relating to generosity, harmony and patience. Our relentless efforts will ensure a bright future for the community and our children for years to come.

No substantial part of the activities of the UCCBT shall engage in carrying any propaganda or otherwise attempting to influence legislation, nor participate in or intervene including the publishing of or distribution of statements, and political campaign on behalf of any candidate running for public office.

**SECTION II: DISSOLUTION:**

In the event of the dissolution of UCCBT and after the payments for all of debts/liabilities of UCCBT, the Board of Director, with its sole discretion, shall transfer or donate all net assets of UCCBT to a non-profit organization/foundation that is organized and operated exclusively for charitable and educational purposes. The receiving organization must have its tax exempt established under section 501(C) (3) of the

Internal Revenue Code during the year the dissolution occurs. Any assets not so disposed of, will be disposed as required by regulations as prescribed by the state of Utah for Non-profit corporations.

No single individual, including but are not limited to the Board of Director, Executive Members (President, Vice President, Treasurer, Trustee, General Secretary, Auditor) or any other members of the UCCBT shall have the power nor authority to transfer, sell, donate or otherwise transact the property or assets of UCCBT without approval from at least 2/3 of Board of Director and the President.

### **SECTION III: ORGANIZATION**

The UCCBT shall be governed by the Board of Director, Executive members, Buddhist monk(s), Buddhist priest(s), and general members. The roles and responsibilities for each type of members are defined below.

#### **Role and Responsibilities:**

##### **Board of Directors:**

The management of UCCBT shall be vested in the Board of Directors, made up of least 3 persons and up to 7 persons. Each Director may hold a second position in the executive position, with the exception of President and the Vice President position.

Any changes, transaction, donation or sponsorship that are \$1000.00 or more shall be approved by two-third (2/3) of the Board of Director and the President. In the event of property damage, on site injuries or litigation against UCCBT, the Board of Director has the option to hire an attorney to represent UCCBT in court.

At all meeting of the Board of Director, each Director shall be entitled to cast one (1) vote.

##### **Executive Members**

The executive committee shall consist of one (1) President, one (1) Vice-president, one (1) General Secretary, one (1) Treasurer, Auditor(s) and Trustee (s). The executive committee shall be responsible for day to day operations of UCCBT, overseeing the sub-committees and keeping a complete and accurate records and documentations to insure compliance with the laws and regulations as they are applied to the UCCBT.

##### **President**

The responsibilities of the President shall include but are not limited to: 1) Promoting and maintaining UCCBT's reputation by communicating its message to the general public as well as resolving conflicts/complaints. 2) Presiding over meetings of the temples, Board of Director and sub-committee meetings. 3) Overseeing the sub-committees functions 4) Being a tie-breaker of the Director's voting. 5) Putting into effect all approved directives and resolutions.

##### **Vice President**

In the absence of the President, the Vice-President shall have the same power and authority to perform all duties of the President or as delegated/assigned by the President.

### **General Secretary**

The responsibilities of the General Secretary shall include but are not limited to: 1) Scheduling and setting committee meetings. 2) Keeping a complete and accurate of meeting agendas and minutes. 3) Updating and maintaining of names and contact information of all members. 4) Preparing and mailing communication correspondence.

### **Treasurer**

The responsibilities of the Treasurer shall include but are not limited to: 1) Managing the UCCBT money and assets, including depositing, disbursement, and withdrawing. 2) Maintaining an accurate bookkeeping of all monies and assets. 3) Preparing financial reports of UCCBT as required. 4) Maintaining a complete and accurate financial records.

### **Auditor**

The responsibilities of the Auditor shall include but are not limited to: 1) Auditing receipts and disbursements of the UCCBT. 2) Auditing inventory assets. 3) Insuring UCCBT is in compliance with the Bylaws in effect.

### **Trustee**

The responsibilities of the Trustee shall include but are not limited to: 1) Safeguarding all records and documentations. 2) Insuring complete and accurate records and documentation in order to be compliant with the laws and regulations applicable to the UCCBT's non-profit and tax exempt status. 3) Communicating to the Board of Director and Executive members of important deadlines.

### **General Members**

The general members shall have the rights to review, question and challenge any records or decisions relating to the welfare of the UCCBT. Furthermore the general members shall have the right to petition in order to recall any board members (Board of Director and Executive members) of the UCCBT. In the event of the general public member voting, each member shall be entitled to cast one vote.

### **Priest(s)**

The responsibilities of the Buddhist priest(s) shall include but are not limited to: 1) Organizing, scheduling and performing all temple related ceremonies. 2) Providing guidance related to precepts. 3) Assisting Buddhist monk(s) in other duties as requested.

### **Monk(s)**

The responsibilities of the Buddhist monk(s) shall include but are not limited to: 1) Preserving and teaching the doctrines of Buddhism. 2) Performing religious ceremonies. 3) Defining and issuing precepts. 4) Providing counseling and guidance when requested. 5) Teaching Cambodian language, cultures and traditions.

### **Sub-Committees:**

UCCBT is organized as a non-profit organization and relies on public donations as well as volunteer works to insure its objectives are realized. The President and/or Board of Director may form sub-committees consisting of volunteers for:

### **Cultural Affairs and Education**

Sub-committee for the cultural affairs and education shall be responsible for organizing activities relating to the educational of culture, traditions, and doctrines of Buddhism for all members.

### **Fundraising**

Sub-committee for fundraising shall be responsible for organizing all religious and non-religious activities to unite the people and to togetherness friendship, while raising money for the benefits of UCCBT.

### **Construction and Maintenance**

Sub-committee for the construction and maintenance shall be responsible for the upkeep and general maintenance of the facilities and properties of UCCBT. Any improvements requiring more than \$500 shall be approved by the President and/or two-third (2/3) of Board of Director prior to commencing.

### **Food Services**

Sub-committee for Food Service shall be responsible for meal preparation for the monk(s), ceremonies as required, and insuring household supplies are replenished.

## **SECTION IV: ELECTION PROCESS**

The Board of Director and the President shall be elected by a majority votes of the general member. The vote shall be by proxy or by mail.

Other positions within the Executive committee shall be appointed by the Board of Director.

### **Board of Director**

The number of Board of Director shall be a minimum of three (3) and a maximum of seven (7). Each Director will serve a 2 year term unless re-elected. With the exception of the initial selection of the Board of Director, subsequent election of the Board of Director shall be as follow:

Three (3) directors shall be elected in May of the first year. The remaining (up to 4) shall be elected in May of the following year. This process is to insure that not all Board of Director would be replaced at the same time in order to maintain a smooth transition of responsibilities.

### **Executive members**

The President shall be elected in May of the first year and every two years thereafter. The President will serve for two (2) years with a maximum of two (2) terms.

Other Executive members including the Vice President will serve for 2 years with no maximum on term limits provided if re-appointed by the Board of Director.

**Recall/ Removal of Committee Members**

In order to protect UCCBT's reputation and assets, any members of the Board of Director or Executive members can be removed from office/duties for gross misconduct or violation of laws and regulations that would place UCCBT at risk of ligations, fines, or other unfavorable situations.

**Board of Director/President**

Individual(s) Board of Director or the President can be removed from office due to gross misconduct, misrepresentation, mismanagement, violation of the laws, or for other reasons deemed by the general public to be unacceptable, by an affirmative majority proxy vote of the general members. Notice of proposed removal shall be given to all Board of Directors, executive members and general members at least 10 days in advance. Individual(s) involved shall be given an opportunity to present and defend himself / herself at the meeting prior to voting. Furthermore, any Director or President may resign from office/duties by submitting a resignation letter to the Board of Director or the President.

**Executive members**

Any executive members that were appointed to office by the Board of Director can be removed from office /duties due to gross misconduct, misrepresentation, mismanagement, violation of the laws, or for other reasons deemed to be unacceptable by the Board of the Director by an affirmative two-third (2/3) vote of the Board of Director. Notice of proposed removal shall be given to all Board of Directors and the President at least 10 days in advance. Individual(s) involved shall be given an opportunity to present and defend himself / herself at the meeting prior to voting. Furthermore, any executive member may resign from office by submitting a resignation letter to the Board of Director or the President.

**SECTION V: FINANCIAL**

**Non-Compensation of board members or executive:**

The UCCBT is organized solely for non-profit purposes and no compensation will be paid to any members of the Board of Directors or the Executive members for services as a committee member. No Board of Director or Executive members shall, directly or indirectly, engage in any contracts relating to the operations, supplies and services to the UCCBT, unless such contracts are disclosed and approved by a majority vote of the general members or unanimously approved by the Board of Directors and the President.

**Deposit and Withdrawal of Funds:**

All funds of the UCCBT shall be deposited within five (5) working days into account(s) set up under UCCBT name and for the benefits of UCCBT. Any withdrawal of funds of more than one thousand

dollars (\$1000) must be approved by 2/3 of the Board of Directors. Such withdrawal shall be reported to the General Secretary for record keeping purposes.

**Donations rules (including monk's portion):**

In pursuant to IRS regulations 501 (C) (3), UCCBT will only receive donations from members, public or private organization in a lawful manner, and for the benefit of UCCBT. A portion of donation received through temple sponsored ceremonies, may be given to the monk(s) for their services as determined reasonable by the priest(s) and with approval of at least one director or President.

The monk(s) may keep any and all donation given to the monk(s) directly by private sponsor(s) of the ceremonies.

**Accounting and Auditing:**

In pursuant to IRS regulations 501 (C) (3), proper bookkeeping and records are required. Audit of financial receipts and disbursements shall be conducted quarterly. The results of the audit shall be reported to the UCCBT committee and disclosed to the general public. All tax preparation and filing shall be performed by a competent tax preparer or CPA.

**Financial Disclosures:**

As part of UCCBT's relentless efforts to gain/maintain public supports and public trust, UCCBT promotes transparency in UCCBT's operations and financial status. Updates on income and expense will be disclosed to general members via meetings, website posting, electronic bulletin board, emailing, or other means of communication on a quarterly basis or more often when deemed beneficial to the public.

**SECTION VI: MEETINGS**

**General meeting**

General members meeting shall be held at least yearly at the time and place as determined by the Board of Director and/or President. Furthermore, special meeting may be called by the Board of Director or upon receiving petition of at least one-third (1/3) of general members. In any case, a ten (10) day advance notice shall be given via mail, email, posting or other suitable mode of communication prior to holding a meeting.

**Board of Director**

The meeting of Board of Director shall be held every month or more often when deemed necessary, at the time and place as agreed upon. The President and/or Vice President may preside over the meeting when the topics of discussion are relevant to his/her involvement.

**Executive members**

The meeting of the Executive members shall be held yearly or more often when called upon by the President or upon petition of any members or two-third (2/3) of the Board of Director.

**SECTION VII: AMENDMENTS**

These by-laws may be amended by an affirmative vote of two-third (2/3 of the members, provided that no such action shall be taken if it would in any way adversely affect the UCCBT's qualification under section 501 (c) (3) of the Internal Revenue Code.

**SECTION VIII: EXECUTIONS**

IN WITNESS THEREOF, the undersigned, being the persons herein named as Khmer Buddhist monks, Board of Directors, members of Executive Committee of the Utah Cambodian Community Buddhist Temple, Inc. have executed these BYLAWS of UCCBT.

Sarith So [Signature] 9/19/2013  
*Honorary monk*

Raymond Hour [Signature] 9-19-2013  
*Director*

Vanny Nhem [Signature] 9/19/13  
*President*

Sovann Ok [Signature] 9-19-2013  
*Director*

Laneth Hang [Signature] 9/19/13  
*Director*

Paul Rou [Signature] 20130919  
*Director*

Vibol Tiem [Signature] 9/19/13  
*Director*

Bopha Nhem [Signature] 9/19/13  
*Director*

[Signature] Date 9/19/13  
Notary Public

