

COPY

CONSTITUTION  
OF  
OMAR IBN AL-KHATTAB MOSQUE  
(OM)

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## PREAMBLE

Whereas, we the members of Omar Ibn Al-Khattab Mosque, Columbus, Ohio recognize Islam as a total way of life based on Qur'an and Sunnah of Prophet Mohammed, peace be upon him (pbuh) and have pledged to endeavor practicing it as such, do hereby adopt and give ourselves this constitution and pledge to abide by its provisions, Insha-Allah.

These By-laws (referred to as the "Constitution") govern the affairs of Omar Ibn Al-Khattab Mosque, Columbus, Ohio, which shall be a nonprofit organization (referred to as the "**OM**") consisting of a General Body (**GB**), the Muslim residents of Greater Columbus, Ohio who are registered with **OM**, Jury Council (**JC**), and Board of Directors (**BOD**).

NOTE: 1. NO PART OF THIS CONSTITUTION SHALL BE IN VIOLATION OF ARTICLE TWO (2).  
2. ARTICLE TWO (2) CANNOT BE AMENDED UNDER ANY CIRCUMSTANCES.

## ARTICLE 1

### 1. Name and Address

- 1.1. The name of this organization shall be Omar Ibn Al-Khattab Mosque (**OM**).
- 1.2. The principal office of **OM** shall be located in Omar Ibn Al-Khattab Mosque, 580 Riverview Dr. Columbus, Ohio.
- 1.3. All real estate properties, when acquired shall be utilized to provide maximum benefit to the Muslims. All acquisition, utilization, maintenance, and operational aspects of these properties shall be determined by the **BOD**.

## ARTICLE 2

### 2. Purpose and Objectives

- 2.1. **OM** has been formed exclusively for religious, charitable, and educational purposes. All of its activities shall be in accordance with the Qur'an and Sunnah of Prophet Mohammed (pbuh). Sunnah (traditions of Prophet Mohammed, pbuh) as documented in the authentic books of Hadith and Fiqh. **OM** shall strive to strengthen and reinforce the faith of all Muslims in the Oneness of Allah Subhanahu Wa Ta'ala, the Holy Qur'an, and the Sunnah of the last Prophet, Prophet Mohammed (pbuh).
- 2.2. **OM** is formed to engage and carry on such other lawful acts and activities for which non-profit corporations may be formed pursuant to Chapter 1702, Ohio Revised Code, provided, however, the Mosque shall not possess or exercise any power or authority either expressly, by interpretation, or by operation of law that will prevent it at any time from qualifying and continuing to qualify as a mosque organized and operated exclusively for religious, charitable, literary or educational purposes, no part of the net earnings of which insures to the benefit of any members or individual, and which does not participate in, or intervene in any political campaign on behalf of any candidate for public office, pursuant to Section 501 ( c ) (3) of the Internal Revenue Code of 1954 (hereinafter the Code), as amended, or Income Tax Regulations pertinent thereto, either now in effect or subsequently enacted; nor should it engage directly or indirectly in any activity which would cause the loss of such qualifications.
- 2.3. **OM** shall conduct social and religious activities aimed at preserving Islamic values and traditions and shall strive to provide an environment for Muslims that shall strengthen their Islamic beliefs and engage in Islamic activities.
- 2.4. **OM** shall promote Islamic education by establishing and maintaining mosques, libraries, Islamic centers, schools, institutions of higher learning. **OM** shall also establish cemeteries, funeral facilities, community centers, child care centers and health centers and chapters pursuing similar objectives in adjacent communities.
- 2.5. **OM** shall strive to promote good relations and understanding between Muslims and Non-Muslims and shall strive to propagate Islam and shall actively engage in Islamic Daw'ah work through all means of communication.

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- 2.6. **OM** shall work with other Islamic communities and organizations pursuing similar objectives and shall foster coordination, communication and cooperation among such organizations.
- 2.7. The organization structure shall allow additional subsidiary organizations to join **OM** as long as They fulfill the objectives, goals and purpose of **OM**.
- 2.8. **OM** shall collect and distribute Zakat (Al Mal and Al Fitr), Sadqah and donations in accordance with the Qur'an and Sunnah.

### ARTICLE 3

#### 3. **Organization**

- 3.1. **OM** shall be governed by the following branches:
- 3.2. General Body (**GB**): shall consist of all registered members of **OM** in accordance with Article 5. **GB** is the final authority of **OM** and its decisions are final, as long as they are within the Qur'an and Sunnah.
- 3.3. Jury Council (**JC**): shall be composed of seven(7) permanent members representing the majority of the People of **OM**.
- 3.4. The Board of Directors (**BOD**) shall be composed of seven (7) elected members including the President, who shall be responsible for all affairs of **OM**. The **BOD** may appoint committees and subcommittees in order to accomplish the goals and objectives of **OM** in accordance with Article 2.

### ARTICLE 4

#### 4. **General Rules**

- 4.1. The following general rules are applicable to all branches of **OM**. They also apply- to all committees, subcommittees, members, non-members, guests, employees, and contractors of **OM**.
- 4.2. The **BOD** may accept on behalf of **OM** any property, whether real and/or personal, by way of gift, bequest from any person, firm, trust, or corporation; such property is to be held, administered, and disposed of in accordance with and pursuant to the provisions of this document. However, no gift, bequest of any such property shall be received or accepted if it is conditioned or limited in such a manner as to require the disposition of the income or property for any purpose other than the purpose set forth in Article 2.0 hereof, or in violation of any local, state and federal laws.
- 4.3. No person may be elected to the same office for more than two (2) consecutive terms.
- 4.4. **OM** shall carry liability insurance.
- 4.5. The **BOD** members shall not receive salaries, remuneration, compensation, or wages for their services to **OM**. To avoid any conflict of interest, The **BOD** and **JC** members shall not do business with or participate in any competitive bidding to render any paid services to **OM**.
- 4.6. All original legal documents of **OM** shall be kept in a safe deposit. The president and his designee shall have access to this box at all times. Copies of such documents be kept on the premises of the principle office of **OM**. Such documents shall be available to the registered members for general viewing within a week of written request. The **BOD** may restrict disclosure of certain personal information .
- 4.7. **OM**'s official medium of communication shall be in English.
- 4.8. The relationship between **OM** and other organizations pursuing similar objectives as specified in article 2 shall be governed by a Memorandum of Understanding (MOU). Such an MOU shall be signed by the authorized representatives of both organizations and implemented thereafter. The purpose of MOU is to allow the members of each organization to enjoy the benefits of other organization without becoming a member of that organization. However, such benefits shall not include the voting rights.
- 4.9. All members shall observe the Islamic code of conduct and ethics in all proceedings, meetings and activities of **OM**.
- 4.10. Any legal action against **OM** shall only be instituted in Columbus, Ohio.

## ARTICLE 5

### 5. Membership

- 5.1. **OM** membership is open to all Muslims who subscribe to the purpose and objectives set forth in Article 2 and by paying a \$10 yearly registration fee.
- 5.2. Muslim residents of Columbus, Ohio and surrounding areas shall register with **OM**. Registration can be done by completing an application. Only registered practicing Muslim Members are eligible to vote for electing the president and **BOD** members and participate in the proceedings of the **GB**.
- 5.3. Dependents over eighteen (18) years of age must register separately.
- 5.4. **BOD** has the right to accept or reject the application.
- 5.5. In case of membership complications the **JC** solves the problem.

## ARTICLE 6

### 6. Elections

- 6.1. An Election Commissioner shall be appointed by the **JC** 60 days before the election day. Election Commissioner shall be a registered member of **OM** outside of the **BOD**. Election Commissioner shall choose two members outside the **BOD** to serve on the commission.
- 6.2. Only members who are residents of Columbus, Ohio and surrounding areas and have registered with **OM** for at least six (6) months prior to the election day shall be allowed to vote. Proof of residency shall be required.
- 6.3. Registered members shall be at least eighteen (18) years of age.
- 6.4. Elections shall be conducted at the end of the term on the last Sunday of November and newly elected officials shall take office effective after Zuhr prayer on the last Sunday in December.
- 6.5. Early voting or the Election day voting shall be conducted only in person.
- 6.6. Election committee shall adopt the following procedure:
  - 6.6.1. Seek nominations at least 45 days prior to the election day.
  - 6.6.2. Announce final list of candidates for respective offices at least 30 days prior to election.
  - 6.6.3. Provide an opportunity for early voting for those who may not be able to vote on election day. Early voting may begin right after final list is announced and may end one week before election day.
  - 6.6.4. Count the ballots (early votes and election day votes) in public, announce and document the election results.
  - 6.6.5. All election ballots and records shall be maintained by the **JC** for a period of two (2) years.
  - 6.6.6. If the conditions on election day warrant postponing election due to reasons beyond control of the election committee (example, inclement weather, a community emergency), it may be postponed to the following Sunday. If the circumstances warrant again, it may be postponed to the following Sunday till the election is held.
  - 6.6.7. Nominees must be posted on bulletin board of Masjid.
  - 6.6.8. Nominees are required to present their vision for the elected term in front of masjid community.
- 6.7. Serving Terms
  - 6.7.1. The term of the **BOD** including the president shall be two (2) years.
  - 6.7.2. Any vacancy of an elected office shall be filled in accordance with article 6.7.3. The term of the vacant position that was filled shall be for the unexpired term only.

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- 6.7.3. The most recent election results shall be used to fill a vacancy. The person with the highest number of votes who was not elected shall be offered the vacant position. If such a person is not available or declines the position, then the individual with the next highest number of votes shall be offered the vacant position. The above procedure shall be repeated until the vacant position is filled. If the vacant position is not filled through this process, then the **BOD** in consultation with the **JC** is authorized to fill the vacant position including the president within 30 days through an appointment provided that the remaining term is less than twelve (12) months.
- 6.8. Special Election
  - 6.8.1. Special election shall be held only if the unexpired term of the vacant office is more than twelve (12) months. The procedure outlined in article 6 shall be followed to fill the vacancy through special election.
  - 6.8.2. If any position including the president cannot be filled through article 6.7.3, a special election shall be held. If the vacant position is that of the president, vice-president shall serve as president until this position is filled through a special election. If vice-president's position is vacant or the vice-president is absent during this term, the **JC** and the **BOD** members shall elect the president among themselves until the special election is held.
- 6.9. In case the entire **BOD** including the president, resign, the **JC** shall take charge of the responsibilities of the president and carry out the affairs of **OM** or appoint one of the members temporarily until a new president and **BOD** are elected in accordance with article 6.8.

## ARTICLE 7

### 7. Qualifications

- 7.1. Candidates for the **BOD** and the president shall be practicing Muslims who frequent **OM** for the daily jam'aa prayers. This condition shall apply to the nominator, the nominee and members of the Election Commission.
- 7.2. Candidates for the office of president must have lived in Columbus, Ohio or surrounding areas for two years consecutively.
- 7.3. Candidates for the office of **BOD** member must have lived in Columbus, Ohio or surrounding areas for at least one year.
- 7.4. The candidates running for President shall not hold or accept any position such as Chairman, Chairman-Elect, President, President-elect, Vice President or Treasurer in any other Islamic/Muslim organization during the term of office.

## ARTICLE 8

### 8. Responsibilities

- 8.1. **GB** and **JC**
  - 8.1.1. The **GB** (General Body) of **OM** is the final authority which shall determine the course of action of all issues presented. The **GB** elects the president and members of the **BOD** and authorizes them to administer affairs of **OM** in accordance with this constitution.
  - 8.1.2. Any no confidence vote against elected member must be approved by a simple majority of the **GB** present at the meeting after satisfying the quorum requirements as provided in article 10.
  - 8.1.3. Liquidation of any assets in excess of \$100,000 (One Hundred Thousand) must be approved by the **GB**.
  - 8.1.4. The Jury Council of **OM** are the people to protect the constitution of the Mosque and to solve all Problems between the **GB** and the **BOD**. The **JC** are in charge of establishing the voting committee.
  - 8.1.5. The **JC** with the **BOD** pass the budget for the mosque.
  - 8.1.6. All the decisions of **JC** must be in accordance with Article 2 and majority vote of the **JC** should always prevail.
- 8.2. President and **BOD** Members ( information, social, maintenance, family, Deen)
  - 8.2.1. The **BOD** shall be responsible for providing policy guidelines for programs and activities of **OM**.

- 8.2.2. The **BOD** shall strive for all decisions through consensus, however majority vote of the **BOD** shall always prevail.
- 8.2.3. The **BOD** shall formulate long-term planning of **OM**. An integrated four (4) year plan detailing the activities and the resource requirements shall be presented at the annual **GB** meeting.
- 8.2.4. The **BOD** shall meet at least once a month. Minutes of these meetings shall be maintained and be available to the registered members for review within 5 working days after the meeting.
- 8.2.5. The **BOD** must maintain all records and documents of **OM** including but not limited to deeds of trust, leases, marriages, deaths, births, divorces, registered members list and financial records.
- 8.2.6. The **BOD** shall be responsible for all financial activities including but not limited to fund-raising, collection and disbursement of Zakat and Fitra funds and other donations.
- 8.2.7. The **BOD** may hire or terminate employee(s) of **OM** as required to efficiently run the operations of **OM** on such terms and conditions as the **BOD** deem fit.
- 8.2.8. The **BOD** shall be authorized to obtain bids, execute and award contracts. Any contract work over Ten Thousand Dollars (\$10,000) shall require at least three bids.
- 8.2.9. The succeeding **BOD** shall implement the written commitments of the previous **BOD** as long as these commitments are within the framework of Article 2.
- 8.2.10. Any **BOD** member who is absent without prior notification to the chairperson for three consecutive meetings shall automatically lose the office and the vacancy so created shall be filled in accordance with article 6.7.3.
- 8.3. **The Jury Council (JC)**
  - 8.3.1. The **JC** of **OM** are members of seven (7) people representing the majority of the mosque community.
  - 8.3.2. The president of the mosque is a member of the **JC**. One of the **JC** members is chosen among them as a chairperson.
  - 8.3.3. Neither the **JC** nor the **BOD** should intervene in each other's affairs without reference to the guidelines of the constitution.
  - 8.3.4. Any case of a vacancy in the **JC** should be filled by a member from the same ethnic background taking into account the recommendations of the leaving member.
  - 8.3.5. Any action should be taken with a majority vote in accordance with Article 2
  - 8.3.6. The **JC** are in charge of the voting committee.
  - 8.3.7. The **JC** should pass (approve) the budget.
- 8.4. **The President**
  - 8.4.1. The president shall conduct and preside over all meetings of the **GB** and the **BOD**.
  - 8.4.2. The president shall present an Annual Report to the **GB** and **JC**.
  - 8.4.3. The president shall sign all documents on behalf of the **BOD**.
  - 8.4.4. The president shall implement all decisions made by the **BOD**.
  - 8.4.5. The president may execute any deeds, contracts, or other instruments that the **GB** has authorized.
- 8.5. **Treasurer**
  - 8.5.1. The president shall appoint one of the **BOD** members as Treasurer.
  - 8.5.2. The Treasurer shall be responsible for financial transactions, including the annual budget and Financial reports. Any transaction other than the fixed cost shall have endorsement of the **BOD**.
  - 8.5.3. The Treasurer shall receive and give receipts for moneys due and payable to **OM** from any source provided the receipts and payments are consistent with article 2. Receipts issued for non-cash items shall not exceed the fair market value of the item donated.
  - 8.5.4. The Treasurer shall write checks, and distribute funds to discharge obligations of **OM**. Funds greater than \$1000 (One Thousand) shall need the signature of the Treasurer and the president.
  - 8.5.5. The Treasurer shall maintain the financial books and records of **OM** and keep separate ledgers for Sadqah, Zakat, Fitra, and donations for any special projects etc.

- 8.5.6. The fiscal year of **OM** shall begin on the first day of January and end on the last day of December in each year. At the end of the fiscal year, the Treasurer shall have **OM's** accounts and financial statements showing income and expenses, assets, liabilities, and net worth and post this statement on **OM's** bulletin board.
- 8.5.7. Quarterly statement of income and expenses shall be prepared.
- 8.5.8. The Treasurer shall hand over all the accounts and books of **OM** in the presence of **BOD** members to the succeeding Treasurer at the end of the term or upon leaving the office.
- 8.6. Committee and sub-Committees:

Committees and sub-committees may be established or dissolved by the **BOD** in the respective areas. The responsibilities of all committees shall be within the frame work of this constitution. No Committee shall have authority to take any action outside the scope of authority delegated to it by the **BOD**. All committees shall be composed of at least three members including the chairperson. It is recommended that the chairperson be one of the **BOD** members. All members of committees and subcommittees shall be residents of Columbus, Ohio or surrounding areas. This condition may be waived by the **BOD** for Fund Raising Committee or special events benefiting Muslims of other areas.
- 8.7 Member
- 8.7.1 Individual **BOD** member, registered member and non-registered member shall safeguard **OM's** assets and facilities.
- 8.7.2 Each member shall observe the Islamic code of conduct in dealing with each other and respect the authorities. The sanctity of the Mehrab, prayer hall and other facilities shall be observed in accordance with the injunctions of Qur'an and Sunnah.
- 8.7.3 For any member or group found in violation of Islamic rules of behavior or disturbing the peace and harmony in the Mosque or insulting **OM** authorities, or abusing **OM's** assets, the **BOD** in consultation with the **JC**, may take an appropriate disciplinary action against such individual or group.

## ARTICLE 9

### 9. Finances

- 9.1. The **BOD** shall maintain a non-interest bearing account of **OM** at a bank in Columbus, Ohio. This account shall be operated under treasurer and President's signatures.
- 9.2. Separate ledgers shall be maintained for separate financial activities.
- 9.3. The **BOD** shall appoint a certified public accountant (CPA) to audit **OM's** accounts annually.

## ARTICLE 10

### 10. Meetings and Quorum

- 10.1. All meetings shall start with a recitation from the Holy Qur'an and must end with a Du'a (prayer). The meetings shall be conducted in accordance with the Islamic code of conduct and ethics. All parties shall respect each other's rights and obligations and any dispute shall be resolved in accordance with the arbitration procedure outlined in article 13.3.
- 10.2. Annual **GB** meeting: There shall be an annual **GB** meeting of **OM** at the mosque to be held on the last Sunday of December each year. The purpose of this meeting is to disseminate information to the community. This meeting shall be held after Zuhr prayer and shall be chaired by the President of the **BOD**. In the absence of the President, a **BOD** member designated by the President shall conduct the meeting. The following activities shall be conducted at this meeting:
  - 10.2.1. The Annual Report including the financial status shall be presented by the president or his designee.
  - 10.2.2. Next year's budget shall be presented.

- 10.2.3. Update on four year plan shall be provided.
- 10.2.4. No quorum is required and no approval of any issue is required at this meeting.
- 10.2.5. Non registered members may attend the **GB** meetings as observers.
- 10.2.6. Notification of Meetings: Time, date and place of the meeting shall be notified to all registered members by the best communication possible: by phone, fax, letter, etc.
- 10.3 The president is authorized to call for a special **GB** meeting, if (a) requested by 20% signatures of registered members or (b) through a resolution passed in the **BOD** meeting.
- 10.4. Quorum
  - 10.4.1. Twenty (20%) of registered members shall constitute the quorum for **GB** meeting.
  - 10.4.2. Meetings adjourned for lack of quorum must be reconvened within a reasonable time, not exceeding thirty (30) days.
  - 10.4.3. - A reconvened meeting does not need a quorum. No written notification of such meeting is required. However, the time, date and place for the reconvened meeting shall be determined before adjournment and posted on the Mosque bulletin board.

## ARTICLE 11

### 11. **Dissolution of OM**

- 11.1. At least 51% of the registered members of **OM** shall request the **BOD** in writing to call for a meeting to dissolve **OM**. The **BOD** shall call for a meeting within eight weeks from the requested date. At least seventy-five percent (75%) of the registered members must be present and two-third (66%) votes of the members of the **GB** present are required to dissolve **OM**.
- 11.2. Upon dissolution of Omar Ibn Al-Khattab Mosque, the **BOD** shall dispose off all assets of **OM** after paying or making provisions for the payment of all liabilities of **OM**. In order to keep all the remaining assets locally where the members at large may benefit, the disposal of assets shall first be made to a local approved tax exempt Islamic organization organized and operated exclusively for religious, charitable, and educational purpose.

## ARTICLE 12

### 12. **Amendments**

- 12.1. Article 2 of this constitution shall not be amended.
- 12.2. Other section(s) of this Constitution may be altered, changed, or amended at a special **GB** meeting specifically called for this purpose. Four (4) weeks written notice and an agenda including the text of the proposed constitutional provision as well as the text of any existing provisions proposed to be altered, amended, or repealed, must be made available to the registered members of **OM**. The annual meeting of the **GB** may also be utilized for this purpose provided that the registered members are notified in advance as stated above.
- 12.3. Fifty percent (50%) of the registered members constitute the quorum for an amendment to the constitution. A two-thirds (2/3) majority vote of members is required to adopt any amendments to the Constitution of **OM**.
- 12.4. The amendment process may be initiated by the signatures of twenty percent (20%) of the registered members.
- 12.5. The proposed written amendments shall be reviewed by a Constitution Committee appointed by the **JC**. The recommendation of this committee shall be made to the **GB** in writing.

- 12.6. **OM** Constitution must be reviewed every five (5) years by the Constitution Committee appointed by the **JC** in order to adopt any changes if needed.
- 12.7. This Constitution shall not be altered with the adopted amendments and shall be left in its original form. All amendments adopted shall be attached to this original document. The adopted amendment shall reference the proper Article number or sub-section and shall be made part of this Constitution.
- 12.8. If the solution to any problem is not available in the Constitution, and if a permanent change in the Constitution as an amendment is not required, a rule may be adopted or passed by a simple majority vote of the **GB**, and business may be carried out as usual. Such rule may be adopted for a fixed period of time after which the rule shall be abolished automatically. The rule so adopted shall not be in conflict with the Constitution, particularly article 2.

### ARTICLE 13

#### 13. Recommendations

- 13.1. For the purpose of Eid-Ul-Fitr, Eid-ul-Adha and the declaration of Ramadan and to keep the unity of Muslims in the Greater Columbus, OM shall coordinate with the Assembly of Muslim Jurists in America (AMJA).
- 13.2. The **JC** may appoint a constitution committee to interpret the articles, sections and clauses of this constitution to further clarify the purpose and intent and may recommend necessary amendments required as the time demands. It is strongly recommended that at least one member of original Constitution Committee, if available, be involved in this committee because of prior knowledge and the purpose and intent of any clause.
- 13.3. Arbitration Procedure: In any dispute between persons concerning activities of **OM**, all parties involved shall cooperate in good faith to resolve the dispute. If the parties cannot resolve the dispute between themselves, **OM** members can bring the concern or complaint in writing to the **BOD**. The **BOD** shall acknowledge such complaint, in writing, within 15 days and try to resolve the dispute. If this dispute is not resolved by the **BOD** within 30 days to the satisfaction of the complainant, and the complaint is of religious in nature, it shall be automatically referred to a Grievance Committee, formed and headed by the **JC**. Decision of this committee shall be binding upon all parties involved. For any other dispute, the complainant shall seek to redress it through a special **BOD** meeting under article 10.3.
- 13.4. Due to special circumstances after separation of OM from ISGC, the following two articles supersede all articles before.
- 13.5. The **JC** will run **OM** in place of **BOD** until a clear direction of **OM** is established.
- 13.6. The **JC** has the right to amend By-laws as necessary until a clear direction for **OM** is established.

## CERTIFICATION


Praise be to ALLAH, the Most Gracious, the Most Merciful, O'ALLAH pardon us and forgive us, if we have transgressed our duty, guide us to the straight path, the path of those on whom You have bestowed the Grace. Aameen.

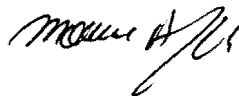
Through this article, we the presently appointed members of the Constitution Committee attest our signatures as witnesses and Allah (SWT) is the greatest of all witnesses, that this document (Constitution of OM) which consists of thirteen (13) articles is presented to the BOD for approval within the framework of present rules.

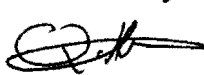
Anyone who willfully or knowingly or unknowingly or consciously or unconsciously violates the adopted rules of this constitution, such a person shall be responsible for his actions here and the Hereafter.

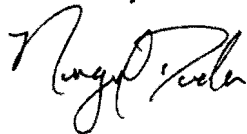
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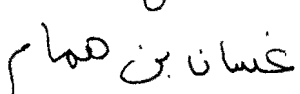
Constitution Committee

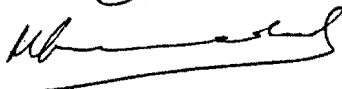
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