

**Monmouth County CARE  
Inc.  
Chapter Bylaws**



## **Preamble**

The following Bylaws shall be subject to, and governed by, the Non-Profit Corporation Act of 2008 and the Article of Incorporation of Monmouth County CARE Inc. In the event of a direct conflict between the herein contained provisions of these Bylaws and the mandatory provisions of the Non-Profit Act of 2008, said Non Corporation Act shall be the prevailing controlling law. In the event of a direct conflict between the provisions of these Bylaws and the Articles of Incorporation of Organization, it shall than be these Bylaws which shall be controlling.

### **ARTICLE I. Purpose**

**Section 1.** This organization shall educate and assist in the education on reducing the harm of drug use within our community. This said organization shall offer treatment resources, donations, harm reduction supplies etc.

**1.** The status of laws concerning Harm Reduction and Recovery for substance abuse in **Monmouth County**, the state of **New Jersey** and in the United States at large;

**1b.** The policy options for Harm Reduction and Recovery for substance abuse regulation as delineated in the Monmouth County CARE INC. official Policy Statement.

**1c.** The understanding of how to start and run harm reduction centers (needle exchange sites, Cannabis oil and co-op sites, safe consumption sites, safe drug use etc.).

**1d.** We will also be using different harm reduction tools during outreach work with people in our community's that are using drugs.

**1e.1** Help the public at large with harm reduction education, resources and supplies.

**1.e.2** Help the public at large with traditional and Nontraditional Medical Assisted treatment option and resources.

**Section 2.** This organization is not affiliated with any National Organization.

### **ARTICLE 2 Mission Statement**

Monmouth County CARE INC. is a Non-Profit grassroots advocacy organization that promotes the health and dignity of drug users. We provided community education about harm reduction services located within our communities. we are

also working towards advancing a public health approach to ending the countless overdoses in our communities.

### **ARTICLE 3 OFFICES**

The Corporation shall maintain one principal office in the state of New Jersey if they would like. Monmouth County CARE Inc. will have a PO Box set up in Middletown NJ.

1601 NJ-35 #69

Middletown NJ 07748

### **ARTICLE 4 NON-PROFIT PURPOSES**

**Tax Exemption.** This organization is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code of 1986 (hereinafter the “Code”) pursuant to the provisions of Chapter 317A of the State Statutes Annotated, known as the State Nonprofit Corporation Act, and laws amendatory thereto, as enacted or hereinafter amended, including, for such purposes, the making of distributions to organizations that qualify as example organizations under Section 501(c)(3) of the Code. There shall be no capital stock issued, and this corporation is not organized for profit, nor shall any person or member derive any benefit whatsoever, nor shall any pecuniary profit or benefit inure to the members of this corporation, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes as described in Article IV.

Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation, or is not permitted to be carried on by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**Dissolution:** “Dissolution” means the complete disbanding of the Corporation so that it no longer functions as a corporate entity. Upon the dissolution of the Corporation, its property shall be applied and distributed as follows: (1) all liabilities and obligations of the Corporation shall be paid and discharged or adequate provision shall be made therefore; (2) pursuant to a plan adopted by the board of directors, assets shall be transferred or conveyed to one or more domestic or foreign

corporation, society, or organization that qualify as exempt organizations under section 501(c)(3) of the Code and are engaged in activities substantially similar to those of the corporation.

## **ARTICLE 5. Rights and Obligations of Chapters**

### **Section 1.**

**1a.** Monmouth County CARE Inc. will be working towards advancing a public health approach to ending the countless overdoses in our communities.

**1b.** Monmouth County CARE Inc. will educate the community on harm reduction techniques, resources etc.

**1c.** Monmouth County CARE Inc. will have voluntary Drug User support groups for people that are on a traditional and nontraditional MAT programs. Current and former drug users are welcome to these groups. **We turn no one away ever.**

**1d.** Monmouth County CARE Inc. may raise funds for harm reduction Items (clean needles, Narcan, etc.) activities and events, including collecting voluntary payments directly from members, or engaging in other fundraising and donation events.

**1f.** Monmouth County CARE Inc. will never be governed by any government body. Including Police, Parole etc.

**1g.** Notwithstanding any provision of these Bylaws, the Chapter shall not engage in any activities not permitted to be carried on by an organization exempt from Federal income tax under sections 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law).

## **ARTICLE 6. Membership**

**Section 1.** The membership will be set up on a member voluntary basis:

**1a.** Anyone can engage in open chapter activities and events.

**1b.** Anyone interested in furthering the purpose of the organization and getting involved can do so at any time on a voluntary basis.

### **Section 3. Travel Guidelines.**

**There may be times when Monmouth County CARE could have opportunities for traveling to do outreach work, Annual business meeting or other events.**

**3a.** During all trips where hotel or shared lodging is used, Chapter will follow all applicable hotel policies regarding occupancy. All expenses are paid by individual

and not by Monmouth County CARE Inc. Monmouth County CARE Inc. will never paid expenses for any individual.

**3b.** Monmouth County CARE will not be responsible for any issues that may arise during travel situations.

## **ARTICLE 7. Board of Directors**

**Section 1.** Only active members of the Chapter shall be eligible to serve as elected or appointed members of the Board of Directors. Active members are people that do outreach work at least 4 times a year.

**1a.** Duties of Officers of the Board of Directors These are descriptions of duties and are to be used as guidelines for Chapter leadership. There are no specific limitations or obligations of responsibility or authority. The Board and Officers shall act as a team and be ready and willing to share information and duties. Board members shall cross-train and assist wherever possible.

**1b.** The Executive Director/ President provides the main leadership role for the chapter. The Executive Director is central to the strategy and overall success of the Chapter, and is responsible for the following duties:

- Point of contact for all internal communications;
- Maintaining Chapter Bylaws, Articles of Incorporation and Mission Statement
- Planning and execution of short-term and long-term goal
- Maintaining the Chapter email account;
- Facilitation of board meetings;
- Filing taxes
- Facilitate and plan different community events
- Maintain organizational business
- Maintain Treasure activity's

**2c.** The Deputy Director is 2nd in command of the organization. The Deputy Director assists the Executive Director with all primary responsibilities when needed and is also in charge of the following duties:

- Preparing Annual meeting agenda with director
- Facilitation promotion of membership
- Facilitate and plan different community events

**2d.** The Treasurer is the financial manager of the Chapter, making sure all the money is accounted for and ensuring that the chapter is raising money. This position is held by the Director and deputy director. The Treasurer's duties are the following:

- Updating the monthly bank account statement;
- Planning and execution of short-term and long-term fundraising strategy;
- Maintaining financial records of merchandise and membership dues;
- Filing taxes with Executive Director.

**2e.** The Communications Director oversees the chapter's public image and outreach to the community and local media. This position is to be held by the Director. The Communication Director oversees the following duties:

- Managing the Chapter's social media accounts and website;
- Regular communication with Monmouth County CARE membership;
- Distribution of chapter materials and monthly newsletter if applicable.

**2f.** The Secretary is the record keeper of the organization and is intrinsic to the organization of the chapter. The Secretary oversees these duties:

- Documentation of Annual BOD meeting minutes;
- Documentation of monthly conference call with Director and/or Deputy Director

**Section 3.** There are no term limits for Elected Directors. Elections will be held at the Annual Business meeting or anytime there is a board position available.

**3a.** Any Board member or Officer may be removed for just cause by a supermajority of 65% of the Board present and voting in the affirmative.

**3b.** Absences from Annual Business meeting represent just cause for removal from the Board. The Board member subject to removal is not eligible to vote on this matter.

**Section 4.** Filling Board vacancies: Board members may nominate candidates immediately following the vacancy. Elections may also occur at this meeting or be scheduled for the first available opportunity. Candidates to fill Board vacancies must be active members of this organization and capable of carrying out the duties and responsibilities of the position.

**4a.** In the event no qualified candidates are nominated to fill a vacant board position, the Board may defer filling such vacancy until a qualified candidate is nominated and approved by vote of the Board of Directors.

**Section 5.** The quorum for the Board of Directors to conduct business shall be a majority of currently seated directors, with a minimum quorum of two (2) members.

**Section 6.** Board of Director is a voluntary membership to sit on the Board of Monmouth County CARE Inc. No salaries or benefits of any kind are paid to any Board member.

## **ARTICLE 8. Voting**

**Section 1.** Only active members may vote. The quorum is two (2) members.

**1a.** No new member, who joins at a meeting, may vote at that meeting, but may vote only at subsequent meetings. Must make 3 consecutive meetings to be able to vote. The member may vote at the Third meeting. If member misses meeting it starts all over.

## **ARTICLE 9. Finances**

**Section 1.** All funds are to be deposited and handled through a checking account at a reputable financial institution under the name of the Chapter and maintained by the Director and Deputy Director.

**1a.** A bank account must be established.

**1b.** The Director is authorized on the Corporation's behalf to sign checks, drafts, or other orders for payment of money; to sign acceptances, notes, or other instruments of indebtedness; to enter into contracts; or to execute and deliver other documents and instruments.

**1c.** The Chapter shall provide a copy of all financial to board of directors quarterly.

**1d.** There is no salaries or benefits paid out to any board of directors or members at any time.

**1f.** All money paid out must be approved by at least 2 board members. By phone with out of state board members is OK.

## **ARTICLE 10. Elections**

**Section 1.** Board seats shall all be filled by election or special elections, and no financial commitment or donation to the Chapter may be required in exchange for election to the board of directors. Nominations and elections for board members shall take place during the regularly quarterly meeting held in the month of January. Special election can happen during any quarterly meeting or during a called emergency meeting by the director.

## **Section 2. Election rules:**

**2a.** Any Board member may nominate someone run for the board of director seat.

**2b.** The majority required to elect a new Board member is 2/3.

**2c.** In the event that 2/3 cannot be obtained by the board, the voting will be postponed until the next meeting.

**2d.** At the discretion of the Executive Director, voting may be either by show of hands, voicing 'aye' or 'nay', or by written ballot.

## **ARTICLE 11. Parliamentary Authority**

**Section 1.** Monmouth County CARE INC. bylaws and "Roberts Rules of Order", shall be used in all cases not covered by these bylaws, including but not limited to removal of officers from the board and/or expulsion of members.

## **ARTICLE 12. Copies of Bylaws**

**Section 1.** Copies of bylaws shall be posted on the official Chapter website and made available to anyone upon request.

## **Article 13 AMENDMENTS**

**1. Amendments to Bylaws-** The Bylaws may be altered or amended, or new Bylaws adopted, at any meeting of the Board of Directors, by a vote of a majority of the directors in office, if at least ten (10) days' written notice is given of the intention to take such action at such meeting.

**2. Amendments to Articles-** The Articles of Incorporation may be altered or amended, or new Articles adopted, at any meeting of the Board of Directors, by a vote of a majority of the directors in office, if at least ten (10) days written notice is given of the intention to take such action at such meeting.

## **Article 14 MISCELLANEOUS PROVISIONS**

**1. Fiscal Year-**The annual accounting period of the corporation shall begin on January 1 of each year, unless changed by the Board of Directors.

**2. Checks.** All checks, drafts, or other orders for the payment of money shall be signed such Officer or Officers or such other person or persons as the Board of state in Bylaws Article 7 Board of Directors.



**3. Contracts-** All contracts, notes or other evidences of indebtedness, and leases of space for the corporation shall be signed by executive director and deputy director at the desertion of the Board of Directors.

**4. Records-** The corporation shall keep as permanent records minutes of all annual meetings of its board of directors, and any designated body, a record of all actions taken by the board of directors. A corporation shall keep a copy of the following records at its principal office: (1) Articles of Incorporation or restated Articles of Incorporation and all amendments to them currently in effect; these Bylaws or restated bylaws and all amendments to them currently in effect; (3) minutes and records of Annual meetings described in this section for the past 3 years; (4) a list of the names and business addresses of its current directors and officers; and (5) the most recent biennial report filed with the state of NJ.