

**ADOPTION VERSION**

**AMENDED AND RESTATED CONSTITUTION AND BYLAWS**

**OF**

**MASJID FATIMA ALZAHRA INC.**

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## **ARTICLE 1: DEFINITIONS**

### **SECTION 1.1: NAME**

The name of this organization shall be “Masjid Fatima Alzahra Inc.” and is referred to in these Bylaws as “the Masjid.”

### **SECTION 1.2: OPERATIONS AND ACTIVITIES**

The operations and activities of the Masjid shall conform to the Holy Qur’an and Sunnah of the Prophet Mohammed (Peace be upon Him).

### **SECTION 1.3: TYPE OF ORGANIZATION**

The Masjid is an Islamic, charitable, non-profit religious corporation organized under the laws of the state of New York and qualified as a Section 501(c)(3) corporation under the Internal Revenue Code.

## **ARTICLE 2: PRINCIPAL OFFICE**

The principal office for the transaction of the business affairs and activities of the organization shall be located at 55 Lake Shore Road, Lake Ronkonkoma, NY, 11779-3116. The principal office may be changed by majority approval of the Board of Trustees.

## **ARTICLE 3: MISSION, PURPOSE, OBJECTIVES, ACTIVITIES AND PLACE OF WORSHIP**

### **SECTION 3.1: MISSION**

The mission of the Masjid shall be to:

- a. Promote and enhance the teaching of Islam according to the Holy Qur’an and Sunnah of the Prophet Mohammed (Peace be upon Him).
- b. Provide services to the Muslim community and to the general community to improve the cultural, social, and intellectual quality of life of the Members of the community.
- c. Offer its Members and associates an ideal environment for raising their families by Islamic values, integrated with their respective cultural traditions.

### **SECTION 3.2: PURPOSE**

The purpose of the Masjid is to:

- a. Hold prayers and teach Islamic principles.
- b. Conduct social, educational and other activities consistent with the Islamic tradition.
- c. Present Islamic beliefs and teachings to the Members of the community.

### **SECTION 3.3: OBJECTIVES**

The objectives of the Masjid are to:

- a. Encourage and enable individual Muslims to build and strengthen their Islamic personalities.
- b. Encourage and promote the establishment of a stronger Muslim community.
- c. Present the religion of Islam to people of other faiths and promote friendly relations between Muslims and non-Muslims.
- d. Serve the broader community and promote cooperation with other non-political groups working towards the social enhancement of the community.

### **SECTION 3.4: ACTIVITIES**

The Masjid shall engage itself only in such activities as may be allowed under local, state and federal laws related to non-profit religious organizations.

### **SECTION 3.5: PLACE OF WORSHIP**

The Masjid shall maintain a place of worship (the “Mosque”).

## **ARTICLE 4: MEMBERSHIP**

### **SECTION 4.1: ELIGIBILITY**

Each Member of the Masjid must meet the following criteria:

- a. Be a follower of the Muslim faith.
- b. Be twenty-one (21) years of age or older.
- c. Be a U.S. citizen or a green card holder.
- d. Be a resident of Long Island.
- e. Abide by these Bylaws and satisfy the Membership requirements.
- f. Submit a Membership form and obtain a Membership number.
- g. Be subject to a background check.
- h. Commit to supporting the Masjid financially.
- i. Abide by the Code of Conduct as outlined in Appendix A.
- j. Not currently serve on more than one other board of another organization affiliated with a mosque.

A Member may become a voting Member by having Membership in good standing for a minimum of six (6) months, having paid the Membership fees, and avoiding participation in any violation of law or subversive activities against the interests of the Masjid.

Membership of any status may be revoked by the Board of Trustees for participating in any unlawful and unethical activities against the Masjid.

#### **SECTION 4.2: DUES**

The amount required for annual dues shall be determined by the Executive Committee subject to the approval of the Board of Trustees. Dues shall be due no later than January 31 in the applicable calendar year.

#### **SECTION 4.3: NONPAYMENT OF DUES**

Any Member whose outstanding dues are not paid before the first meeting of the Members for the calendar year shall be considered delinquent and shall not be entitled to enjoy the benefits and privileges of Membership or participate in Masjid business, including, but not limited to, voting on Masjid matters on which Members are entitled to vote, including voting in elections. The Membership Committee shall thereafter send a notice of delinquency to each such Member. Failure to pay all outstanding dues within thirty (30) days after receipt of such notice of delinquency shall constitute a resignation from Membership in the Masjid. The Board of Trustees, in its discretion, may choose to grant a waiver of Membership dues in cases where the applicable Member claims undue hardship. Members who wish to receive a waiver of dues because of undue hardship shall contact the President or the Chairperson with such a request.

#### **SECTION 4.4: TYPES OF MEMBERSHIPS**

##### **Qualifications**

Any Muslim who meets the eligibility requirements outlined in Section 4.1 of these Bylaws and is interested in Membership may apply.

##### **Becoming a Member**

The following describes the process for becoming a Member:

- a. The applicant must complete a Membership Application Form, including applicable annual membership dues, and deliver it to the Membership Committee by either hand delivery, postal mail, or email.
- b. The Membership Committee shall forward the Membership Application to the Board of Trustees for review. The Board of Trustees, upon the advice of the Imam, shall notify the Membership Committee of the application's approval or denial.
- c. The Membership Committee shall notify the applicant of a decision forthwith; if approved, this shall include the delivery of a Certificate of Membership, which shall also be filed with the Secretary. If denied, the applicant shall be refunded the membership dues.

d. The Secretary shall at all times maintain an updated Member list.

### **Non-Active Member**

Any Member who pays annual dues but does not regularly attend Masjid meetings and does not significantly contribute to the Masjid's events and affairs, in each case as determined by the Executive Committee, will be deemed to be a Non-Active Member. Non-Active Members will have the same rights as Members except that they will not have the right to vote in any of the Masjid's elections.

### **Associate Member**

Any person from the local Muslim community who wishes to become a non-paying Member and agrees to abide by the vision, mission and objectives of the Masjid may become an "Associate Member" by submitting the respective application to the Executive Committee, which shall also be subject to the approval of the Board of Trustees. An Associate Member shall not have any voting rights.

## **SECTION 4.5: RESIGNATION AND TERMINATION OF MEMBERSHIP STATUS**

### **Resignation**

Any Member may resign from the Membership of the Masjid at any time by giving a written, email or WhatsApp electronic notice to the Board of Trustees. A resignation shall not relieve a Member of unpaid dues or other charges accrued at the time of notice of resignation or at any later time specified in the notice. The Board of Trustees has the right, in a regular meeting, to accept the resignation of any of its Members. Any resignation shall take effect at the date of the receipt of notice or at any later time specified in the notice.

### **Termination**

- a. All reasonable efforts shall be made to keep all Members.
- b. The Board of Trustees may terminate the relationship of any Member who is found to be disruptive or in violation of the articles of incorporation, these Bylaws, any provision of law, or the rules and regulations of the Masjid.
- c. A terminated Member may request a hearing before the Board of Trustees. The written request for such a hearing shall be filed with the Chairperson of the Board of Trustees within Thirty (30) days of termination. The Board of Trustees shall decide the outcome of the hearing by a two-thirds (2/3) vote.
- d. All rights of a Member shall cease upon termination and removal from the Membership.

Each year, no later than April 30 of the respective calendar year, the Board of Trustees will assess the current Members of the Masjid in order to determine which Memberships will be renewed, terminated, or converted to Non-Active Memberships.

## **ARTICLE 5: GOVERNING BODIES**

### **SECTION 5.1: THE GOVERNING BODIES OF THE MASJID**

The following four bodies shall govern the affairs of the Masjid:

- a. The General Body.
- b. The Board of Trustees.
- c. The Executive Committee.
- d. The JTBD (as defined below), consisting of the Board of Trustees and the Executive Committee collectively.

### **SECTION 5.2: GENERAL BODY**

The General Body shall meet at least once per calendar year. All active voting Members of the Masjid shall constitute the General Body.

### **SECTION 5.3: BOARD OF TRUSTEES**

#### **General Powers and Responsibilities**

- a. The Board of Trustees shall be responsible for the overall direction of the Masjid and shall also ensure adherence to these Bylaws.
- b. The Board of Trustees shall have the duty and power to plan, manage and execute its decisions in managing the various activities of the Masjid. The Board of Trustees shall also have the full power and authority to purchase, sell, rent, assign, transfer, or otherwise acquire or dispose of and convey any property, investments, securities, including, but not limited to, real estate, stocks, and bonds.
- c. The Board of Trustees shall be responsible for the development, maintenance and long-term planning and growth of the Masjid.
- d. The Board of Trustees will review and approve the annual budget of the Masjid.
- e. The Board of Trustees will be responsible for the appointment of an independent auditor.
- f. The Board of Trustees will be responsible for the appointment of Election Committees, and, in the Board of Trustees' discretion, may approve or cancel contested election results.
- g. The Board of Trustees shall act as an arbitrator in any disagreement or dispute among the Executive Committee. The decision of the Board of Trustees shall be final.
- h. All transactions involving an amount over \$5,000.00 shall require the prior approval of the Board of Trustees.

- i. All Members of the Board of Trustees must attend the General Body meeting once each calendar year.
- j. The Board of Trustees can override a decision of the Executive Committee.
- k. The Board of Trustees shall approve the adoption of these Bylaws and any amendments to the Bylaws by a two-thirds (2/3) vote.

### **Eligibility**

The following criteria must be satisfied for a Member to be eligible to serve on the Board of Trustees:

- a. Twenty-one (21) years of age or older and a voting Member.
- b. A resident of the Long Island area.
- c. No criminal record.
- d. Must not have filed for bankruptcy in the last three (3) years.
- e. Has financially supported the Masjid to an extent satisfactory to the Board of Trustees.
- f. Has been recommended by at least two (2) existing Members in good standing, as such status is outlined in these Bylaws.

### **Number of Trustees; Positions; Resignation; Removal**

The Masjid's Board of Trustees shall not have less than five (5) Members or more than fifteen (15) Members. However, Board of Trustees may decide to increase or decrease the number of Trustees by a two-thirds (2/3) vote of the total number of Trustees.

The Board of Trustees shall at all times have a Chairperson, Vice-Chairperson, and a Secretary, as well as any other positions that the Board of Trustees may determine, in each case by a two-thirds (2/3) vote of the entire Board of Trustees (excluding the vote of the applicable candidate). Each position shall be a two-year term and no more than two (2) successive terms, unless otherwise determined by a two-thirds (2/3) vote of the total number of Trustees. The Board of Trustees shall have the authority to refrain from filling a vacancy on the Board of Trustees for any given period, depending upon the needs and the circumstances and subject to other conditions of these Bylaws.

Each Trustee shall have one (1) vote on matters on which the Board of Trustees is entitled to vote. The President of the Executive Committee shall also attend meetings of the Board of Trustees as a non-voting Member.

Resignation by a Trustee shall be delivered in writing or electronically to the Board of Trustees. A Trustee's position vacated through resignation, incapacitation, removal, or death may be filled depending upon the needs and circumstances and subject to further conditions of these Bylaws.

If a Trustee acts against the interests of any individual Member due to that Member's race, ethnicity, or gender or exhibits any other discriminatory behavior, the Chairperson or any Trustee may recommend to the Board of Trustees the removal of that individual at the next regularly scheduled meeting of the Board of Trustees and may vote to fill the position or reduce the number of Trustees.

The Board of Trustees may remove a Trustee at any time by a two-thirds (2/3) vote of the Board of Trustees if such Member:

- a. Fails to meet the requirements outlined in Article 4 of these Bylaws;
- b. Does not attend three consecutive meetings without informing the Board of Trustees in advance; or
- c. Fails to adhere to the Code of Conduct or the conflicts of interest policies outlined in Article 16 of these Bylaws.

### **Election**

The Board of Trustees shall elect a Trustee to the position of Chairperson of the Board of Trustees and a separate Trustee to the position of Vice Chairperson of the Board of Trustees, each by majority vote of the Board of Trustees.

At least two (2) members elected to the Board of Trustees shall be from among the General Body, and these Members will be elected every ten (10) years, unless otherwise determined by a two-thirds (2/3) vote of the total number of Trustees.

### **Limitation of Trustees' Liability**

No member of the Executive Committee nor the Board of Trustees shall personally or otherwise be liable for any debt, liabilities or other obligations of the Masjid unless such person is engaged in fraud or embezzlement of Masjid-related funds, properties or other financial arrangements.

All office holders of the Masjid shall perform their duties and shall act in the best interests of the Masjid, as opposed to personal interests of such office holder. To the extent permitted by law, each Trustee serving the Masjid, and their respective heirs, executors and the administrators of each of them shall be indemnified by the Masjid against all costs, judgments, or liabilities, including attorney fees, reasonably incurred or imposed upon him or her in connection with any action, suit, or proceeding, civil or criminal, in which he or she is or may be made a party because of his or her having been a Trustee of the Masjid. Such indemnification shall be made concerning adjudication other than on the merits and shall extend to settlements and other resolutions. The Masjid may carry liability policies to cover such costs. However, when any Member, any official, or any other employee is removed by the Board of Trustees from such person's position with the Masjid because of any disciplinary reason, the cost of his or her court actions against the Masjid, the Board of Trustees, Executive Committee, the General Body (and any individual Members of Board of Trustees, Executive Committee, and the General Body) will not be covered by the Masjid.

## **Organization**

At each meeting of the Board of Trustees, the Chairperson shall preside (or, in the absence of the Chairperson, the Vice Chairperson shall preside, or in the absence of both the Chairperson and Vice Chairperson, a Member of the Board of Trustees, chosen by a majority of the Trustees present at such meeting, shall preside). The Secretary of the Board of Trustees shall record the minutes (or in the absence of the Secretary of the Board of Trustees, a Trustee chosen by a majority of the Trustees present at such meeting shall serve as substitute Secretary). The Board of Trustees shall make the minutes of each meeting available within fourteen (14) days after the respective meeting.

## **Place of Meetings**

The Board of Trustees shall hold its meetings at the principal office of the Masjid. Meetings can also be held through remote videoconference or teleconference means, provided that, at any such meeting, all Trustees can hear each other and be heard by one another. Participation by such means shall constitute presence in person at a meeting.

## **General Meetings**

The Board of Trustees shall hold at least four (4) general meetings per year, preferably one (1) per calendar quarter. Notice of each general meeting shall be given by email or WhatsApp electronic notice.

## **Special Meetings**

Special meetings of the Board of Trustees may be called by the Chairperson or by the written request of at least two (2) Trustees. Notice of any special meeting shall be given twenty-four (24) hours in advance via email or WhatsApp electronic notice and shall state the purpose, date, time, and place of the meeting.

In addition to the general meetings outlined above, the Board of Trustees shall also hold at least four (4) meetings each calendar year with the Executive Committee.

## **Quorum**

Two-thirds (2/3) of the entire Board of Trustees shall constitute a quorum for the transaction of business at any general or special meeting of Trustees. A majority of the Trustees present, whether or not a quorum is present, may postpone any meeting and notify all Trustees of the new meeting's date and time.

## **Voting**

Any resolution of the Board of Trustees may only be passed at a meeting at which a quorum is present, and such resolution shall require a two-thirds (2/3) vote of the Trustees present at such meeting. The Board of Trustees, at its discretion, may delegate any of its planning and management authority to the Executive Committee.

## **SECTION 5.4: EXECUTIVE COMMITTEE**

### **General**

The Executive Committee acts on behalf of, and within the powers granted to it by, the Board of Trustees. The Executive Committee shall consist of Members holding the positions of President, Vice President, General Secretary, Treasurer, Social Secretary, and Women's Representative. For the avoidance of doubt, any two or more positions on the Executive Committee may be held by the same person, except the offices of President and General Secretary. Subject to the approval of two-thirds (2/3) of the Trustees, each Member of the Executive Committee shall be elected at a meeting of the General Body and may hold office for a maximum of four (4) successive terms, with the duration of each term to be set by the Board of Trustees and shall not exceed two (2) years per term. Not more than one (1) Member of the same family shall be eligible to serve on the Executive Committee.

### **Eligibility**

A Member of the Executive Committee must meet the following qualifications:

- a. Be a Member in good standing of the General Body for at least one (1) year before submission of his or her application to join the Executive Committee;
- b. Be a regular attendee of religious services at the Mosque and a regular participant in Masjid activities;
- c. Be committed to supporting the Masjid financially.
- d. Has a reputation of honesty and upright character in business and social dealings.

### **Supervision**

The Executive Committee shall be supervised by the Board of Trustees as outlined in these Bylaws. Any Member of the Executive Committee may be removed from office at any time by a two-thirds (2/3) vote of the Board of Trustees.

### **Aim and Purpose**

All the Members of the Executive Committee, individually and collectively, shall endeavor to implement the aims and purposes of the Masjid. Towards this end, they shall:

- a. Define internal and external policies for the Masjid by generally accepted Islamic principles and these Bylaws.
- b. Raise funds for the routine and general maintenance of the Masjid activities.
- c. Appoint functional committees and act on their recommendations.
- d. Appoint full-time or part-time staff and supervise their work.

- e. Maintain the principal office of the Masjid.
- f. Ensure that regular Islamic studies are held for all Members of the Masjid.
- g. Abide by all approved decisions of the Board of Trustees.
- h. Modify, if necessary, and approve the finalized annual budget of the Masjid.
- i. Engage in short-term planning, management, and execution of activities to promote the aims and objectives of the Masjid.
- j. Establish procedures for the routine function of the Masjid.
- k. Appropriate funds for various committees if and as needed.
- l. Conduct the daily affairs of the Masjid.
- m. Authorize and sign checks for amounts up to \$5,000.00 (such checks must be signed by one of the following: the President, Vice President or the Treasurer). The Executive Committee will authorize checks above \$5,000.00, but such checks will also require the approval of the Board of Trustees, and also must be signed by one of the following: the President, Vice President or the Treasurer.

### **Responsibilities**

#### **The President shall be responsible for:**

- a. The general management of all the activities of the Masjid.
- b. Calling and presiding over the meetings of the Executive Committee and the General Body.
- c. Forming various ad hoc committees and appointing Members to such ad hoc committees with the approval of two-thirds (2/3) of the Board of Trustees.
- d. Managing the funds and expenses of the Masjid.
- e. Presenting reports on the state of the Masjid during the annual meeting and in the Masjid newsletter.
- f. Being the spokesperson, representative and correspondent for the Masjid in external activities.
- g. Establishing relationships between the Masjid and other Muslim organizations.

#### **The Vice President shall be responsible for:**

- a. Directing and coordinating the activities of the functional committees.
- b. Assisting the President in accomplishing the purposes of the Masjid.

- c. Temporarily assuming the functions of the President when requested by the President or as may otherwise be required, including in the absence of the President or if the position of President is vacated.
- d. Performing any other responsibility delegated by the President.

**The General Secretary shall be responsible for:**

- a. Preparing and maintaining the minutes of all Executive Committee, Board of Trustees and General Body meetings, presenting such minutes for approval by the Board of Trustees, and circulating all approved minutes within fourteen (14) days of the relevant meeting.
- b. Preparing, posting, and circulating the agenda for the Executive Committee, Board of Trustees, and General Body meetings.
- c. Maintaining all official records and documents of the Masjid.
- d. Presiding over the Executive Committee meetings when both the President and the Vice President are absent.
- e. Maintaining records of all approved Board of Trustees decisions.
- f. Maintaining a list of all people interested in Masjid events.
- g. Working with the Elections Committee to ensure that a list of Members eligible to vote in elections, and other matters of the General Body is available to any Member at least fourteen (14) days before the meeting in which the voting will take place.
- h. Performing any other related responsibility delegated by the President.

**The Treasurer shall be responsible for:**

- a. Maintaining the records for all the financial transactions of the Masjid, maintaining books and records of disbursements, receipts and bank reconciliations, and posting monthly income and expense statements.
- b. Collecting and depositing all funds received on behalf of the Masjid in a designated bank account and maintaining credible receipts.
- c. Preparing the annual budget of the Masjid for the following year, in consultation with the Board of Trustees, at least sixty (60) days before the end of the current fiscal year.
- d. Presenting before the Executive Committee and the Board of Trustees a monthly report on the status of the Masjid's financial affairs, including a monthly income and expense statement.
- e. Disbursing funds by checks withdrawn from the bank accounts of the Masjid only.

- f. Issuing receipts to donors within thirty (30) days of any donation made to the Masjid by such donor, and issuing an annual aggregate receipt to each donor no later than January 31 of the year after such donations are made, in each case for tax purposes.
- g. Preparing a W-2 for all Masjid employees and abiding by all federal, state and local tax laws.
- h. After the completion of the Treasurer's term, the outgoing Treasurer shall hand over all official papers of the Masjid to the incoming Treasurer within thirty (30) days. A transition period could be extended or curtailed only by the approval of the Board of Trustees. The President will ensure that the outgoing Treasurer's signature is cancelled on all relevant banking and other related forms and shall submit the new Treasurer's signature to the Masjid's bank for future transactions.
- i. Performing any other responsibility delegated by the President.

**The Social Secretary shall be responsible for:**

- a. Directing and supervising all arrangements for the celebration of religious festivals and social programs such as picnics, dinners, lectures, etc.
- b. Informing Members about the time, place, and details of the religious festivals and social programs.
- c. Performing any other responsibility delegated by the President.

**The Women's Representative shall be responsible for:**

- a. Acting as liaison between the Board of Trustees and the female Members of the Masjid.
- b. Chairing the Women's Committee.
- c. Presenting the needs, opinions, and concerns of the female Members of the Masjid to the Board of Trustees.
- d. Performing any other responsibility delegated by the President.

**Vacancies**

In the event of a vacancy in the positions of Vice President, General Secretary, Treasurer, or Social Secretary, the Executive Committee shall fill the vacancy from among Members of the General Body, subject to the eligibility requirements and other conditions outlined in these Bylaws.

In the event of a vacancy in the position of Women's Representative, the Executive Committee shall fill the vacancy from among women Members of the General Body, subject to the eligibility requirements and other conditions outlined in these Bylaws.

In the event the position of President is vacated and there is a year or more remaining in the former President's term, a new President shall be elected to complete that term. That election

shall take place at the next annual meeting of the General Body. Until such election, the Vice President shall assume the functions of the President, as specified in these Bylaws. Following the expiration of such term, a new President shall be elected for a subsequent term by these Bylaws.

## **SECTION 5.5: JOINT BOARD**

### **Purpose**

The Joint Board (“JTBD”) is formed by combining the Board of Trustees and the Executive Committee. The main purpose of the JTBD will be to address and resolve matters of significance that involve the Board of Trustees and the Executive Committee. The JTBD provides a platform for the Board of Trustees and Executive Committee to personally sit together, face-to-face, promote camaraderie and work collegially to find solutions to issues in the best interests of the Masjid.

### **Responsibilities**

- a. The JTBD shall meet at least five (5) times a year to discuss and coordinate all significant matters related to the proper functioning of the Masjid.
- b. The Chairperson of the Board of Trustees shall lead such meetings.

### **Removal**

Any Member of the JTBD may be removed at any time by a two-thirds (2/3) vote of the JTBD, if, after a hearing, charges of direct violation of these Bylaws, misuse, or misappropriation of funds, or obvious damage to the interests of the Masjid are substantiated.

### **Meetings**

The presence of at least two-thirds (2/3) of the JTBD Members shall constitute a quorum at any meeting of the JTBD. Decisions on matters brought to the meetings shall be approved through a two-thirds (2/3) vote. Meetings of the JTBD can also be held through remote videoconference or teleconference means, provided that, at any such meeting of the JTBD, all JTBD Members can hear each other and be heard by one another.

### **Matter Resolution**

If the Executive Committee or the Board of Trustees is unable to agree on any particular matter that concerns the Masjid, then the JTBD shall vote on this matter.

Any meeting of the JTBD will require a quorum of two-thirds (2/3) of the total Members of Board of Trustees and Executive Committee, and any resolution by such governing bodies shall require a two-thirds (2/3) vote by the Members present.

## **ARTICLE 6: STANDING FUNCTIONAL COMMITTEES**

### **SECTION 6.1: COMMITTEES**

The Masjid will operate with the assistance of the following eleven (11) Standing Committees to assist in the implementation of the aims and purposes of the Masjid:

**Standing Functional Committees under the Board of Trustees**

The following Standing Committees, some of which may not always be active, shall be maintained under the supervision of the Board of Trustees:

- a. Long-Term Planning and Development Committee;
- b. Religious and Zakat Affairs Committee;
- c. Cemetery Committee;
- d. Nominations and Election Committee.

**Standing Functional Committees under the Executive Committee**

The following Standing Committees shall be maintained under the supervision of the Executive Committee:

- a. Public Affairs Committee;
- b. Interfaith Affairs Committee;
- c. Facilities Maintenance and Repair Committee;
- d. Social and Cultural Affairs Committee;
- e. Women's Committee.

**Standing Functional Committees under the JTBD**

The following Standing Committees shall be maintained under the supervision of the JTBD:

- a. Education Affairs Committee;
- b. Financial Affairs and Membership Committee.

**SECTION 6.2: COMMITTEE CHAIRS**

The Standing Committees will operate under the Board of Trustees, the Executive Committee or the JTBD, as outlined in Section 6.1. Each Committee shall appoint the chairperson of such committee within thirty (30) days of the annual elections. No person can be a chairperson of more than one (1) Standing committee. The chairperson of the committee shall lead the meetings, discuss the meeting agenda, resolve disputes and determine the goals and strategies of the committee. The chairperson shall also be responsible for coordinating with the chairpersons of the other Masjid committees, the Executive Committee, the Board of Trustees and the General Body to further the goals of the Masjid.

### **SECTION 6.3: APPOINTMENTS**

The committee Members will be appointed by the Board of Trustees, Executive Committee or JTBD, as applicable, with the concurrence of the appointed committee chairperson.

### **SECTION 6.4: MEETINGS**

The meetings of the Standing Committees will be called and presided over by the chairperson of the respective Committee. A representative of the Board of Trustees, Executive Committee or JTBD, as the case may be, may participate in the meetings as an observer. The chairperson shall go through the meeting agenda. Resolutions shall be decided by a two-thirds (2/3) vote. A quorum of two-thirds (2/3) of committee members of the respective committee must be present for the vote to be valid. After the agenda has been discussed, committee Members will then have the opportunity to discuss any matters concerning the committee or the Masjid. Meetings of the Standing Committees can also be held through remote videoconference or teleconference means, provided that, at any such meeting of a respective Committee, such Committee's Members can hear each other and be heard by one another

### **SECTION 6.5: DURATION**

Each Standing Committee will stay active until a new Committee is formed by the newly elected Executive Committee.

### **SECTION 6.6: REMOVAL OF COMMITTEE MEMBERS**

The Members (including the chairperson) of any Standing Committee, other than the Women's Committee, may be removed and replaced by the Board of Trustees or Executive Committee any time during their tenure by a two-thirds (2/3) vote.

### **SECTION 6.7: COMMITTEE SUPERVISION**

The Women's Committee will report to the Executive Committee through the Women's Representative. All other Standing Committees shall report to the Board of Trustees or the Executive Committee, subject to Article 5.

### **SECTION 6.8: OBJECTIVES AND GUIDELINES**

The Board of Trustees and the Executive Committee shall provide goals and guidelines for all Standing Committees. The recommendations of all the Standing Committees will be reviewed and, if approved, implemented by the Executive Committee.

## **ARTICLE 7: AD HOC COMMITTEES**

### **SECTION 7.1: APPOINTMENT AND SCOPE**

The General Body of the Masjid or the Executive Committee may appoint ad hoc committees to carry out a specific assignment. The assignment and the terms of any such committee shall be precisely defined by the appointing Executive Committee or the General Body. The maximum

tenure of any such committee shall be one (1) year, unless extended by the Executive Committee in accordance with Section 7.6 of these Bylaws.

#### **SECTION 7.2: AD HOC COMMITTEE CHAIR**

The Executive Committee shall appoint the ad hoc committee and choose a chairperson to chair each such committee. No person may be a chairperson of more than one (1) ad hoc committee at a time.

#### **SECTION 7.3: MEETINGS**

The meetings of the ad hoc committees shall be called and presided over by the chairperson of the committee. A representative of the Executive Committee may participate in the meetings as an observer.

#### **SECTION 7.4: PROGRESS REPORTS**

The committee chairperson of any ad hoc committees shall present a progress report at least once per month to the Executive Committee and the Board of Trustees.

#### **SECTION 7.5: FINAL REPORTS**

The committee shall submit its final report/recommendation to the Executive Committee upon completion of its specific assignment. The Executive Committee shall then dissolve the ad hoc committee.

#### **SECTION 7.6: EXTENSION**

If the ad hoc committee fails to meet its objectives within the specified time, the Executive Committee may extend its tenure or may dissolve it.

#### **SECTION 7.7: DISSOLUTION**

The Executive Committee may dissolve an ad hoc committee by issuing a memorandum of dissolution to the ad hoc committee chairperson.

#### **SECTION 7.8: ACTIONS**

The Executive Committee must act on the recommendation of the ad hoc committee within two (2) months of receiving it, if the Executive Committee elects to act on such recommendation. An emergency recommendation may be called by the ad hoc committee and the Executive Committee must act on the recommendation within forty-eight (48) hours, if the Executive Committee elects to act on such recommendation. If the Executive Committee elects to act on such recommendation, the ad hoc committee report and the Executive Committee's decision to act on such report shall be announced to the Masjid Membership.

### **ARTICLE 8: MEETINGS**

#### **SECTION 8.1: GENERAL BODY MEETINGS**

The Masjid shall have at least one (1) General Body meeting during the year. Written notice of a General Body meeting shall be given to all the Members of the Masjid at least two (2) weeks before the date of the meeting. This notice may be mailed to the Members and may be posted on conspicuous bulletin boards at the Masjid and by announcing it at the Jumaa or Friday prayer service.

### **SECTION 8.2: EXECUTIVE COMMITTEE MEETINGS**

The Executive Committee shall meet at least once every month at the Masjid. The President may call Executive Committee meetings in addition to the regular monthly meeting whenever the President deems it necessary, through email or WhatsApp electronic notice, and participation at such meetings by remote videoconference or teleconference means constitutes presence in person at a meeting.

### **SECTION 8.3: EMERGENCY EXECUTIVE COMMITTEE MEETINGS**

An emergency Executive Committee meeting may be called at the request of at least two-thirds (2/3) of the Executive Committee. Such a meeting shall be held within one (1) week after the written request is made to the President. Emergency meetings shall be called by email or WhatsApp electronic notice.

### **SECTION 8.4: VOTING AT GENERAL BODY MEETINGS**

Any General Body Meeting will require a quorum of at least a majority of the total Members. The General Body shall reach decisions on each matter by a majority vote of the Members present at a General Body meeting at which there is a quorum. The President, or the Member presiding in his absence, shall not vote on any matter. This shall not preclude the President or other presiding officer from voting in a secret ballot election which may be held for the election of officers. Members not present at the General Body, Board of Trustees, or Executive Committees meetings shall not be able to vote on that issue. There shall be no proxy votes.

### **SECTION 8.5: ATTENDANCE OF MEMBERS AT THE EXECUTIVE COMMITTEE MEETINGS**

The regularly held Executive Committee meetings shall be open to the Members of the Masjid only upon request by the Members and upon approval by the Board of Trustees. The Executive Committee may invite past Executive Committee Member(s) and/or any other Member(s) to any Executive Committee meeting for such purposes as ascertaining the history of past decisions and seeking their views on the items on the agenda for the meeting. However, none of the persons present who are not Members of the Executive Committee shall have a right to vote in any Executive Committee meeting.

## **ARTICLE 9: ELECTIONS**

### **SECTION 9.1: TIMING**

Elections shall be held at a specified date no later than November 30 of each calendar year in which an election is held. The newly elected Members shall assume their positions on January 1

of the subsequent year. Early elections can be held by two-thirds (2/3) approval by the Board of Trustees.

### **SECTION 9.2: NOMINATION AND ELECTION COMMITTEE**

The elections shall be conducted by a Nomination and Election Committee appointed by the Board of Trustees, which shall consist of three (3) Members. All Members of the Nomination and Election Committee shall be highly respected and outstanding persons known for their skills, morals, and dedication. None of the Members of the Nomination and Election Committee shall be a candidate for election. Votes of Members whose spouses are running for elected positions shall not be counted. The Nomination and Election Committee Members shall not campaign in favor of or against any candidate. However, Nomination and Election Committee Members shall have the right to vote as Members.

At least two (2) weeks before the election, the Nomination and Election Committee shall announce the date, time, and place of the election. The Nomination and Election Committee shall also announce the procedure for nominating candidates and shall produce a list of all active Members of the General Body eligible to vote.

### **SECTION 9.3: NOMINATIONS; VOTER ELIGIBILITY**

Only Members eligible to vote shall be permitted to nominate candidates or to second a candidate's nomination. Any Member may nominate another Member for election. Nominations must be made by email or WhatsApp electronic notice to the Board of Trustees at least thirty (30) days before the schedule date of the election for which the nomination is made.

Only Active Members in good standing shall be eligible to vote in an election. To be in good standing, a Member must have paid his or her annual dues prior to the election. Any Member who would be ineligible to vote because he or she missed annual dues may become eligible by paying the amounts for which he or she owes in arrears. Those who are late on dues payments are ineligible to vote or to nominate Members to the Board of Trustees.

## **ARTICLE 10: FINANCE**

### **SECTION 10.1: ACCOUNTING PRINCIPLES**

The Masjid subscribes to and shall adhere to U.S. generally accepted accounting principles in all its financial affairs.

### **SECTION 10.2: ANNUAL MEMBERSHIP DUES**

Annual Membership dues shall be determined by the Executive Committee and shall be subject to the approval of the Board of Trustees. The Executive Committee shall determine the amount of dues to be paid by individuals and by a family unit.

### **SECTION 10.3: OUTSTANDING DUES**

A Member's obligation to pay dues may be waived if the Member is unable to meet the annual dues obligation. A decision by the Executive Committee to grant a waiver of dues payment is discretionary but shall take into account circumstances such as the Member's employment status, extraordinary expenses precipitated by a medical emergency or personal matter, or other hardship where the required dues payment would further aggravate the Member's financial position.

#### **SECTION 10.4: FISCAL YEAR**

The fiscal year shall commence on January 1 and end on December 31.

#### **SECTION 10.5: SEPARATE FUNDS**

The Masjid shall maintain the following separate funds:

- a. General Fund. This fund shall include all income of the Masjid, including dues, incoming checks, cash, and donations, besides funds collected specifically for the Masjid Fund outlined below.
- b. Masjid Fund. This fund shall include all contributions and donations collected specifically for the purchase, construction, expansion, or maintenance of the Masjid real estate properties.

#### **SECTION 10.6: BANK ACCOUNTS AND WITHDRAWALS**

An appropriate number of bank accounts may be maintained to manage these funds. All accounts shall be interest-free. All withdrawals from the General Fund accounts shall be cosigned by the Treasurer and the President or by the Treasurer and the Vice President in the President's absence. In exigent circumstances only, the President and the Vice President may cosign for a withdrawal if the Treasurer is unavailable. All withdrawals from the Building Fund account must be cosigned by the President and the Treasurer and are subject to Board of Trustees approval.

### **ARTICLE 11: COMPENSATION AND MASJID ASSETS**

#### **SECTION 11.1: COMPENSATION**

No Member of the Board of Trustees or Executive Committee shall be compensated, financially or otherwise, for their time or effort in discharging their duties.

Members of the Board of Trustees and Executive Committee may be reimbursed for any reasonable out-of-pocket expenses incurred in the course of conducting the business of the Masjid with prior authorization from the Treasurer.

At the beginning of the fiscal year, the Board of Trustees shall establish a threshold dollar amount beyond which the Board of Trustees, as well as the Executive Committee Members would need approval by a simple majority vote of the Board of Trustees for reimbursement of a direct expense.

## **SECTION 11.2: IRREVOCABLE DEDICATION OF MASJID ASSETS**

This Organization's assets are irrevocably dedicated to religious purposes. No part of the net earnings, properties, or assets of the corporation, upon dissolution or other disposition, shall inure to the benefit of any private person or individual, or to any Member.

## **ARTICLE 12: LOANS**

The Masjid shall not lend any money or property to or guarantee the obligation of any Member.

## **ARTICLE 13: INSURANCE**

The Masjid shall have the right, and shall use its best efforts, to purchase and maintain insurance to the full extent permitted by law on behalf of the Board of Trustees and Executive Committee Members to cover any claim asserted against or incurred by any Member of the Board of Trustees or Executive Committee, except for any such claim for which insurance is not available.

## **ARTICLE 14: DISSOLUTION**

### **SECTION 14.1: PROPOSAL AND QUORUM**

If the situation arises which makes voluntary dissolution of the Masjid inevitable, the Board of Trustees will take all action required by New York law to effect that dissolution. A proposal to dissolve the Masjid must be made by the Board of Trustees and voted on at a special meeting of the General Body convened for that purpose. A quorum of two-thirds (2/3) of the Members of the General Body shall be necessary to vote on the question of dissolution. Approval of the dissolution shall require a four-fifths (4/5) vote of the Members present.

### **SECTION 14.2: ASSETS**

In the event of a dissolution, any surplus assets, after satisfying all liabilities and required reserves, shall be distributed to another New York non-profit, tax-exempt Islamic organization that has purposes and objectives similar to those of the Masjid. At the special meeting convened to approve a dissolution, the Members of the General Body shall nominate candidate organizations for such distribution of assets. An organization receiving at least fifty-one percent (51%) of the vote, or the organization receiving a plurality of votes, shall be the beneficiary of this distribution upon verification of the JTBD that the organization meets the criteria specified in this paragraph. Any assets not disposed of as outlined in this paragraph shall be disposed of by the Court of Common Pleas of Suffolk County, exclusively for such Islamic organizations, as the Court shall determine.

## **ARTICLE 15: ANNUAL STATEMENTS AND REPORTS**

### **SECTION 15.1: ANNUAL STATEMENTS**

The Secretary of the Masjid shall distribute annually to all Trustees, Members of the Executive Committee and Members of Standing Committees a form soliciting the disclosure of all conflicts of interest (as described below), including specific information concerning the terms of any

contract or transaction with the Masjid and whether the process for approval outlined in these Bylaws was used in respect of such contract or transaction. Each Member of the Board of Trustees, Executive Committee and Standing Committee shall annually sign a statement which affirms such person:

- a. Understands and adheres to the conflicts of interest policies outlined in Article 16 of these Bylaws;
- b. Has read and understands the policy;
- c. Has agreed to comply with the policy.

## **SECTION 15.2: ANNUAL REPORTS**

The Executive Committee President shall submit an annual report to the Board of Trustees within one hundred and twenty (120) days after the end of the Masjid's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, as of the end of the fiscal year.
- b. The principal changes in assets and liabilities, including trust funds.
- c. The Masjid's revenue.
- d. The Masjid's expenses.

## **ARTICLE 16: CONFLICTS OF INTEREST**

### **SECTION 16.1: DEFINITION OF CONFLICTS OF INTEREST**

- a. Conflicts of interest will be deemed to exist whenever an individual is in a position to approve or influence the Masjid's policies or actions which involve or could ultimately harm or benefit financially:
  - i. The individual;
  - ii. Any Member of such individual's immediate family (e.g., spouse, parents, children and siblings); or
  - iii. Any organization in which such individual or an immediate family Member is a Trustee, officer, member, Imam, partner or more than ten percent (10%) shareholder. Service on the board of another not-for-profit corporation does not, in and of itself, constitute a conflict of interest.
- b. Conflicts of interest may be deemed to exist when an individual's personal or financial interests might influence their decisions or actions regarding the Masjid. This can include transactions, agreements, or arrangements where an individual or a related party has a financial interest that could benefit them at the expense of the Masjid. Examples include an

individual's business being selected for a contract or an individual's family member being hired by the Masjid.

- c. A potential conflict could arise if an individual is involved in another mosque besides the Masjid, as such involvement could create a conflict of allegiance or preferential treatment towards one mosque over the other.

#### **SECTION 16.2: DISCLOSURE OF CONFLICTS OF INTERESTS**

- a. Trustees, Members of the Executive Committee and Members of a Standing Committee shall disclose a conflict of interest:
  - i. Before voting on or otherwise discharging his or her duties for any matter involving the conflict which comes before the Board of Trustees or any committee;
  - ii. Prior to entering into any contract or transaction involving the conflict;
  - iii. As soon as possible after the Trustee or officer learns of the conflict;
  - iv. On the annual conflict of interest disclosure form.

### **ARTICLE 17: IMAM**

#### **SECTION 17.1: FUNCTION**

The function of the Imam shall be as follows:

- a. The Imam shall be head of the Religious Committee.
- b. The Executive Committee will invite the Imam to its meetings whenever deemed necessary.
- c. The Imam shall report directly to the President. The annual goals and objectives for the Imam will be established by the Executive Committee with the approval of the Board of Trustees.
- d. The President will be responsible for the annual progress and achievement of the goals and objectives of the Masjid, and will report the same to the Board of Trustees.
- e. The Imam shall conduct regular programs at the Masjid for the spiritual and moral growth of the community.
- f. The Imam shall be an advisor to the Executive Committee.
- g. The Imam shall work closely with the Executive Committee and the Board of Trustees.

#### **SECTION 17.2: APPOINTMENT OF THE IMAM**

The Imam appointment shall be approved by a two-thirds (2/3) vote of the JTBD.

## **ARTICLE 18: GENERAL PROVISIONS**

### **SECTION 18.1: BOOKS AND RECORDS**

All the books and records of the Masjid will be kept at the principal office of the Masjid, including:

- a. Correct and complete books and records of financial accounts;
- b. Minutes of the proceedings of the meetings of the Board of Trustees, Executive Committee and any other committees established or appointed by the Masjid;
- c. An updated record of the names and addresses of the voting and non-voting Members and a current list of the Trustees and Executive Committee Members and their residential addresses;
- d. A copy of the Bylaws;
- e. A copy of the Masjid's application for recognition of exemption with the Internal Revenue Service;
- f. Copies of the Masjid's tax returns to the Internal Revenue Service for the past three years.

### **SECTION 18.2: MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS**

The Masjid shall keep at its principal office the original or a copy of the articles of incorporation and Bylaws, as amended from time to time, which shall be open to inspection by all Members of the General Body at all reasonable times. The Secretary shall, upon the written request of any Trustee, furnish to that Trustee a copy of the articles of incorporation and Bylaws, as amended from time to time.

## **ARTICLE 19: AMENDMENTS**

### **SECTION 19.1: AMENDMENTS TO CONSTITUTION AND BYLAWS**

Amendments to the Constitution and Bylaws may be proposed, in writing, by the Executive Committee, or by a petition signed by ten percent (10%) of the General Body Members in good standing. The Executive Committee will evaluate any proposed amendments and determine whether to bring the proposal to the Board of Trustees for a vote. The final power to amend the Bylaws resides solely with the Board of Trustees by a two-thirds (2/3) vote of the entire Board of Trustees.

### **SECTION 19.2: AMENDMENTS TO THE ARTICLES OF INCORPORATION**

Any amendment to the Articles of Incorporation of the Masjid may be adopted by two-thirds (2/3) approval of the entire Board of Trustees.

## **APPENDIX A – CODE OF CONDUCT**

- a. Every Muslim shall be committed to justice and kindness and believe in equality strengthened by brotherhood/sisterhood.
- b. Every Muslim shall be responsive to the needs of others.
- c. Every Muslim shall exercise tolerance and respect for the rights and opinions of other Muslims.
- d. Every Muslim shall refrain from raising his or her voice and from speaking offensively of others.
- e. Every Member, when present on the premises, shall feel responsible for the cleanliness and safety of the Masjid's property.
- f. No one shall make any announcement, sponsor any gathering, distribute any literature on the property or display any literature on the bulletin boards of the Masjid, without the prior approval of the Executive Committee or its designee.
- g. All Muslims or non-Muslims entering the Masjid shall comply with the following dress code:
  - Muslim men shall not wear shorts or offensive clothing, including but not limited to shirts with human figures, or obscene or immoral writings;
  - Muslim women shall enter the Masjid with proper Hijab; and
  - Non-Muslim guests shall also exercise modesty.
- h. Smoking shall not be permitted anywhere on the premises of the Masjid.
- i. Children should be supervised at all times, encouraged to dress modestly, and refrain from disruptive activities like running, loud noises, or using electronic devices during prayer times.
- j. Any person, when present in the prayer halls, shall minimize all conversations.
- k. Any person who would like to address the gatherings in the Masjid must seek prior permission from designated authorities at least forty-eight (48) hours before the gathering. A nominal charge may be imposed as decided by the Executive Committee.
- l. The organizers of any religious seminar not sponsored by the Masjid must obtain permission from designated authorities at least forty-eight (48) hours before it is held. A nominal charge may be imposed as decided by the Executive Committee.
- m. The Masjid will be closed after Isha Prayer until Fajr Prayer, except during religious holidays. In instances in which persons are found to have violated the Code of Conduct set

forth herein, the Executive Committee may implement one (1) or more of the following disciplinary actions:

- Convince the violator politely to adhere to the rules and regulations of the Masjid;
- Place the violator on probation;
- Terminate the violator's Membership privileges;
- Ban the violator from the premises of the Masjid.