

CEMETERY BYLAWS

FOR

***EMMANUEL
LUTHERAN
CHURCH***

WEST COLUMBIA, SC

***(Revised December 6, 1987)
(2nd Revision August 5, 2003)
(3rd Revision August 12, 2005)***

CERTIFICATE OF OWNERSHIP

Cemetery Plot
Emmanuel Lutheran Church
West Columbia, South Carolina

Name _____

Plot # _____

Date of Issue _____

Signature _____
Pastor

Chairman of Cemetery Committee

Subject to continuing membership at Emmanuel and compliance with Cemetery Bylaws. (Membership is defined in the Congregational Constitution.)

Section 4: The Committee shall receive all applications for plots and spaces and to allot same upon full compliance with the Bylaws.

Section 5: The Committee shall encourage bequests for the care of the Cemetery.

ARTICLE V AMENDMENTS

Amendments may be recommended to these Bylaws by the Congregation Council at any regular meeting. Such recommendations shall be voted upon at a congregational meeting when at least two weeks notice of amendments to the Bylaws has been given. A simple majority shall be required to amend.

POLICY STATEMENTS

Written application must be made to the Secretary of the Congregation Council to secure a cemetery plot. First reading of the application may be made at any regular Congregation Council meeting with approval or denial granted at the next regular meeting. Council members have the privilege to investigate the intentions and purposes of applicants and to reject the assignment if it opposes the Cemetery Bylaws.

The death of a member who does not own a plot at the time of death shall be deemed an emergency. At such time, a member or members of the Council may bargain to assign a plot without first being authorized by a majority of the Council at a regular meeting.

ARTICLE III FINANCES

Section 1: The Treasurer of the Church shall be the Treasurer of the Cemetery Fund. The Treasurer shall keep

proper records and report to the Congregation Council at its January Meeting.

Section 2: To help establish and maintain a perpetual care fund for the cemetery, the Committee may, from time to time, request contributions of a specific amount from families who have cemetery plots.

Section 3: Fees applicable in some instances are set out in Article II, Section 3.

ARTICLE IV DUTIES OF CEMETERY COMMITTEE

Section 1: The Committee shall see that the Cemetery is kept in good order at all times.

Section 2: The Committee shall see that all rules and regulations relative to the Cemetery and its use are observed and it shall be their duty together with the Congregation Council to enforce the same.

Section 3: The Committee shall encourage plot owners to assist in the care of the Cemetery by voluntary upkeep of their own or adjacent plots. Such voluntary assistance is greatly appreciated.

ARTICLE I

The name of the Cemetery shall be Emmanuel. It is the property of Emmanuel Lutheran Church, West Columbia, South Carolina, and as such, its management shall be under the direction of the Congregation Council.

The Congregation Council shall approve annually a Cemetery Committee whose duties are herein described in Article 4. This Committee shall consist of at least six (6) members and more may be appointed; however, there may be no more than three (3) new members appointed annually. The Cemetery Committee is responsible to and shall report annually to the Congregation Council at the first meeting in January.

ARTICLE II PLOTS AND THEIR RESTRICTIONS

Section 1: The Cemetery shall be laid off in plots sized 20 x 20, 10 x 20 and also a section for single and double graves spaces, sized respectively 5 x 10 and 10 x 10. Driveways and walkways shall be provided in the new sections where possible.

Section 2: Grave spaces, or plots, shall be made available only to active members of Emmanuel Lutheran Church or their immediate family. For purposes of these Bylaws, immediate family is defined as husband, wife and unmarried children. Active membership is that defined by the Congregational Constitution.

Section 3: Grave spaces to non-members and inactive members shall be available only in the family plot and on a fee basis. The fee to be paid in advance of grave opening is \$800.00 per burial space. This fee shall be reviewed regularly by the Cemetery Committee.

Section 4: *When Membership Is Transferred:* Upon moving membership to another congregation, a reserved plot reverts to the church to be reassigned by the Cemetery Committee and Congregational Council. A person may contact the Cemetery Committee to determine whether an exception to the by-laws would apply to him/her.

Exceptions to Section 3:

A non-member spouse and non-member children, not including children-in-law, of a member(s) may be buried in the plot with the permission of the member(s); or upon the death of the member(s), with the permission of the Cemetery Committee and upon payment of any applicable fees. A spouse of a person now buried in the cemetery may be buried in the same plot without payment of fee.

Section 4: Plot or space ownership does not confer the right to transfer or assign such plot or space or any part of it.

Section 5: Burials in a plot shall be in an orderly manner. Plots partially used may be subdivided and reassigned to others by action of the Congregation Council.

Section 6: The Chairperson of the Cemetery Committee, or his/her appointed representative, shall be with the undertaker when the grave is marked.

Section 7: Vaults shall be required.

Bylaws may be removed if they become inconvenient or inappropriate.

Section 9: A plat of the cemetery shall be made and a record book kept by the Chairperson of the Cemetery Committee showing the owner and number of the plot or space owned.

Section 10: All soil left after filling the grave shall be removed to a designated place by the persons authorized to close the grave.

Section 11: A deed or other legal conveyance shall be issued to plot or space owner, together with a complete up-to-date copy of the Bylaws of the Cemetery.

Section 12: Any owner refusing to comply with these or such other regulations as may be adopted from time to time by the Congregation Council and the Cemetery Committee, shall be denied the privileges of the cemetery and will be subject to having the conditions, restrictions and limitations of his deed or certificate declared broken by the Congregation Council or other authorized authority.

Section 8: No fences, coping, shrubs or trees shall be allowed in plots or spaces. Monuments shall not exceed four (4) feet from common level and foot markers shall be at common level. Existing plantings permitted under previous