

St. John Lutheran Church Cemetery – Regulations
January 2017

Mission Statement

The St. John Lutheran Church Cemetery Committee, under the authority of the Congregation Council and with the help and support of the entire congregation, hereby state as the Committee’s mission: to restore this historic cemetery to an attractive and congenial state, and maintain it thus; to ensure free access to, and respectful behavior in, the cemetery grounds; and to facilitate genealogical and historical research and access to data concerning those interred here.

The Committee sets as its goals:

1. Landscaping care that ensures safety, cleanliness, and good order, to include regular grass mowing and trimming, and leveling of surface irregularities (sunken graves, sinkholes, etc.)
2. To tend and/or restore grave markers/monuments, as resources allow, when a decedent’s family cannot or will not assume responsibility.
3. To set and/or modify fees for plot sales and interments.
4. To maintain detailed records of interments, expenses, income, and Fund balances.

Definitions:

“decedent”: a deceased person that has been or is to be interred in the Cemetery.

“family”: the person or persons responsible for funeral, interment, and/or memorial arrangements for a Decedent.

SECTION 1. This cemetery shall be known as “The Cemetery of St. John Evangelical Lutheran Church of Whitpain Township, Montgomery County, Pennsylvania” (“cemetery”)

SECTION 2. The management of the Cemetery shall be vested in the Congregation Council.

SECTION 3. The Congregation Council shall annually appoint a Cemetery Committee (“committee”), which shall have sole responsibility for all work and improvements in the Cemetery.

SECTION 4. Committee finances and funds shall be subject to oversight and audit by the Congregation Council and the appropriate Church committees. Two Cemetery Funds shall be maintained: The Cemetery Endowment Fund and the Cemetery Maintenance Fund. These funds are structured and managed as specified in the Church Constitution.

SECTION 5. The Committee shall lay out any new sections in suitable burial plots, within the perimeter of the Cemetery (subject to the approval of Congregation Council), intersecting same by necessary and convenient footways, which shall not be changed or obstructed by lot owners at any time.

SECTION 6. Fees and Costs as approved by Congregation Council:

Single Lot cost is \$750 for lots purchased by congregation members, and \$1,500 for lots purchased by non-members.

The Interment Fee of \$250 (formerly known as “grave opening fee”) is due when an interment occurs in a lot.

A Monument Permit Fee of \$50.00 per lot must be paid at the time of application for permission to install a monument.

The lot cost and/or fees may, at the discretion of the Pastor, be reduced or waived.

SECTION 7. A signed Deed and a copy of the Cemetery Regulations (without Section references) shall be provided to every lot purchaser.

SECTION 8. General Regulations

A) The Congregation Council reserves the right to restrict the number of lots sold to an individual. Lots may be purchased by contacting the church office.

B) No transaction involving the transfer of ownership shall occur without the approval of the Congregation Council.

- C) Only human remains are to be interred in the Cemetery.
- D) Interments will not be allowed nor improvements permitted until all applicable costs and/or fees have been paid in full.
- E) It is the responsibility of the Deed owner to advise the Cemetery Committee of his/her current address in writing.
- F) If, after 100 years from date of issuance, no interments have occurred in the lot or lots specified on the Deed, then at the discretion of the Congregation Council, ownership of said lot or lots will revert to the Cemetery Corporation, without compensation or notice to the owner of the Deed or their heirs and assigns.
- G) The current legal owner of the cemetery Deed must approve any and all interments in a plot enumerated on said Deed. The Cemetery Committee may require the Deed owner to produce the Deed prior to any interment.
- H) Only the current legal owner of a Deed may request a duplicate of the original Deed.
- I) The Cemetery Corporation cannot buy back cemetery lots. If a Deed owner no longer wishes to own their lots, they may gift the lots to the Church, and will receive a receipt for tax purposes to the full current purchase value of the lot or lots.

SECTION 9. Interment Regulations

- A) Decedent's Family is responsible for all costs of excavation. The Family shall pay all excavation costs directly, either to the excavator or through the funeral director.
- B) The Cemetery Committee must grant prior approval to the excavator before excavation begins.
- C) Interment of a standard casket in any plot must be full depth, and must include a concrete vault.
- D) A cremation interment must have either a vault, or a sealed, impermeable urn.

E) Once a standard casket is interred in a given plot, further interment(s) in that plot are restricted to cremation interment(s) only.

F) All excess excavated material shall be removed at the expense of the excavator and/or the funeral director.

SECTION 10. Memorial/Monument Regulations

A) The Family of the Decedent is responsible for all arrangements and costs of the creation, engraving, installation, cleaning and maintenance of a monument, headstone, marker, or memorial plaque (“monument”).

B) Monuments must have a poured concrete foundation. The foundation must have a minimum depth of thirty inches.

C) Monument foundation surface area (footprint) must equal or exceed the dimensions of the cross-sectional area of the base of the monument itself, with a two inch border extending around all edges.

D) Monument installation may not proceed until the installer has received a Monument Permit from the Church office after filing a completed Monument Permit application, and paid the permit fee in full.

E) In order to protect all driveways, all those erecting Monuments are required to exercise utmost care. Heavy trucks or trailers are not permitted to enter the Cemetery grounds when the earth is soft. Damage to the grounds, if any, must be repaired at the expense of the memorial installer and/or lot owner.

F) The Committee reserves the right to deny access to the Cemetery to any excavator or Monument installer who has violated Cemetery Regulations. Persons planning to have a Monument installed are advised to make sure that their proposed installer is currently in good standing with the Cemetery Committee, before making any arrangements with an installer.

SECTION 11. Care of the Cemetery Grounds

- A) All lots are under perpetual care. This care includes mowing the area during the growing season, limited maintenance, and clean-up. This care does not include the repair of monuments, headstones or markers, nor the care of flowers or ornamental plants.
- B) Cut flowers and potted plants on graves will be removed when unsightly. No artificial flowers or permanent plantings are permitted.
- C) In no case shall the Congregation Council, Cemetery Committee and/or the Church be held responsible for articles which may be placed on the lots.
- D) The Cemetery Committee reserves the right to make alterations to the Cemetery as it sees fit, including, but not limited to: installation of drains or swales; paving of cart-ways; replacing grass with mulch or stone; removing or adding of plant materials; and modification of unsafe or damaged Monuments.
- E) Work performed by the Cemetery Committee shall not be construed as defining either a commitment or an obligation to perform future work.
- F) The discharging of weapons is forbidden. No firearms are permitted on the grounds, except by prior written approval of the Congregation Council.
- G) Throwing rubbish on driveways, paths or other parts of the grounds is prohibited.
- H) No pets or other domestic animals are permitted in the cemetery at any time.
- I) The Congregation Council, the Cemetery Committee, and/or St. John Evangelical Lutheran Church shall not be liable for any wrong interment, damage to lots, or other action on the part of funeral directors or by others performing work on behalf of lot owners. Nor shall the Congregation Council, the Committee and/or the Church be liable for any injury or injuries to a person or persons attending funerals or visiting this Cemetery.