

Rules and Regulations of the  
Zion Lutheran Church Cemetery Auburn, MI

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The purpose of having and maintaining the Zion Lutheran Church Cemetery of Auburn, Michigan is to provide a resting place for the remains of members of Zion Lutheran Church of Auburn (hereafter referred to as Zion) as they await the day of the resurrection. Because it is not possible for us to know how long we will await that day, the following regulations are adopted for the sake of good order and to allow the caretakers of the cemetery to maintain the cemetery in a manner befitting its holy purpose.

Cemeteries owned and operated by a church or religious institutions are exempt from Michigan's Cemetery Regulation Act, 1968 PA 251, MCL 456.521 et seq. Zion's Cemetery Association specifically disclaims any liability or responsibility for repairing or replacing any markers or monuments that may be damaged or mislocated due to vandalism, act of God, theft, deterioration or any other cause. Thus the following Rules and Regulations are provided to create Due Diligence in the daily operation of Zion's Cemetery.

1) **Cemetery Layout:** The present Zion Lutheran Church Cemetery is divided into three sections. Sections one and two are considered to be the old part of the cemetery; curbing and above ground markers are found in sections one and two. Section three is referred to as the new part of the cemetery. This section includes the area west of the third drive. For a better description, we request you to review the cemetery geographical plan with the Sexton or Cemetery Committee Chairman.

- a) Burial plots are 4 feet by 10 feet.
- b) Plots normally contain the remains of one individual; however, two sets of cremated remains may be buried in one plot.
- c) Zion Cemetery rules requires all burials, including cremations, shall be in a water tight sealed concrete or ABS Marbelon plastic vault of sufficient strength and corrosive resistance to withstand time elements.
- d) Physical property drainage tiles and order of installation constraints prevent the burial of one casket vault and one cremains vault on a single plot.

2) **Grave Markers and other Adornments:**

- a) No marker or plaque or other miscellaneous items shall be placed on any grave plot of the ENTIRE Cemetery without first consulting with the Cemetery Committee, for the purpose of understanding the regulations of all markers on any part of the Cemetery.

Adopted by Zion Lutheran Congregation Voters 09/26/2020

Date 11/12/2019, REV BB

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- b) Only one above ground headstone and/or monument may be used in sections one and two where such grave plots are still available. No above ground headstone, monument, or permanent shrubbery may be placed in section three. The purpose of this new section is to provide means of maintaining the cemetery in a more respectable manner.
- c) Monuments and markers installed in all sections of the Cemetery, including those installed ahead of burials, shall be placed on proper sized foundation of solid masonry that are installed by Zion's Cemetery Sexton. No marker or monument shall be delivered until an order for a foundation has been placed with the Cemetery Sexton. Contact the Cemetery Sexton for cost, delivery timing and shipping location.
- d) Ground level bronze metal markers will be installed by the Cemetery Sexton in order to secure them to a proper foundation.
- e) Flower beds placed next to an above ground headstone or in ground marker can be NO more than 2 feet square. This will allow room to go through with the mower.
- f) **The date for adding grave blankets and wreaths each year shall be on or after November 1<sup>st</sup>. The date for spring cleanup removal of grave blankets and wreaths each year will be on or before April 1<sup>st</sup>.** Grave blankets and wreaths are to be placed as near to the monument or marker as possible. No grave adornments shall be disposed of on church, school, cemetery or adjacent property.
- g) All summer adornments shall be removed by October 15<sup>th</sup> of each year.
- h) Cut flowers, glass containers, toys, balloons and other temporary adornments shall be removed after three days following a burial.
- i) In the interest of continuing uniformity, veteran military markers shall only be the Federal Government provided type. Government service markers can be arranged by funeral directors or local Veterans Service Counselors. Military markers needing installation on a below ground foundation shall be installed by the cemetery sexton. Contact cemetery sexton for delivery shipping location.

### 3) Burial Privileges

- a) The privilege of a Christian funeral and burial in the cemetery of Zion is not a right. Generally all who die in the Christian faith as members in good

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standing of Zion Lutheran Church will be allowed to be buried in the cemetery provided that the other conditions for securing a grave plot are observed.

- b) Under rare or extraordinary circumstances those who are not members of Zion may be granted burial privileges. Such exceptions are to be made with the best interest of the church and its witness to the truth in mind. Such requests must be approved by the majority of Zion's board of Elders. Those who may be granted exceptions are:
  - i) Those who have previously reserved a plot under an earlier version of this policy.
  - ii) Those who are granted a transfer to a church in fellowship with Zion, provided they remain a member in good standing of that church. This request must be made and the plot fees paid prior to the time of the transfer from Zion.
- c) Forfeiture of Burial Privileges: Those removed from the congregation's membership through excommunication, self-exclusion, affiliation with heterodox church bodies or reasons other than transfer to a church in fellowship with Zion forfeit burial privileges in Zion's cemetery.
- d) Those who are no longer eligible for burial privileges who have paid fees to reserve a plot may request that the fee paid be returned to them.

#### 4) **Plot Selection and Preplanning**

- a) Arrangements for burial in Zion's cemetery can be made either prior to death by a member or after the death of a member by their immediate family. No graves shall be opened except by the sexton employed by Zion's Cemetery Association. Under no circumstances shall the Zion Cemetery Association or its Sexton assume responsibility for any outside party directed error(s) in opening or closing graves.
- b) To make arrangements prior to death the following procedure has been adopted.
  - i) Only adult (18 years or older) members of Zion Lutheran Church of Auburn, MI may reserve a grave plot.
  - ii) Each adult member can only reserve one plot.
  - iii) At the time of the reservation the plot fee must be paid in full.

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- iv) For arrangements in regard to the location of the plot and the reservation of the plot, it is suggested that persons wishing to purchase lot(s) inspect the same at the cemetery prior to payment. The chairman of the Zion Lutheran Church Cemetery Association Committee and/or with the Sexton of the Cemetery will facilitate any transaction and can be contacted through the Zion Lutheran Church and School office.
  - v) The Cemetery committee shall keep a record of all graves and reserved plots of the entire Cemetery. The records of all graves including all reserved plots in the Cemetery are to be kept in duplicate form in a secure and fire proof safe by the Cemetery Committee.
  - vi) A plot reservation does not guarantee burial in the cemetery if the other conditions set forth in this policy are not met.
  - c) To make arrangements at the time of need a representative of the deceased and/or executor of the estate may make arrangements in regard to the location of the plot and the payment of any fees for the plot with the chairman of the Zion Lutheran Church Cemetery Committee and/or with the Sexton of the Cemetery.
  - d) No less than 36 hours advance notice of any funeral shall be given to Zion's Cemetery Sexton to allow for the opening of a burial space.
- 5) **Fees:**
- a) The following fees have been established concerning the cemetery and services of the Sexton.
  - b) Burial plot fee: \$250 per plot with checks payable to: *Zion Lutheran Church Auburn* and in the memo line note: *cemetery*. A receipt will be provided indicating date paid, amount paid and plot column and row alpha numeric coordinates of plot location purchased.
  - c) Standard burial grave opening and closing fee: \$500 Monday – Saturday, \$600 on Sunday.
  - d) Cremation burial: \$250 for each burial of cremation ashes with container and cremation vault.
  - e) The fee for grave opening and closing are paid as a part of the Funeral Director's fees.

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- f) All headstones or in ground markers shall have footings installed ONLY by the cemetery sexton. The cost is \$0.08 cents per cubic inch of materials payable to the sexton.
- g) Free grave plots will be granted to Pastors and their spouse who have faithfully served the congregation and remained with the synod.
- h) Fees are to be reviewed annually by the Cemetery Committee and adjusted to offset increased costs and needed reserves for perpetual cemetery maintenance.

**6) Sexton:**

- a) The Cemetery Committee, elected by the congregation of Zion Lutheran Church of Auburn is to employ a sexton for the Cemetery and be responsible that remittances are made for services rendered.
- b) To ensure uniformity and that work done on the cemetery conforms to the standards of this policy all grave opening and closing, the burial of cremation ashes, and the placement of footings are to be performed by the sexton. No private individual may bury cremation ashes in or on the cemetery. No individual(s) will be allowed to install footings to insure proper placement.

**7) Other Rules and Information**

- a) A reserved plot is not the titled possession of the one making the reservation. Therefore it cannot be sold, willed, exchanged, or transferred to anyone. Those who desire to cancel a reservation or who are no longer eligible to use a reserved plot due to forfeiture of burial privileges may request the return of plot fee. Such requests should be made in writing to the Cemetery Committee in care of Zion Lutheran Church. The amount refunded will be the price that was paid at the time of reservation.
- b) The Cemetery Committee is responsible to the Board of Trustees of Zion Lutheran Church of Auburn, MI. The Board of Trustees is the legal representative for the Congregational property holdings.
- c) Realizing that individual cases may arise which do not fall within these guidelines; the Board of Elders will make final decisions with the best interest of the church in mind, document and forward to the cemetery committee.

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- d) With the exception of section 2E, grass is the only acceptable ground cover allowed and shall be installed by the cemetery sexton.
- e) Any item not allowed in the cemetery, as defined by aforementioned rules, will be removed without notice.
- f) The Cemetery will be open from Sunrise to Sunset.
- g) No animals (except “seeing eye” or “legally approved assistance” animals) are permitted on cemetery grounds at any time.
- h) Cemetery water will be turned ON May 1<sup>st</sup> and turned OFF October 1<sup>st</sup> each year.
- i) No person shall install any form of advertising on cemetery premises.
- j) Rubbish containers are not provided on cemetery grounds. No person shall throw rubbish on any part of the church, school, and cemetery grounds or its adjacent properties.
- k) No person(s) other than approved maintenance personnel shall operate excavating, snowmobile or ATV equipment on cemetery property.
- l) Skateboarding, roller-blading, ice-skating, cross-country skiing, snow-shoeing are not permitted in the cemetery.
- m) Non-blinking or non-color changing solar powered Vigil lights are permitted directly in front of or at the side of marker or monument at grave sites only. Proper maintenance of vigil lights is the responsibility of the owner.
- n) The cemetery is not responsible for the loss or damage of approved grave adornments placed in the cemetery.
- o) Shepherd hooks of any variety are not permitted anywhere in the cemetery.
- p) All traffic laws of the State Of Michigan that are applicable to the operation of private vehicles in cemeteries shall be strictly enforced. A person driving in the cemetery shall be responsible for any damage done by the vehicle in the driver’s charge.
- q) Should any section, clause or provision of this document be declared by any legal public court to be invalid, the same shall not affect the validity of the document as a whole, or any part thereof other than the part so declared to be invalid.
- r) All previous rules and regulations or amendments thereto, in conflict with this document are hereby superseded.