

St Luke's Parish Cemetery



Clearwater, Minnesota

Rules and Regulations

Revised May 1st 2022

ST.LUKE'S CHURCH CEMETERY ASSOCIATION, Clearwater, Minnesota
Rules and Regulations and Operational Procedures

1. INTRODUCTION

1-A The Church of St. Luke, located in Clearwater, Minnesota, a religious corporation under the laws of the State of Minnesota, owns and operates the St. Luke Parish Cemetery. All rules and regulations are in accordance with and subject to the laws of the State of Minnesota and the rules of the Roman Catholic Church. Anything in these rules and regulations inconsistent therewith shall be ineffective.

St. Luke's Cemetery is intended to be a holy, sacred place for the dead. As such, out of respect for those who have died and those who visit, visitors and workers are expected to refrain from loud conversation and inappropriate language. Families have their individual grieving needs. However the cemetery is considered community space and respect for all visitors is expected.

No solicitation of any kind, signs, notices or advertising will be permitted. No firearms shall be allowed in the cemetery except when military honors are provided for a veteran.

1-B The St. Luke Church parishioners have devoted time and effort in making the parish cemetery something in which we can all take pride. Establishment and strict enforcement of a set of rules and regulations governing the cemetery is required to assure a continuation of high operating standards. Revisions from time to time reflect changes in church and state regulations and social and economic adjustments. All such changes are made with agreement of the current St. Luke's Parish Cemetery Board.

1-C The St. Luke's Parish Cemetery is a Catholic Cemetery and is intended primarily for the burial of Catholics. However, internment of those who do not profess the Catholic faith may be allowed.

1-D The cemetery is completely self supporting. The funds to operate are obtained from the following:

1-D-1 Sale of Cemetery lots.

1-D-2 Interment Fees – An amount set by the cemetery committee which includes opening and closing.

1-D-3 Fees to set monument and marker foundations.

1-D-4 Annual assessment of parishioners – By the envelopes included in weekly offering envelopes.

1-D-5 Donations.

1-E The Annual Collection provides for the annual cemetery maintenance expenses. This collection is due on May 1st and will be noted in the church bulletins 2 weeks prior.

2. PERPETUAL CARE

2-A Canon and Civil laws require each cemetery to establish provisions for perpetual care of the grave sites in the event the parish ceases to exist. An investment account has been established for the perpetual care funds collected. These funds are collected by the following means:

2-A-1 A Perpetual Care fee will be charged for each grave sold. See page 7 for charges.

2-A-2 Memorials that are designated for the Perpetual Care Fund.

2-A-3 At the discretion of the Cemetery Board, any balance in the annual operating fund accumulated from cemetery affairs, that is not budgeted for immediate maintenance, may be placed into the Perpetual Care Fund.

Rules and Regulations and Operational Procedures

3. BOARD OF DIRECTORS

3-A The St. Lukes Parish Cemetery Board of Directors consists of five or six members who shall be elected from among the parishioners of the Church of St. Luke. Board members are elected for a term of three (3) years. The officers of the board consist of a Chairman and Secretary/Treasurer, chosen by the directors among themselves.

Duties of the Board Members and Officers are:

3-A-1

- 3-A-1.1** Arrange for and conduct all meetings, including the Annual Meeting.
- 3-A-1.2** Assist the Secretary/Treasurer with maintaining the administrative records of ownership and location of lots.
- 3-A-1.3** Work with the Secretary/Treasurer in arranging for the election of Board Members.
- 3-A-1.4** Provide the services of the Secretary/Treasurer in his/her absence.

3-A-2

- 3-A-2.1** Maintain a bank checking account for deposit and payment of operating income and expenses. All checks must have a co-signer (generally the Parish Priest).
- 3-A-2.2** Maintain a savings account for excess funds to be used for operating expenses.
- 3-A-2.3** Maintain an investment account for the funds established for Perpetual Care. A report on all fund performances will be provided at the Annual Meeting.
- 3-A-2.4** The location of all of these funds must be approved by the Board of Directors.
- 3-A-2.5** The Secretary/Treasurer will provide a detailed income and expenditure report at the Annual Meeting. This report covers the fiscal year (7-1 to 6-30).
- 3-A-2.6** Record minutes for all Board Meetings.
- 3-A-2.7** Notify parishioners of board activities by putting notices in the weekly bulletin as needed.
- 3-A-2.8** Maintain the administrative records for the ownership and location of cemetery lots.
- 3-A-2.9** Conduct the administrative functions in providing arrangements as to lot selection and sales and burial procedures in coordination with St. Luke Parish Pastor, funeral directors and family members.

3-A-3

- 3-A-3.1** Provide direction in the operation of the cemetery through meeting attendance.
- 3-A-3.2** Assist in maintaining the cemetery appearance with board approval.
- 3-A-3.3** Provide, when requested, services of the Chairman or Secretary/Treasurer in their absence.
- 3-A-3.4** A list of the current board members can be found on the last page of this document.

4. MEETINGS

4-A There is an open meeting in the fall. Bulletin notices stating the meeting date will be published two weeks prior to the meeting. The meeting agenda will include reports on financial, administrative and maintenance activities and new proposals.

Rules and Regulations and Operational Procedures

5. GUIDELINES FOR PURCHASE OF CEMETERY LOTS/PLOTS

- 5-A** The purchase of lots/plots is in no way a transfer of real estate.
- 5-B** Purchase of a burial lot/plot insures the owner of a permanently maintained burial site.
- 5-C** Owners of burial lots/plots in this cemetery must follow the Rules and Regulations set forth by the Cemetery Board.
- 5-D** Description of lots will be in accordance with the cemetery plats which are on file with the St. Luke Parish Cemetery Board.

6. TRANSFERS OR ASSIGNMENTS

- 6-A** No transfer or assignments by grave site owners of any interest in the grave site will not be valid without securing the written consent of the St. Luke Parish Cemetery Board. Such consent shall be granted only in the cases permitted by the laws of the State of Minnesota. The St. Luke parish cemetery board may refuse consent to a transfer of ownership as long as there is any balance due from the grave site owner of record. A certified letter signed by all parties involved must be presented to the board for approval.

7. EASEMENT

- 7-A** No easement or right of interment is granted to any lot/plot owner to any road, drive, alley or walk within the cemetery. But, such road, drive, alley or walk may be used as a means of access to the St. Luke parish cemetery or buildings, as long as it is assigned for that purpose.

8. CORRECTION OF ERRORS

- 8-A** The Cemetery Board reserves, and shall have the right to correct any errors that may be made by them of any interment property. This can be done by either canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the board, or in the sole discretion of the board by refunding money paid on account of said purchase. In the event any such error shall involve the interment of the remains of any person in such property, the board reserves and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

9. DISENTERMENT OR REMOVAL AT FAMILY REQUEST

- 9-A** No disinterment or removal shall be allowed except with the permission of the cemetery board and with written authorization of lot/plot holder and nearest of kin and with proper legal procedure. Disinterment and removals shall be subject to the payment of such charges as may be fixed by the cemetery board.

10. CHANGES IN BOUNDARIES

- 10-A** The right to enlarge, reduce, plot or change the boundaries or grading of the St. Luke Parish Cemetery, roads, drives or walks, or any part thereof is hereby reserved. The right to lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, etc. is also expressly reserved as well as the right to use cemetery property not sold to individual plot owners for cemetery purposes, including interment of the dead, or for any necessary, incidental or convenient thereto. The St. Luke Parish reserved to itself and to those lawfully entitled thereto a perpetual right of ingress and egress over plots for the purpose of passing to and from other plots.

ST LUKE'S CHURCH CEMETERY ASSOCIATION, Clearwater, Minnesota
Rules and Regulations and Operational Procedures

11. LOSS OR DAMAGE

- 11-A** The board disclaims all responsibility for loss or damage beyond its reasonable control, and especially from damage by an act of God, the elements, earthquakes, war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, or any cause similar or dissimilar beyond control of the board, whether the damage is direct or collateral.
- 11-B** In the event it becomes necessary to reconstruct or repair any section of lot/plot including graves, or any portion of portions thereof in St. Luke Cemetery, which has been damaged by such causes, the board shall give written notice of the necessity for such repair to the lot/plot holder of record.
- 11-C** The notice shall be given by depositing the same in the US mail, with postage thereon duly prepaid, addressed to the plot/lot holder of record, at his or her address stated on the books of the board. In the event the lot/plot holder fails to repair the damage within a prescribed time, the board may direct that the repairs be made and charge the expense against the lot/plot and to the lot/plot holder of record.
- 11-D** The Cemetery Board or the Parish will not be responsible for any personal injury, or damage to monuments, markers, flower pots, etc.

12. LOT/PLOT HOLDERS CHANGE OF ADDRESS

- 12-A** It shall be the duty of the lot/plot holder to notify the Cemetery Board of any change in his/her post office address. Notice sent to a lot/plot holder at the last address in the board's records shall be considered sufficient and proper legal notifications.

13. INTERMENT PROCEDURES

- 13-A** Person wishing to purchase a cemetery lot/plot or arrange for interment should contact a board member. The member will visit the cemetery with the person if requested. Funeral Directors generally help with interment arrangements through the cemetery board. A board member contacts the person who digs the grave and arranges for a time and then marks the area to be dug.
- 13-B** Interment payments are made directly St. Luke's Church Cemetery Association and not sent to the contractor who digs the grave.
- 13-C** The St. Luke Parish Cemetery Board or Pastor may, for a valid reason, refuse interment in the St. Luke Parish Cemetery.

14. GRAVE SITE SALES AND ASSIGNMENTS

- 14-A Adult Graves** – Size – 4' x 9' & top of vault 4 ½' deep.
- 14-A-2** Persons can purchase any number of lots. Location will be made at the discretion of the cemetery board.
- 14-A-3** All payments for lots are to be made to the Board Secretary, with checks payable to St. Luke's Church Cemetery Association.
- 14-A-4** The digging of all graves including babies and cremations, must be done by a bonded grave digger approved by the Cemetery Board.

ST LUKE'S CHURCH CEMETERY ASSOCIATION, Clearwater, Minnesota
Rules and Regulations and Operational Procedures

14 GRAVE SITE SALES AND ASSIGNMENTS (CONT)

14-B BABY GRAVES – Size – 2' x 4' x 3' deep.

14-B-1 Sections 103,114,115,125 & 126 are set aside for the burial of infants, young children and still born.

14-B-2 Grave spaces, in the designated sections, will be provided for the burial of St. Lukes Parishioner's infants and still born, at no cost except Perpetual Care and Interment Charges.

14-B-3 Flat stones are required on these graves and there is a permit fee, see schedule on page 7.

15. BURIAL RESTRICTIONS

15-A State law expressly forbids the burial of a person who at the time of death is not the owner of the lot or a relative of the owner by blood or marriage except by written consent of the Cemetery Board. If owner wishes to transfer the ownership to a blood relative, a certified letter should be prepared and presented to the board for approval.

16. MONUMENTS

16-A A written permit signed by a board member must be obtained and paid for prior to any work being started. See fee schedule on page 7. Specific size and installation regulations for the concrete pad and stone will be noted on the permit.

16-B All work must be done according to the rules of the St. Luke's Cemetery Board and under supervision of a representative of the board.

16-C No permanent monument is allowed until interment fees and lots are paid for in full.

16-D Monument maintenance remains the responsibility of the owner or the family. Should any monument become unsightly, dilapidated, or a menace to the safety of persons within the cemetery, the board shall have the right, after 30 days notice to lot/plot holder of record, to correct the condition at the expense of the lot/plot holder.

16-E Only one headstone and one flat stone are permitted per grave.

16-F Time frame for marker 2 years, not unless approved through St. Luke's Cemetery Board.

17. VAULTS

17-A Burial Vaults are required for all burials urn's and caskets.

An outside container of non-decaying ridged plastic or styro-foam that will prevent the ground from caving in is required.

17-B There will be no double stacking of Burial Vaults.

ST LUKE'S CHURCH CEMETERY ASSOCIATION, Clearwater, Minnesota
Rules and Regulations and Operational Procedures

18. CREMATION

- 18-A** Cremated remains are human remains and are to be treated with the same dignity and respect as a full body.
- 18-B** Four (4) cremains are allowed per cemetery lot, or (1) normal burial and (4) cremains. There will be interment (burial) charges for each cremains'. (see page 7)
- 18-C** Memorial markers (monuments) must be approved by the cemetery board.
- 18-D** Urns need to be buried in vault provided by cremation services, or a board approved one.
- 18-E** If a cremain is interned in a grave already containing a casket, there will be opening and closing fees (see page 7). A cremain cannot precede a normal burial
- 18-F** When placing cremated remains within an existing grave the location should be noted on the records.
- 18-G** Note: Insurance for digger does not cover breaking of urns during the winter season. More than 2 cremations in a grave will not be opened till Spring.

19. DECORATING OF LOTS

- 19-A** No trees or plants may be planted in the ground.
- 19-B** No more than two (2) planters will be allowed per monument. Planters must be attached to the base of the monument.
- 19-C** During the period from the Friday before Memorial Day until June 15th, additional decorations are allowed. After June 15, ground maintenance personnel will remove any additional items left, without liability.
- 19-D** Additional decorations are acceptable for short periods of one week on your own personal special days.
- 19-E** During the non-mowing season some other decorations such as Christmas wreaths, will be allowed provided they are cared for and removed in a timely manner.
- 19-F** Consult the board as to any further questions regarding the placement of particular memorials on existing graves. If, at any time, lot decorations become unsightly or in the way of upkeep, they will be removed.

The Church of St. Luke's Cemetery Board reserves the right to discard all Rules and Regulations in a case of unforeseen affairs occurrence and to act on the cause to the best of their ability.

For any questions concerning purchase of cemetery Lots, or any further information on these rules and regulations, call the St. Luke's Parish Office at 320-558-2124.

Rules and Regulations and Operational Procedures

20. CHARGES

GRAVE (LOT) COSTS – Effective May 1st, 2022

***St Luke’s Church Parishioners:**

Single Grave	\$600.00
Perpetual Care	<u>50.00</u>
Total	\$650.00

Non-Parishioners:

Single Grave	\$ 1200.00
Perpetual Care	<u>50.00</u>
Total	\$ 1,250.00

***Parishioners – Persons registered with St. Luke’s Parish as of the current census.**

CREMATION INTERNMENT FEE

**If first internment in site, no additional fee.
Each additional internment per plot after the first one will be charged an internment fee equal to 1/3 of the current cost of a single burial lot
And a Perpetual Care Fee of \$50.00 for each internment.**

MONUMENT PERMITS:

Raised	\$ 100.00
Flat	75.00
Baby Graves	35.00

OPENING/CLOSING CHARGES: Effective May 1, 2022

Summer Rates:

Adult Space	\$650.00
Infant Space – up to 3 feet	350.00
Cremain Space	375.00

Winter Rates* (Nov 15th through April 15th)

Adult Space	\$800.00
Infant Space	500.00
Cremain Space	500.00

***May be additional charges for snow removal. \$60.00/hr.**

Additional charges for all weekends or holidays \$75.00