

Rules and Regulations of the
Carney Evangelical Free Church Cemetery - Carney, MI

Modified from the 2013 rules approved by the Congregation
Distributed July 24, 2022

To Be Voted On by the Congregation at a Future Meeting

The purpose of having and maintaining the Carney Evangelical Free Church Cemetery is to provide a resting place for the remains of members of the Carney Evangelical Free Church (CEFC) and members of the community-at-large as they await the day of the resurrection. Because it is not possible to know how long we will wait for that day, the following rules and regulations are adopted for the sake of good order and to allow the caretaker(s) of the cemetery to maintain the cemetery in a manner befitting its holy purpose. **The most recent version of the CEFC Cemetery Rules shall be posted on the church website under media.**

Section 1---General Management:

- a) Cemetery management, records, maintenance and lot sales are under the direction and authority of the CEFC and its Cemetery Sexton. The CEFC office phone number is 906-639-2165.
- b) A Certificate of Burial Rights shall be issued by the Cemetery Sexton for each new burial space(lot). If a person desires changes, the **originally issued** Certificate must be surrendered to the Cemetery Sexton and a new Certificate will be issued **indicating the changes made.**
- c) **A Certificate of Burial Rights is just that; it provides a named person the rights to be buried in a specified lot within the CEFC Cemetery. The Certificate does not give an individual ownership of the four foot by (eight or nine) foot sized piece of land.**
- d) **Typically, burial lots are not available for sale in the old portion of the cemetery. Instead surveyed lots in the east addition are available and much easier to identify. There are lots vacant in the old portion of the cemetery and under a case-by-case may be made available at the current price.**
- e) **At the time of a Burial Rights purchase the person making the purchase shall receive a copy of the CEFC cemetery rules along with the Burial Rights Certificate from the CEFC Cemetery Sexton.**

Section 2---Cemetery Layout:

a) The CEFC church cemetery is divided into two areas. The original area of the cemetery lies within the boundary of the U-shaped driveway on the west, north, and east and by County Road 374 on the south. **The original area was divided into 16 x 16 foot areas which contained eight (4 foot by 8 foot) burial lots and numbered from 1 to 78. Additionally, along the west drive there are areas numbered 1A to 15A that are 8 feet by 16 feet in size and contain four (4 foot by 8 foot) burial lots. The original cemetery has been divided into Sections A thru F starting at the north part of the driveway and proceeding south using the six-foot-wide equipment lanes as dividers.**

b) The East Addition area consists of the area adjacent to the eastern (north-south) property line and **extending to the east driveway which forms its western edge. For a better description, a geographical plan of the cemetery is available from the church office. This portion of the cemetery has been professionally surveyed and has specifically placed survey markers that are used to measure out the individual burial lots. The survey also divided this area into subsections labeled A thru E starting at the south end of the surveyed area again using the service lanes as dividers. General maps of both sections shall be posted to the church's website under media.**

Section 3---Grave lot sizes:

- a) Burial lots in the East Addition are 4 feet by 9 feet. ~~Any~~ **All available spaces** ~~lot in the original area will be~~ **are 4 feet by 8 feet in size.**
- b) Only one person may be buried in a burial space with these exceptions:
- I) One casket burial and the cremated remains of one person.
 - II) The cremated remains of three people.
 - III) Infant burials will be addressed on a case-by-case basis.

Section 4)---Grave Markers

- a) No marker or plaque or other miscellaneous items shall be placed on any grave lot of the entire cemetery without first consulting with the Cemetery Sexton for the purpose of understanding the regulations of markers in any part of the cemetery. Installations are to be done by the sexton, funeral directors, or monument companies.
- b) All permanent memorials, including headstones, monuments, and markers, shall be made of stone, bronze, or other equally durable material.
- c) Wording and imagery on any memorial shall be in keeping with the dignity of the cemetery and the beliefs of CEFC.
- d) The maximum size of the headstones and monuments shall be limited to the following: One burial space 36" x 16" as measured at ground level and centered in the monument area. Two or more burial spaces 48" x 18" as measured at ground level and centered in the monument area.
- e) All headstones, monuments, and markers shall be set in the monument space at the head of the grave only and shall be installed upon a suitable foundation to permanently maintain the monument in an upright position. A flush marker placed

at the burial space in addition to a headstone or monument may be installed at the foot of the grave.

f) Veteran's markers may be mounted on the headstone or monument, or may be installed at a burial space as a flush marker at the foot of the grave.

g) CEFC does not maintain insurance coverage for, and is not responsible for, damage or stolen items including, but not limited to, headstones or markers.

Section 5)---Interments

a) All burials shall be within a vault or **concrete rough** box installed in each burial space before interment, except for cremated remains. Infant burials will be addressed on a case-by-case basis.

b) Interments ~~are not allowed~~ shall **not be permitted** until the burial space is paid ~~for~~ in full.

c) Grave opening and closings shall be coordinated by a funeral director and the Cemetery Sexton.

d) Weather permitting, burials can be done after November 1 or before May 1 as decided by the Cemetery Sexton.

Section 6)---Grounds Maintenance and Grave Adornments

a) No shrubs, trees, or perennials of any type shall be planted on cemetery grounds. To maintain proper appearance and use of the cemetery, CEFC reserves the right to remove or trim, without notice, any tree, plant, or shrub located within the cemetery.

b) Landscaping at all burial spaces shall be limited to turf grasses only. No roping, edging, fencing, borders, or enclosures of any kind are permitted.

c) Flags are placed at veteran's grave sites for Memorial Day each year.

d) For winter months, grave blankets and wreaths (including easels or stands) may be maintained on a burial space.

e) The Cemetery Sexton will announce by a local publication when flowers, baskets, and planters must be removed prior to the summer season. This must be done no later than May 1st **each year**. Grave blankets, flowers, etc. are not to be disposed of on the cemetery property.

f) CEFC cemetery care does not include maintenance of ~~the~~ headstones, monuments, or memorials.

g) The maintenance of the headstones and markers is the responsibility of the person or family named on the Certificate of Burial Rights. ~~This includes headstones and markers which may be leaning,~~

h) The Cemetery Sexton is responsible to **correct and** maintain any grave site ~~on~~ which **may have experienced settling** ~~has occurred~~.

i) The Cemetery Sexton or CEFC shall have the right and authority to remove and dispose of anything placed in the cemetery which violates this policy, becomes unsightly, or in any way interferes with the maintenance of the cemetery or grounds.

NOTE --Parts a) and b) of this section have been ignored for years in the original part of the cemetery and as such enforcement of these rule parts should be implemented only in the East Addition area.

Section 7)--Burial Privileges

- a) The privilege of a Christian funeral and burial in the CEFC Cemetery is not a right. Generally, all who die in the Christian faith will be allowed to be buried in the cemetery provided that there is compliance with the other conditions for securing a burial site.
- b) The CEFC board of Elders will have the final authority regarding burial privileges in the CEFC Cemetery.
- c) Those removed from the congregation's membership through vote of Elders or vote of church membership may forfeit burial privileges in the CEFC cemetery.
- d) If burial privileges have been revoked, the lot payment fee may be refunded upon request. Such requests should be made in writing to CEFC. The amount of the refund will be the amount that was paid at the time of purchase.

Section 8)--Site Selection and Preplanning

- a) Arrangements for burial in CEFC's cemetery can be made either prior to the death of an individual or after an individual's death by an immediate family member or, if no family members exist, **friends the legally designated estate representative.**
- b) To make arrangements prior to death the following procedure has been adopted:
 - Only an adult (18 years or older) individuals may purchase a lot.
 - At the time a lot is purchased it must be paid in full.
 - All arrangements with regard to the location of the lot and the purchase of the lot are to be made with the Cemetery Sexton.
 - The Cemetery Sexton** CEFC shall keep a record of all graves and purchased lots in the entire cemetery.
 - A burial lot purchase does not guarantee burial in the cemetery if the other conditions set forth in this policy are not met.
- c) To make arrangements at a time of need, a **legal** representative of the deceased and or executor of the estate may make arrangements regarding the location of the lot and the payment of any fees for the lot with the Cemetery Sexton.

Section 9)---Fees

The following fees have been established concerning the cemetery and the services of the Cemetery Sexton.

- a) \$250 per lot for burial rights to be paid to CEFC prior to burial.
- b) \$150 to be paid directly to the funeral director of which \$100 is for CEFC cemetery maintenance and \$50 for the Cemetery Sexton for the site review, approval and follow up. The fee for physically opening and closing the grave is arranged through the funeral director.
- c) \$150 for each burial of cremation ashes of which \$100 is for CEFC cemetery maintenance and \$50 for the Cemetery Sexton for site review, approval, site opening and closing and follow up.
- d) Fees may be reviewed periodically by the CEFC and adjusted as needed.
- e) Fees may be adjusted by the CEFC Elders in cases of financial hardship.

Section 10)---Cemetery Sexton

- a) The Cemetery Sexton is elected by the congregation of CEFC and is responsible to ensure that remittances are made for services rendered.
- b) To ensure uniformity and that work done in the cemetery conforms to the standards of this policy, all grave openings and closings and the placement of footings are to be approved by the Cemetery Sexton.
- c) In the case of a cremation, the Cemetery Sexton will prepare the site for the interment of the ashes.

Section 11)---Other Rules and Information

- a) No animal burials are permitted within the cemetery.
- b) A purchased lot is not a purchase of the actual named piece of ground; rather it is the purchase of the "Burial Rights" applied to the described lot(s). According to the State of Michigan Compiled Laws section 456.112 section 12. *All rights of burial granted by such a corporation (a rural cemetery corporation) shall be transferable and as fully alienable as any other personal property in this state, subject only to such conditions in reference thereto as shall be prescribed by the board of directors and subject to rights of the surviving spouse and next of kin now existing at law or in equity as to any individual burial space or grave in which there is an actual interment.* Following the statute listed, the Burial Rights to a lot can be willed or inherited. Any and all transfers must be processed through and recorded by the CEFC Cemetery Sexton. At the time of a Burial Rights purchase it shall be the Seton's responsibility to obtain the name(s) of the person(s) to be interred under the Burial Rights certificate and further to record those name(s) in the Sexton's cemetery records.
- c) The Cemetery Sexton is responsible to the CEFC Facility Team. The Facility Team, **through the Elders**, is the legal representative for the property holdings of the CEFC.
- d) Recognizing 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 CEFC in mind, document that decision, and forward it to the CEFC **Cemetery Sexton church council**.
- e) For all disinterments, a Funeral Director must be engaged to ensure compliance with relevant Michigan laws. Removals are not to be scheduled in winter months. During any disinterment, no person other than the Cemetery Sexton, Funeral Director, or Vault company personnel shall be allowed within 100 feet of the grave site.
- f) The CEFC membership and Board of Elders reserves the right at any time to adopt new rules and regulations or to amend, alter or repeal any rules, regulations, articles, paragraphs, or sentences in these RULES AND REGULATIONS OF THE CARNEY EVANGELICAL FREE CHURCH CEMETERY.

