

**BY-LAWS FOR ST. JOHN'S LUTHERAN CEMETERY
CHASKA, MN REVISED - MARCH 1, 2005**

These are the by-laws that supports the Cemetery Operation. When cemetery plots are purchased, a copy of these By-Laws will be provided which should be kept with the DEED.

KEEP THESE BY-LAWS WITH YOUR CEMETERY PROPERTY DEED

- 1. The St. John's Lutheran Cemetery, Chaska, MN is the property of St. John's Evangelical Lutheran Church, also known as St. John's Lutheran Church, a corporation, Chaska, MN, an organized congregation.**
- 2. The operation of the cemetery shall be under the supervision of the Cemetery Committee, appointed by the Congregation Chairperson and confirmed at regular or special Congregation meetings. The Cemetery Committee shall consist of four or more members, namely, Chairperson, Secretary, Treasurer, and other members.**
- 3. The Chairperson of the Cemetery Committee shall call meetings, when necessary, confer with other members of the Cemetery Committee and in general, as far as possible, see that the affairs and operation of the Cemetery are conducted properly and in order.**
- 4. The Secretary of the Cemetery Committee shall keep a permanent written record of the by laws. The Secretary shall keep a permanent record of all plot owners on the cemetery plat, showing the location of each plot owner. The Secretary shall keep one copy of the cemetery plat for the Secretary's record and file one copy with the Church Board and bring the Church Board's copy up to date at the end of each year. At the end of each year, the Secretary shall prepare for publication in the Congregation's Annual Fiscal Report, a list of Plot Owners. The Secretary shall prepare the deeds, maintain the cemetery record book, and take care of all paperwork involved with the sale of a lot. The secretary shall keep a copy of all burial certificates. All records shall remain the property of this Congregation.**
- 5. The Treasurer of the Cemetery Committee shall receive all cemetery moneys and make deposits in a local bank in the name of the cemetery. The Treasurer shall pay all cemetery bills by check only, and keep a permanent written record of all receipts and disbursements. The Treasurer shall keep record of money in the Perpetual Fund and money in the General fund. All interest earned by either fund, will be placed in the General fund. At the end of each quarter, the Treasurer will prepare a quarterly financial report. All records shall remain the property of this Congregation.**
- 6. Cemetery grave sites shall be sold only to communicant members of this Congregation according to its latest Annual Report, or to former members have moved away and are members of another Lutheran church according to their own statement, giving the name of the Lutheran Congregation and the name of the Pastor where they attend church.**

7. **The owner's rights and the ownership of lots shall not at any time be transferred to any person(s) except to communicant members and former members of this congregation.**
8. **The price of a grave site shall be set by the Cemetery Committee and approved by the Executive Council for the Congregation. The price of the grave site includes perpetual care, but does not include the cost of digging graves, interment fees, or any other services. All grave sites shall be paid for in cash at the time they are sold.**
9. **Perpetual care shall mean the services of mowing the grass on cemetery plots and the general keeping of the cemetery property in good condition.**
10. **For the sale of Half Lots, full lots shall be cut by an East to West line, forming North Half Lot and South Half Lot.**
11. **Single gravesites shall be sold only on Lots so designated by the Cemetery Committee.**
12. **All sales and transfers of grave sites shall be substantiated by this Congregation's Cemetery Deed properly signed by the Chairman and the Secretary of this Congregation. The original Deed shall remain with the Secretary of the Cemetery Committee and filed in the Deed Book, and the duplicate shall go to the Owner along with a copy of the present Cemetery By-Laws.**
13. **Money received for the sale of cemetery graves shall be divided as follows: 20 percent shall go into the Perpetual Care Fund and 80 percent shall go into the General Fund. All money received as gifts or memorials shall go into the General fund. The Cemetery Committee will use these funds for cemetery maintenance.**
14. **The Cemetery Committee will determine the amount of payment to be made to the Cemetery Groundskeeper for grass mowing and other duties requested by the Cemetery Committee. The Cemetery Groundskeeper will be paid for grave sales and marking of graves for burials.**
15. **No planting of any kind is allowed at the grave site. Flowers may be placed in or on the ground at the grave site 1 week prior to and 1 week after Memorial Day. Flowers will be discarded after this time if they still remain on the grounds. Flowers or decorations placed at the grave site at any other times of the year must be part of or placed on the headstone or footstone. The Cemetery Groundskeeper and the members of the Cemetery Committee have the right to remove any items that do not follow these rules, and any decorations that diminish the attractiveness of the grounds.**
16. **Monuments shall be placed in a straight line running North and South and in the center of the Lot or Half Lot. Headstones will be placed on the West side of the grave, and Footstones at the East side of the grave. On graves designated for single graves, only flat markers are allowed.**
17. **All foundations for monuments shall protrude 4 to 5 inches outward on all sides from the outer rim of the monuments and the surface of such foundations shall be level with the ground. Headstone, footstones, and markers shall be set with the surface level with the ground and without protruding foundations. A Grave Caretaker, designated by the Cemetery Committee, must be consulted before the placement of any monument on the cemetery.**

- 18. Owners of grave sites shall maintain their monuments, stones, and markers in a straight upright position and at ground level at all times.**
- 19. Motor vehicles and heavy implement of any kind shall not be permitted on cemetery plots, but are permitted on driveways, paths, and the un-platted part of the cemetery.**
- 20. It shall be the duty of each Grave Site Owner to see that all cemetery rules, regulations, and by laws and the stipulations set forth in the Cemetery Deed are observed and adhered to insofar as their grave site is concerned.**
- 21. The Congregation or the Cemetery Committee shall not be obligated to have snow plowed or removed from any part of the cemetery at any time. Snow plows are only allowed on the exterior perimeter road.**
- 22. The East side of the Cemetery is platted into rows of single graves running from North to South. These grave sites are to be sold as singles and doubles, sold consecutively. Flat, flush to ground markers will only be permitted on these grave sites.**
- 23. All burials on the cemetery will require a concrete rough box or a vault. This is necessary as the soil at the cemetery is mainly fine sand. Also, it will lower maintenance costs of keeping monuments upright and smooth property surfaces.**
- 24. The Cemetery Committee reserves the right to amend or alter any provisions with in these by laws.**