

BY-LAWS

St. John Ev. Lutheran Cemetery

I.

Name and place of association

The name of this association shall be St. John Ev. Lutheran Cemetery.
Located in the town of Luxemburg, Kewaunee County, Wisconsin.

II.

The annual meeting of the association for election of the Board of Directors and officers shall be at the place designated by the Board of Directors and officers, before April 1st of current calendar year, and special meetings may be called any time by the president of the association or by the majority of the Board thereof: but notice of time and place of every such annual or special meeting shall be made during the church service of the Sunday previous to the holding of the meeting.

III.

Quorum:

Nine (9) members constitute a quorum of the Association, and such quorum may hold any meetings, do any act, and transact any business which the Association may be authorized to do.

IV.

Membership:

Every person being the owner of a lot in the cemetery, or if there be more than one proprietor of such lot, then such one of the proprietors as a majority of the joint proprietors shall designate to represent such lot, shall be entitled to a vote at all meetings of the Association so long as he or she is an owner of such lot, and not otherwise.

V.

Powers and Election of Directors and Officers:

Subject to the authority of the Association, in annual or special meetings assembled, the powers of the Association are vested in three (3) officers, President, Secretary, and Treasurer, for a three-year term with one being elected each year per year. The Board of Directors consisting of six (6) members of the Association, each being elected for a term of three (3) years, two elected each year for the ensuing term.

VI.

Qualification of Directors and Officers:

A person elected a Director or officer of this Association must be a member of St. John Congregation and member of the Association and will to the best of his or her ability faithfully discharge the duties thereof, and failure to do so qualifies for consideration as a refusal to accept such position.

VII.

Meeting of Directors and Officers:

The Board of Directors and Officers may hold special meetings, but not less than five (5) Directors and Officers shall constitute a quorum. All nine (9) directors and officers need to be aware of meeting.

VIII.

Powers and Duties of the Directors and Officers:

The Board of Directors and Officers shall have the power and it shall be their duty as the best interest of the Association may require:

1. To make and enforce rules and regulations for the erection of monuments and the improvements thereof, and to prevent any use, appropriation, division, improvements or adornment of the lots within, which they deem improper and unsuitable.
2. To appoint and employ a superintendent/sexton of the Cemetery and all other necessary employees and prescribe their duties and powers and exact from them such bonds for the faithful performance thereof as they may think proper.
3. To generally manage and control the use, improvement, entry to and upon an exit from, the cemetery grounds of the Association: to lay out grounds, avenues, and walks, and adopt such rules and regulations for the government of the grounds as they may deem requisite and proper: to maintain as a safe, suitable and desirable place for the burial of the dead.
4. To select a bank or banks in which all the funds of the Association shall be deposited. Said funds to be in the name of the St. John Ev. Lutheran Cemetery Association.
5. From time to time to fix the amount of the bond that is to be required of the secretary and the treasurer. The cost of this bond is to be borne by the Association.
6. The president and treasurer shall report to St. John Church Council on a semi-annual basis.

IX.

Duties of the President:

The president shall preside at all meetings of the Association and Board of Directors and Officers and shall perform such other duties as may be required of him or her by the board or the by-laws of the Association.

X.

Duties of the Secretary:

The secretary shall keep a correct record of all the proceedings of the Board of Directors and Officers and of all meetings of the Association. He shall give the notices of the annual, monthly and all special meetings and post them on a bulletin board in the narthex and see that they are in the church bulletin. He shall keep correct account of all monies paid to him for the use and purpose of the cemetery arising from the sale of lots and graves, of interments and disinterments and from all other sources. He shall give a copy of the by-laws and rules upon purchase of the lot to the individual/individuals purchasing lot/s. He shall at the meetings of the directors and officers report to them the amount of money received by him, and from whom received and on what account, and pay such amount to the treasurer taking receipt for same. He shall at the annual meeting of the Association present an annual report showing in detail the receipts and expenditure of the Association for the past year. At the expiration of his term of office he shall turn over to his successor in office or to the Board of Directors all records, books and other papers belonging and relating to the business of the Association.

XI.

Duties of the Treasurer:

The treasurer shall receive all monies belonging to the Association from the hands of the secretary. He shall disperse all monies required to be dispersed for the purpose of the Association upon an order signed by the president and the secretary of the Association: such disbursement having been ordered by the Board of Directors and Officers. He shall at the annual meeting present an annual report showing in detail all monies received from the secretary and orders paid and balance on hand. The treasurer is given authority to make all deposits and withdrawals from the official depositories of the Association.

XII.

Duties of the Superintendent (Sexton):

There shall be elected by the Board of Directors and Officers at the first regular meeting of the board a Superintendent or Sexton who shall hold office at the pleasure of the board and shall have the care and custody of the cemetery grounds. He shall receive such compensation for his services as may be allowed from time to time by the Board of Directors and Officers. He shall give personal attention to all interment and disinterment in the cemetery. He shall have exclusive right and direction of interments and no person shall be allowed to perform such labor without the consent of the superintendent. He shall keep a correct record for the use of the Association of all interments in the cemetery, showing the name, age, residence, and time of interment of all persons buried in the cemetery and of the section lot and grave in which each person is buried. He shall at all times be subject to the direction of the committee on grounds. From time to time or at the discretion of the Board of Directors and Officers he shall make report

on improvements, general or private that have been made on the grounds; as also, of all interments or other work done under his supervision.

XIII.

Board of Directors and Officers:

There shall be appointed by the president of the Board of Directors or Officers at the first regular meeting of the board two (2) committees of two (2) members each, a committee on accounts and a committee on grounds. The committee on accounts shall examine all accounts and a financial review be taken. The committee on grounds shall visit the cemetery from time to time and shall report what improvements are necessary on the grounds of the cemetery and generally see to the proper improvement of the cemetery.

XIV.

Every conveyance of a lot or grave for burial purposes shall be signed by the president and secretary of the Association. But such conveyance shall only have the effect to give the perpetual use of the lot for the burial purpose, subject to the rules and regulations of the Cemetery Association and the St. John Ev. Lutheran Congregation, and subject to any changes made or regulations, no subsequent sale or conveyance shall be valid unless approved by the Board of Directors and Officers of this association.

XV.

Perpetual Care Fund:

The Board of Directors and Officers must keep and invest not less than 40 percent of all monies realized from the sale of burial lots and graves for the perpetual care of said lots and graves in a separate fund to be called the "Perpetual Care Fund", the income of which shall be used for the perpetual care of lots or graves.

XVI.

A vacancy occurring in the Board of Directors and Officers by death, resignation, or otherwise shall be filled by election by such board at a regular meeting, for the unexpired term. The board may by an affirmative vote of not less than five (5) members of the board expel a member thereof for such cause or upon such grounds as they may deem sufficient, but they are responsible for their action to the Association.

XVII.

These by-laws may be altered or amended at any annual meeting of the Association or at any special meeting called for that purpose by two thirds (2/3) vote of the members of the Association represented by themselves or by proxy and not otherwise.

RULES AND REGULATIONS FOR PROPRIETORS OF LOTS

1. All persons are prohibited from touching any object not their own within the cemetery unless permission has been granted by the superintendent.
2. All interments in lots shall be restricted to the members of the family and the relatives of the proprietor thereof. As long as they are members in good standing of a Christian denomination as determined by St. John Cemetery Association Board.
3. No sale, transfer or assignment of any lot or part thereof or interest therein shall be valid without the consent of the Board of Directors and Officers and no transfer is valid until entered on the cemetery records.
4. No fences of iron or wood, nor walls, copings, curbing of brick, stone, concrete or amble can be erected as an enclosure on lots.
5. All lots (two burials) shall be nine (9) feet wide by twelve (12) feet long. No grave shall be dug closer than six (6) inches from the outside boundary of the lot, leaving thus a margin of six (6) inches between the edge of the grave and the boundary.
6. The proprietors of each lot may erect any proper stone or monument. Only one such stone will be permitted on a family lot except by special permission. Where no family monument is intended, individual headstones will be permitted on the lot.
7. Heavy loads will not be allowed to enter the ground unless by permission of the superintendent/sexton.
8. If any monument, stone, vault, tomb, railing or any other structure whatever; or inscription in or upon any monument or stone in or upon any lot, which shall be determined by the committee on ground to be offensive or improper, the directors shall

have the right and it shall be their duty to enter upon such lot and remove, change or correct the said offensive object or objects.

9. Trees, plants and shrubs may be planted and cultivated but permission must be obtained from the superintendent/sexton for such planting.
10. If any tree or shrub situated on any lot shall by means of its roots, branches or otherwise, become unsightly, detrimental, dangerous, inconvenient, to the adjacent lots, walks or avenues, the officers of the cemetery shall have the right, and it shall be their duty to remove said tree or shrub, or such part or parts thereof as they deem proper, or order same done.
11. Foundations for monuments must be six (6) inches wider on all four (4) sides of the base of the monument.
12. The officers of the cemetery have the right, without notice to remove from lots any objectionable ornament, vase, glass, artificial flowers or any other object that may be considered inconvenient to the maintenance of the cemetery.
13. Throwing of rubbish on the avenues or walks or any part of the cemetery is strictly prohibited.
14. All lots must be paid in full before burial.
15. Whenever an interment is to be made timely notice thereof must be given at the office of the secretary/sexton and a permit obtained therefor.
16. The person applying for the permit should give the following particulars, name of deceased, late address, date of death, cause of death, age, size of box, date and time of burial, number of burial certificate, and whose lot interred and the name of undertaker.

17. All graves will be opened and closed by the sexton of the cemetery or authority of the sexton.

18. When bodies are removed from single graves and not reinterred in the cemetery, no part of the original cost of the grave will be returned. Parties buying lots in the cemetery and removing from single graves to such lots will be allowed the cost of the single grave less the regular charge for disinterring and reintering them.

19. The Association grants regular members of the St. John Ev. Lutheran Church of Luxemburg, the privilege of buying burial plots for their spouse who are members of other Christian denominations and that the cost be the same as regular members of St. John Ev. Lutheran Church.

20. Cost per burial is \$300.00 for members and \$600.00 for non-members that are of the Lutheran Church Missouri Synod.

21. All lot sales will be sold in order starting on the south end of the next open row proceeding north until all lots in that row are sold.

22. Upon purchase of burial lots you are consenting not to hold liable for mishaps any member or members of the Association or St. John Congregation.

The above by-laws, rules, and regulations were approved at a meeting held

Date: _____

Directors: _____
