



Columbarium Rules & Regulations

DEFINITIONS

- A-1 **Board of Administration:** The elected officers and leaders of St. Philip's Lutheran Church.
- A-2 **Box:** A permanent container approved by the Columbarium Committee used to place the cremated remains of a deceased human in a niche.
- A-3 **Chairperson:** The individual who chairs the Columbarium Committee.
- A-4 **Church:** The term "Church" as used herein shall refer to St. Philip's Lutheran Church, Fridley, Minnesota.
- A-5 **Columbarium:** A dedicated facility of the Church containing niches for the inurnment of cremated remains of a deceased human.
- A-6 **Columbarium Committee:** The Committee shall consist of a minimum of three and a maximum of seven members. A pastor of the congregation serves as an ex-officio member of the Committee. Committee members should be members of St. Philip's Lutheran Church and/or a niche owner. The majority shall consist of members of St. Philip's Lutheran Church.
- A-7 **Decedent:** The person whose cremated remains are placed in an urn or box for inurnment in a niche.
- A-8 **Inscription:** Inscribed information on the face of each niche front that includes only the name(s) of the decedent(s), whose remains are placed in the urn, year of birth, and year of the death. **Titles, award, degrees, or other information shall not be included in the inscription.**
- A-9 **Inurnment:** The placement of the urn or box containing cremated remains in their final resting place in a niche.
- A-10 **Niche:** One of multiple 8" x 8" or 12" x 12" spaces in a permanent, specially constructed framework, with each niche having space for one (1) or two (2) boxes or urns in which human remains are placed. Each niche will have a uniform engraved niche front identifying inscription.
- A-11 **Niche Front:** A uniform front plate attached to the outside of a niche.
- A-12 **Pastoral Staff:** Any ordained clergy under call or contract of the Church.
- A-13 **Subscriber:** One who has acquired the rights to use a niche. The subscriber is the record owner of the niche rights as evidenced by an Application to Purchase the Right to Inurnment issued to the subscriber by the Columbarium Committee.
- A-14 **Urn:** A permanent container approved by the Columbarium Committee used to place the cremated remains of a deceased human in a niche.

PURPOSE AND SUPERVISION

- B-1 **Purpose:** The Columbarium of St. Philip's Lutheran Church has been created for inurnment of the ashes of cremated humans.
- B-2 **General Planning:** The Columbarium is part of the ongoing ministry of St. Philip's Lutheran Church which operates under the direction of the Columbarium Committee, Board of Administration and Pastoral Staff.
- B-3 **Internal Revenue Service Code Section 501(c) (3):**
- A. The Columbarium is created and shall be operated exclusively for the benefit of, to perform the functions of, and to carry out the purposes of the church consistent with IRS Code Section 501(c) (3). No part of the income or property of the Columbarium shall inure to the benefit of or be distributable to any member, director, or officer authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein.
 - B. The Columbarium Committee shall not carry on any activities prohibited by an entity exempt from federal income tax under Section 501(c) (3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law.

INURNMENTS

- C-1 **Subject to Laws:** In addition to the rules and regulations, all inurnment, disurnments, and removals shall comply with all federal, state and local laws, rules and regulations to the extent they are applicable to the Church. Nothing herein shall be construed as a waiver of any exemption of the Church as provided pursuant to all laws, rules and regulations.
- C-2 **Eligibility:** Inurnment in the Columbarium will be available to:
- A. Members or former members of the church.
 - B. Ordained ministers who have ever served as pastors of the church.
 - C. Employees or former employees of the church.
 - D. Spouse, parents, children and grandchildren (natural, adopted, foster or step of the above stated persons).
 - E. Rostered clergy and commissioned church workers of the Evangelical Lutheran Church of America.
 - F. The remains of individuals recommended for inurnment by the Pastoral Staff and approved by the Columbarium Committee.
- C-3 **Fees:** A fee will be collected by the Columbarium Committee for subscription. Such fees are stated in the current schedule of fees. These fees will be administered in a manner consistent with other restricted offerings. This fund will be used only for the construction of the Columbarium, purchasing additional niches, supplies, inscribing and modification and maintenance of the Columbarium and immediate grounds (landscaped specifically for the beauty of the Columbarium) adjacent to the Columbarium.
- C-4 **Property Rights and Exclusive Rights to Use:** A subscriber (purchaser) who has paid the fee shall be entitled to name one (1) or two (2) persons whose ashes are to be inurned in that niche, provided that person or persons qualify as eligible, in accordance with the eligibility rules. The subscriber acquires no property rights in the Columbarium and its niches and agrees that said items and areas are at all times under the sole ownership and control of the Columbarium Committee as entitled by the Board of Administration.
- C-5 **Arrangements for the Inurnment:** The Pastoral Staff shall have complete authority for all the religious services of committal. Sufficient and proper notices of intended inurnment shall be given to the Pastoral Staff, and only such religious services as the Pastoral Staff may conduct, or give permission for, may be performed. The inurnment shall be in the manner directed by the Pastoral Staff.

- C-6 **Applications for Inurnment:** Application for Inurnment shall be made in writing on forms provided by the Columbarium Committee and filed with the Columbarium Committee.
- C-7 **Responsibility for Identity:** The Church and Columbarium Committee shall not be liable for ensuring the identity of the person whose cremated remains are sought to be inurned.
- C-8 **Limitations of each Niche:** Size of the niches allows cremated remains of only one (1) or two (2) persons to be inurned in each niche. In the event the urn(s) or box(s) will not fit the subscriber will be responsible for obtaining a smaller urn(s) or box(s) and the proper transfer of ashes to the replaced urns or boxes.
- C-9 **Niche Contents:** Only the approved urn(s) or box(es) with cremains may be placed inside the niche.
- C-10 **Niche Locations in the Columbarium:** Subscribers may select niches from available niches. Following purchase, the subscriber shall receive a Certificate of Inurnment Rights and the location will be recorded by the Columbarium Secretary or Treasurer.
- C-11 **Inurnment Permits:** Any permits for the inurnment required by applicable federal, state, or local laws, must be secured and furnished by the subscriber, the family of the decedent, or the funeral director. In no event shall the church or Columbarium Committee be responsible for acquiring such permits.
- C-12 **Boxes, Urns, and Niche Fronts:** Urns or boxes in the niches are limited to the size of the niche. All niches will have a uniform niche front attached to the outside face of the niche and will be inscribed with only the name(s) of the decedent(s), whose remains are placed in the urn(s) or box(s), year of birth and year of death. The cost of inscribing is not included in the purchase price and will be at the prevailing cost of inscription at the time of inurnment.
- C-13 **Opening and Closing of Niches:** The Columbarium Committee and/or Church will arrange for the opening and closing of niches at the time of inurnment.

DISURNMENTS AND REMOVALS

- D-1 **Removal for Profit Prohibited:** Removal of cremated remains so that the niche inurnment rights may be sold for profit, or removal contrary to the expressed wish of the original subscriber is forbidden.
- D-2 **Removal from Niche Location:** Cremated remains and the niche front may be removed from the original niche in the Columbarium upon the written consent of the Columbarium Committee. If the move is requested by the subscriber then the subscriber will pay for the cost of removal. If the move is at the convenience of the Church or Columbarium Committee, there will be no charge.
- D-3 **Movement of the Columbarium:** In the event the Church is moved to another location or should it be necessary to move the Columbarium to another location, it shall be the responsibility of the Columbarium Committee to provide facilities then existing for the re-depositing of the remains committed to its care, and the Columbarium Committee shall exercise reasonable efforts to locate and notify surviving heirs as to the new location. In the event the Columbarium is moved to a new location the subscribers right to inurnment shall not terminate.
- D-4 **Dissolution of Church and Columbarium Facilities:** In the event that the present Church is dissolved, the ownership of the church property is transferred by the Church or the Columbarium facilities are discontinued:
- A. The right to inurnment shall terminate.
 - B. The Columbarium Committee, or its successors, shall exercise reasonable effort to locate and notify surviving heirs and afford them the opportunity to remove the remains, and
 - C. The Columbarium Committee, or its successors, shall not otherwise dispose of the urns or boxes within three years after the Columbarium facilities are discontinued for any reason.

TRANSFER OR REASSIGNMENTS

- E-1 **Unilateral Transfer by the Subscriber Prohibited:** All rights conferred by the Application to Purchase the Right to Inurnment shall be specific to the subscriber and shall not be assignable or transferable by the unilateral act of the subscriber. This stipulation includes any exchange for the value, gift, testamentary transfer, or pledge as collateral for any loan.
- E-2 **Transfer by Consent of the Columbarium Committee:** A subscriber may make written application to the Columbarium Committee to transfer or assign the subscriber's rights under a Application to Purchase the Right to Inurnment or agreement regarding inurnment rights to an eligible transferee. The application shall state the grounds of eligibility, as defined in these rules and regulation, of the proposed transferee. The Committee shall approve such request provided it finds the proposed transferee eligible. Upon such approval, the subscriber or subscriber's authorized representative shall surrender the Application to Purchase the Right to Inurnment, and the Columbarium Committee shall issue a new Application to Purchase the Right to Inurnment to the approved transferee upon the approved transfer execution of an agreement regarding inurnment rights. The new transferee shall be bound by these rules and regulations.
- E-3 **Transfer Charges:** All transfer of ownership in the inurnment rights to niches shall be subject to a charge fixed by the Columbarium Committee. The charge must be paid to the Columbarium Fund when the transfer is recorded on the books of the Columbarium Committee and the new certificate issued.

- E-4 **Return of Inurnment Rights:** Subscriber may sell the niche back to the Columbarium Committee upon approval by the Committee. The Committee at its discretion may impose a transfer fee.
- E-5 **Limitations:** If any niche is not used within seventy-five (75) years of the purchase of inurnment rights and reasonable efforts have failed to locate any family of the subscriber, the Columbarium Committee will be free to reassign such niche.

FLOWERS, ORNAMENTS AND DECORATIONS

- F-1 **Floral Regulations:** Flowers, plants, and floral memorials are permitted during inurnment and at other special times (holidays, anniversaries, birthdays, etc.) Under no circumstances will the use of glass containers or other items that could cause injury be allowed in the Columbarium area. No floral item shall be attached to any niche front, wall, or structure in the Columbarium area. All flowers, plants, or floral memorials are permitted for a maximum of 48 hours. Any of these items may be removed by a member of the Columbarium Committee and disposed of without notice to the owner and without liability.
- F-2 **Decorations Regulations:** Flags, mementos, personal memorials, signs, or other ornamentation are permitted during inurnment and at special times (holidays, anniversaries, birthdays, etc.) for a maximum of 48 hours. Decorations must not infringe upon the rights of others. Fastening or adhering decorations to any niche face, wall, or structure in the Columbarium area is prohibited. The Subscriber shall be liable for any damage caused by the placement of any decoration. A decoration deemed unsightly or objectionable or has been located in an area where such placement is not allowed may be removed by a member of the Columbarium Committee and disposed of without notice to the owner and without liability.
- F-3 **Niche Contents:** Only the approved urn(s) or box(es) with cremains may be placed inside the niche.

INSCRIPTION

- G-1 **Uniformity of Inscribing:** The inscribing on each niche front shall be of uniform size and style as determined by the Columbarium Committee.
- G-2 **Conformity of Text:** The inscription shall consist only of the name of the decedent, year of birth and year of death.
- G-3 **Corrections of Inscription:** An Inscription Order Form will be provided by the Columbarium Committee to be completed and signed by the person(s) entitled to do so. The form will include the information to be relied upon in the inscribing of the niche front. Arrangements for the inscribing, in accordance with the names and dates so furnished, will be made by the Columbarium Committee.

CONDUCT OF PERSONS WITHIN THE COLUMBARIUM AREA

- H-1 **Church Decorum:** The Columbarium is part of the Church, and all persons entering the area of the Columbarium are expected to conduct themselves in accordance with customary respectful decorum as normally observed in a church.
- H-2 **Enforcement of Rules:** The Pastoral Staff and Columbarium Committee are hereby empowered to enforce all rules and regulations and to exclude from the Columbarium any person violating respectful decorum.

CHANGE OF SUBSCRIBER'S ADDRESS

- I-1 **Subscriber Must Notify the Columbarium Committee or Church:** It shall be the duty of the subscriber to notify the Columbarium Committee or Church Office of any change in mailing address. Notice sent to a subscriber at the last address on file in the church office shall be considered sufficient and proper legal notification for all purposes whether or not such purpose be specified in these rules.

MODIFICATIONS AND AMENDMENTS

- J-1 **Exceptions and Modifications:** Special situations may arise in which the enforcement of a rule may impose unnecessary hardship. Therefore, upon recommendation of the Pastoral Staff the Columbarium Committee may make exceptions, suspensions or temporary modifications. Any such temporary exception, suspension, or modification shall in no way be construed as waiver of the general application of such rule. When such exceptions, suspensions, or modifications are made with regard to a particular exceptions rather than the facility as a whole, they will be made in writing to reduce confusion.
- J-2 **Amendments:** The Columbarium Committee may at any time adopt new rules and regulations and/or amend, alter, or repeal any rule, regulation or article, section, paragraph, or sentence in these rules and regulations. The St. Philip's Lutheran Church Board of Administration will be notified of these changes.

ADOPTED by the Columbarium Committee on 5/11/2015 and approved by the St. Philip's Lutheran Church Board of Administration on 7/14/2015.

Revised and approved by the Columbarium Committee on 6/28/2019 and submitted to St. Philip's Lutheran Church Board of Administration.