

**St. John's Lutheran Church  
20275 Davidson Road  
Brookfield, Wisconsin 53045**

**MEMORIAL GARDEN GUIDELINES  
Adopted May 19, 2014**

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The Congregational Council (the "Council") of St. John's Lutheran Church, Brookfield, Wisconsin (the "Church") has designated an area of the Church property to be known as the St. John's Lutheran Church Memorial Garden (the "Memorial Garden" or "Garden"). The Garden includes a columbarium for inurnment of the cremains of eligible persons as defined in these Guidelines and to memorialize loved ones. The designated area complies with all current provisions of applicable laws and ordinances.

**THE MEMORIAL GARDEN BOARD OF DIRECTORS:**

The Memorial Garden Board (the "Board"), which consists of five (5) members, is appointed by the Council and has full control of the Garden with approval from the Council.

**THE MEMORIAL GARDEN and MEMORIAL GARDEN FUND:**

The Memorial Garden and the St. John's Lutheran Church Memorial Garden Fund (the "Fund") is managed by the Board. The Board performs its fiduciary functions as outlined in these Guidelines. The cost of the Garden is being financed by the sale for use of columbarium niches and by memorial gifts received in memory of loved ones. Monies received will be used for initial construction and thereafter held in the Fund for improvements and perpetual maintenance.

**ELIGIBILITY:**

Niches in the columbarium are available for Church members and their families, previous members and their families and people with special relationships with the congregation. Questions of eligibility will be resolved by the Board in consultation with the Council.

**NICHES:**

Niches in the columbarium are reserved by completing the Application for Reservation of Columbarium Niche (the "Application") and paying the fee in effect at that time. After an Application is accepted and the fee is deposited in the Memorial Garden Fund, a niche will be reserved in the Memorial Garden columbarium.

Each reservation shall be effective only for the inurnment of the cremains of the one or two eligible individuals identified in the Application.

The purchase price per niche is two thousand dollars (\$2,000) for a single inurnment niche and three thousand dollars (\$3,000) for a double inurnment niche. The price of a niche may be increased as warranted by the Committee at its discretion prior to purchase. The purchase price of a niche is the same, regardless of the location. **Due to limited internal space of a niche, the Board provides an urn for each individual at no additional expense.**

Each columbarium unit consists of niches, uniform in size, for the placement of cremated human remains. Engraving of the niche faceplate is supervised by the Board and engraving will follow a uniform format.

A pre-selected font and a uniform letter/numeral size will be utilized to engrave the niche with the name of the deceased and the year of birth and year of death. An exception will be made for a military insignia. The cost of engraving is included in the purchase price.

To make arrangements for an inurnment in the Memorial Garden, a parishioner or family member should contact the pastor or Church office. Cremains will be inurned in a columbarium niche with a committal service as is deemed appropriate by the pastoral staff. Cremains must be prepared for inurnment by an organization duly licensed and actively engaged in the practice of funeral service in Wisconsin, or with an equivalent license in another jurisdiction.

Flowers or objects, such as a flag, may be displayed at the base of the columbarium to honor the deceased the week of the memorial service and will be removed at the end of the week by the Board. As an alternative, or to remember the anniversary date of the deceased, family or friends are invited to provide altar flowers for the weekend worship service.

#### **CANCELLATION OF RESERVATIONS/REFUNDS:**

If a person desires to cancel the reservation of a niche in the Memorial Garden columbarium, he or she may do so in writing addressed to the Board. When a cancellation occurs before any inscription, a ninety percent (90%) refund of the reservation fee shall be returned. When a cancellation occurs after an inscription, a ninety percent (90%) refund of the reservation fee shall be returned but will be charged 110% of the replacement cost of the faceplate. When a cancellation/removal occurs after an inurnment of ashes, there will be no refund.

#### **MEMORIAL PLAQUES AND GARDEN ACCESSORIES:**

The Board shall maintain Memorials in the Memorial Garden in a form and design judged suitable by the Board. The Board will be responsible for making arrangements to have Memorials inscribed.

#### **GARDEN PAVERS:**

The Garden displays pavers that memorialize and honor loved ones (living or deceased). Pavers may be purchased for \$125.00 by Church members, their families, previous members and their families; and people with special relationships with the congregation. The purchaser will complete a Paver Application (attached to these Guidelines) and return it to the church office. The Memorial Garden Board will arrange for the inscribing and the placement of the paver.

#### **TERMINATION OF THE COLUMBARIUM:**

The right to inurn will continue as long as St. John's Lutheran Church stands and is owned by the Church. If the present church is to be sold or demolished and a replacement Columbarium will not be furnished at a new site, the right to inurn will cease. In that event, the Board will notify the next of kin who must remove the cremated remains from the niche or notify a representative to do so. If no one of such persons removes the cremated remains within a reasonable time or if no one of such persons can be contacted within a reasonable time, the Church has the right to remove the cremated remains and relocate them as it deems proper. No refund of any amount will be made.

## **POLICIES AND PROCEDURES:**

A record showing the location of each niche shall be kept in the Church office. In it shall be recorded the name, dates of birth and death, and contact information for the next of kin of each person whose remains are inurned in the Memorial Garden. It is the responsibility of the next of kin to keep the contact information current with the Church office.

Legal title to all niches shall remain with the Church. The Church shall at all times have full rights of management and control with respect to all matters related to the Memorial Garden. The buyer has the exclusive right to place in a niche the remains of an eligible person and to keep them there as long as the Memorial Garden exists. The purchaser of this exclusive right, who has paid the purchase price in full and has been assigned a specific niche, shall receive a certificate signed by a Church official. This certificate shall attest to his or her perpetual use of a specified niche.

The Church reserves the right to move, remodel, or otherwise alter the columbarium anywhere within the Church property. In the event the Church moves to a new location, the columbarium will move to the new location as well. A suitable placement on the new property will be selected.

Cremains may not be removed from the columbarium unless pre-authorization had been granted by the niche user and the pre-authorized individual is named on the original Application. The niche owner, prior to his or her death, may opt to change the designee either by modifying the original Application or by completing a new one.

Niches will not be reopened except for (1) placement of the remains of a second individual, or (2) by judicial order, or (3) by the preauthorized removal of remains as described above.

The Church will exercise good faith efforts to safeguard the columbarium and the contents of each niche, but the Church will not be responsible for loss thereof due to natural disasters.

The Board shall maintain the Memorial Garden and will have responsibility for and discretion over the design and execution of any plantings or other features placed in it.

The Memorial Garden shall be open to visitors at all times.

If changes to the procedures or policies in these Guidelines become necessary as a result of any change in law that occurs after adoption of these Guidelines, or after adoption of any subsequent revision of the Guidelines, then the Board and Council shall have authority to make the changes. Proposals for changes to these Guidelines must be presented in writing to the Board and, after the Board considers the proposal and makes a recommendation on it, the proposed change shall be considered by the Council.