

Calvary Lutheran Church

730 South New Street, West Chester, Pennsylvania 19382

COLUMBARIUM BYLAWS

Approved by Council July 1, 2021

The Congregational Council (the "Council") of Calvary Lutheran Church, West Chester, Pennsylvania (the "Church") has designated an area of the Church property to be known as the Calvary Lutheran Church Columbarium (the "Columbarium"). The Columbarium consists of a columbarium for inurnment of the cremains of eligible persons as defined in these Bylaws and a surrounding landscaped area. The designated area located on the south side of the Church building complies with all current provisions of applicable laws and ordinances.

THE COLUMBARIUM BOARD OF DIRECTORS

The Columbarium Board (the "Board"), which consists of three (3) members, is appointed by the Council and has oversight of the Columbarium with approval from the Council. Board members will serve three (3) year terms and may serve up to two consecutive terms.

THE COLUMBARIUM and COLUMBARIUM DESIGNATED FUND

The Columbarium and the Calvary Lutheran Church Columbarium Designated Fund (the "Fund") are managed by the Board. The Board will work with the financial leaders (staff and volunteer) of the congregation to perform its fiduciary functions (see Attachment 1).

ELIGIBILITY

Niches in the Columbarium are open to all. Members of Calvary Lutheran Church and their immediate family members, and previous members and their immediate family members, are considered "Affiliated Members." Questions of eligibility for Affiliated Members status (including applicability to extended family members) will be resolved by the Board in consultation with the Council.

RESERVING A NICHE

Niches in the Columbarium are reserved by completing the Application Form applicable at that time and paying the niche reservation fee in effect at that time. Note that there may be discounts applied to the fee based on presale, niche location, and/or Affiliate Member status. After an Application is approved by the Board and the niche reservation fee is deposited in the Columbarium Fund, a niche will be reserved in the Columbarium.

The Board will maintain a Columbarium Pricing summary document available to all.

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

INURNMENT

To make arrangements for an inurnment in the Columbarium, 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 Pennsylvania, or with an equivalent license in another jurisdiction.

Details on urns and inscription are provided in Attachment 2. Costs for urns and inscription will be those in effect at the time they are purchased. Prices are available on the Eickhof web site; a summary will be available in the Columbarium Pricing document maintained by the Board.

CANCELLATION OF RESERVATIONS/REFUNDS

If a person desires to cancel the reservation of a niche in the Columbarium, he or she may do so in writing addressed to the Board. Upon cancellation, seventy-five percent (75%) of the original niche reservation fee shall be refunded. Alternatively, the niche may be donated back to Calvary and utilized for the inurnment of a Calvary member based on financial need, based on a petition for support to the Board. When a cancellation/removal occurs after an inurnment of cremains, no refund will be provided.

POLICIES AND PROCEDURES

The Chair of the Board shall ensure that a record of information for each niche is kept in the Church office, maintained by a Board member, and backed up in an off-site location. In it shall be recorded the owner of the niche, name, dates of birth and death, and contact information for the next of kin and/or legal representative of each person whose cremains are inurned in the Columbarium. It is the responsibility of the next of kin or legal representative 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 Columbarium. The exclusive right to inurnment enables the individual/representative making a reservation to place in a niche the cremains of an eligible person and to keep them there as long as the Columbarium exists. The individual reserving this exclusive right, who has paid the niche reservation fee 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.

A niche space may be reassigned at the request of the individual/representative who holds a niche reservation with the approval of the Board.

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 individual/representative who holds a niche reservation and the pre-authorized individual is named on the original Application. The individual/representative who holds a niche reservation, 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 cremains of a second individual, (2) by judicial order, or (3) by the preauthorized removal of cremains 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 or other causes outside the control of the Church.

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

The Columbarium shall be open to visitors from sunrise to sunset.

Flowers or objects, such as a flag, may be displayed at the base of the Columbarium to honor the deceased at the time of the memorial service and should be removed within 24 hours of the service. To remember the anniversary date of the deceased, family or friends are invited to provide altar flowers for the weekly worship service. Flowers or other objects left at the Columbarium will be removed by a Calvary representative.

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

TERMINATION OF THE COLUMBARIUM

The right to inurn will continue as long as Calvary Lutheran Church exists and is owned by the Church. If the present church building 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 or legal representative who must retrieve the cremated remains from the Church after they have been removed 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 ninety (90) days, the Church has the right to remove the cremated remains and relocate them as it deems proper. This is in accordance with the Burial Grounds Conveyance Act of June 25, 1913 (P.L.551, No.354). No refund of any amount will be made.

Attachment 1

Columbarium Designated Fund

Initial funding for the Columbarium is being provided by the Calvary 2020 Vision Campaign. Niche reservation fees from the Columbarium shall be used to benefit Calvary Lutheran Church and at church council's discretion following these general guidelines:

1. Initial niche reservation fees received will be used cover any additional installation, landscaping, and hardscaping costs and to then to repay the campaign for its contribution toward Columbarium purchase and construction.
2. A tithe of all niche reservation fees received after the initial construction costs are covered will be set aside for the use of the 2020 Vision tithe fund and its successors.
3. Thereafter the niche reservation fees after the tithe set aside will be held in the Columbarium Designated Fund for capital expenses at the church and for improvements to and perpetual maintenance of the Columbarium.
4. After the sale of 50% of the niches the Board will propose to Council a plan for funding an expansion of the Columbarium.

Attachment 2

NICHES

There are two different size niches available in the Columbarium; there are 24 12"x12" niches and 117 8"x8" niches. The niche reservation fee is established by the Board. The Board maintains a document with current fees.

Those who reserve niches located in the top and bottom rows (8" x 8" rows) will receive a 10% discount off of the standard niche reservation fee.

Individuals who reserve niches during the presale period, i.e., before the Columbarium is dedicated, will receive a 10% discount off the standard niche reservation fee.

Affiliated Members of Calvary Lutheran Church, as defined in the bylaws, will receive a 10% discount off the standard niche reservation fee.

Niche reservation fees may be increased as warranted by the Board with the approval of Council at its discretion. Previously reserved niches are not affected by changes in the niche reservation fees.

If a niche reservation is cancelled after a change in niche reservation fee, the 75% refund will be as described in the Bylaws and based on the original niche reservation fee.

URNS

The urns required for inurnment in the Columbarium are not included in niche reservation fee. Urns must be purchased in accordance with the size of the niche.

8" x 8" niches

Usable inside size at the opening will be about $5\frac{7}{8}$ " tall x $7\frac{3}{4}$ " wide x $11\frac{3}{4}$ " deep. This size accommodates two urns whose outer dimensions are up to **5½" tall x 7" wide x 5½" deep**. The opening height is less than 8" because of the hardware and shelves which may either hang down or rise.

12" x 12" niches

Useable inside size-at the opening will be about 9⁷/₈" tall x 11¹/₂" wide x 11³/₄" deep. This size accommodates two urns whose outer dimensions are **9³/₄" tall by 10¹/₂" wide by 5¹/₂" deep or 2 vase-shaped urns 10" tall by 6¹/₂" in diameter.** The opening height is less than 12" because of the hardware and shelves which may either hang down or rise. (The vase-shaped urns may be slighter taller because they can be tilted when being placed, with the interior dimension slightly larger than the dimensions of the opening.)

Appropriately sized urns may be purchased from the church at the Eickhof cost for urns (plus shipping) in effect at the time of purchase.

Those with reserved niches can also supply their own urns. Owner-supplied urns must fit and must be weather resistant. The urn will be protected from direct elements, but the niches are not "sealed" from moisture and wind-blown debris, like dust. Contact a Board member for more information to ensure that urns conform to size and material requirements for placement in the niche.

INSCRIPTION

The cost of inscribing and shipping the niche faceplate to Eickhof for inscription is not included in niche reservation fee.

Inscription and shipping costs will be paid by the church at the time the service is rendered, to be reimbursed by the individual who holds a niche reservation (or representative) upon evidence of the actual cost.

Costs for inscription will be those in effect at the time the inscription order is placed. Prices are available on the Eickhof web site; a summary will be available in a Columbarium Pricing document maintained by the Board.

Each Columbarium unit consists of niches for the placement of cremated human remains. The inscription of the niche faceplate is facilitated by the Board, will be done by Eickhof, and will follow a uniform format. The font will be Optima Bold. The highlighting color will be black. The date format will be MMM (D)D, YYYY (e.g., Jan 7, 2020 or Jan 13, 2020). The font size will be ³/₈" for 8 x 8 niches and ¹/₂" for 12 x 12 niches (see example below).

Christopher A. Augustin
Dec 29, 1929 - Feb 26, 2002

Elaine Ann Augustin
May 7, 1925 - Jun 30, 2006