

# FIRST PRESBYTERIAN CHURCH, CHARLESTON WEST VIRGINIA

## COLUMBARIUM RULES AND REGULATIONS

(Approved by Session, 3-10-2010 (9/14/2011 Rev.))

1. **Name:** The Columbarium will be known as The Memorial Columbarium of The First Presbyterian Church.
2. **Governing Body:** The affairs of the Columbarium will be managed by a columbarium board consisting of the pastor or the pastor's designated representative, the church business administrator and three members of the congregation appointed by the Session. The term of each appointed member shall be three years. The three year terms shall be staggered so that one position will be filled each year. The original board members shall draw their term length by lot. The appointed members may serve a maximum of two consecutive terms. Officers of the board shall consist of a chairperson and a secretary, both to be lay members. Officers shall be elected annually and may be re-elected as long as they serve on the board. The board shall meet at the call of the chairperson or pastor, but at least annually, and shall provide an annual report to Session. The contents of the annual report shall be determined by Session.
3. **Columbarium Usage:** There are two ways in which The Memorial Columbarium of the First Presbyterian Church may be used.
  - 3.1 The purchase of the right to use a niche and the inurnment of cremains in the niche with an inscribed plate with the name of the individual and their dates of birth and death.
  - 3.2 The scattering of the cremains in the columbarium garden and the placement of an inscribed plate with the individual's name and dates of birth and death. The plates shall be on a plaque indicating that the ashes have been placed in the garden.
4. **The Scattering Garden:** An area in the immediate vicinity of The Memorial Columbarium shall be designated as the Scattering Garden.
  - 4.1 The cremains of persons who have elected to use The Scattering Garden shall be placed under the surface of the soil and the surface of the area will be restored.
  - 4.2 Cremains may be commingled
  - 4.3 Persons electing to use The Scattering Garden may be memorialized on a communal plaque located within The Memorial Garden.
5. **Eligibility for Niches:** Niches for inurnment shall be available without regard to ethnicity. No inurnments may be made prior to executing an Agreement with First Presbyterian Church. Consideration of applications shall be given in the following order of priority:
  - 5.1 Members or former members of First Presbyterian Church and their families. The Columbarium is restricted to the inurnment of members of First Presbyterian Church and their immediate families, former members, present and former ministers of the Church; immediate family includes the spouse of a member, parents including stepparents, children, stepchildren, spouses of children, grandchildren, and spouses of grandchildren. No inurnments may be made prior to executing the Columbarium Rights Agreement of First Presbyterian Church of Charleston, WV.

**5.2 Others at the discretion of the columbarium board.** If a decision cannot be reached, or if an appeal is sought by an applicant, Session will make a final decision.

- 6. Assignment of Niches:** To reserve a niche or group of niches, the Columbarium Rights Agreement shall be used and submitted to the columbarium board. The columbarium board may limit the number of niches reserved by any one applicant. Upon approval of the application and receipt of the established fee, a certificate of inurnment rights shall be issued. The certificate shall show the location and the number of the niche(s) assigned. The specified niche(s) shall be assigned for exclusive use, and the niche(s) shall not be transferred by the subscriber except as provided in these rules and regulations.
- 7. Cost of Niches:** The fee for a niche shall be set by Session on recommendation of the columbarium board and may be changed at any time in the same manner. The fees shall be uniform at any given time regardless of the location of the niche. There shall be no assessment of additional charges after the reservation fee has been paid in full.
- 8. Columbarium Funds:** All funds received will be held in a fund known as the First Presbyterian Church Memorial Columbarium Fund. Additional funds may be donated to the columbarium fund at any time. These funds shall be used for the purchase of columbarium units, associated artwork or furnishings, engraving other than nameplates, installation and construction, landscaping and landscaping maintenance, upkeep and renovation of the columbarium and its surroundings.
- 9. Columbarium Records:** Records of the columbarium board shall be maintained in the Church office along with other permanent records of the Church. The records shall be available for inspection by anyone with a valid interest and shall include the following:
  - 9.1** A file of all applications submitted, together with the disposition thereof. Each approved application shall have attached a copy of the certificate of inurnment rights which was issued;
  - 9.2** A niche numbering chart showing each niche, which niches have been assigned, which are available and which are occupied;
  - 9.3** A continuing record of the finances showing receipts and disbursements of columbarium funds;
  - 9.4** Minutes of meetings of the columbarium board
  - 9.5** A registry of the living persons holding the right to occupy a niche containing their current mailing address, telephone number and email address as well as the current telephone number, mailing address and email address of a designated next-of-kin or other personal representative. Subscriber shall assume the responsibility of advising the church of any change in this information.
- 10. Niche Size and Inurnment Containers:** The internal dimensions of each niche are 10 5/8" h x 10 5/8" w x 23" d. Containers for cremains must be of non-biodegradable material, such as plastic or corrosion-resistant metal. Only sealed containers holding cremains shall be placed in the columbarium niches. It is the subscriber's responsibility to select a properly sized inurnment container and to ensure the suitability of its size and material prior to final use.

In the case of those married as husband and wife or members of the same family, only two persons may be inurned in one niche with the exception of any stillborn child under the following provisions: the cremains shall be accepted and placed into the parents'

niche; at the time the stillborn's remains are accepted, a decision must be made by the surviving parents as to which parent's remains will be placed in the urn with the stillborn child.

**11. Title and Rights Reserved to the Church:** Legal title to all niches shall remain with First Presbyterian Church. The exclusive right to place in a columbarium niche the remains of an eligible person, and to keep them there as long as the Columbarium is maintained, shall be based upon the following terms:

**11.1** The purchaser of this right, who has paid the fee in full, shall receive a certificate signed by the Church business administrator attesting to their reservation of a specific niche, and an up-to-date copy of these rules and regulations.

**11.2** The right to use such niche may not be sold or otherwise transferred except as specified herein;

**11.3** The First Presbyterian Church reserves the right to move the Columbarium to another location on the grounds of the church or any successor church, should it be determined by the Session as necessary to do so.

**11.4** In the event the Columbarium is moved, the church shall have no obligation to move the remains placed in The Scattering Garden. The memorial plaque will remain a part of any relocated columbarium.

**12. Transfer or Cancellation of Reservation:** If a person who has reserved a niche, or the legal representative of that person, finds that for any reason the reserved niche will not be used, the right to use the niche can only be sold back to the church at a sum equal to the original fee. Upon repurchase all rights of the subscriber of the subscriber's successor shall be terminated.

**13. Abandonment:** A niche shall be deemed abandoned ten (10) years after the purchase only after ALL the conditions have been satisfied as follows:

If the niche has not been used within 10 years of the time or purchase, and Subscriber is no longer a member of the First Presbyterian Church of Charleston, and Subscriber does not respond to certified mail sent to his/her last known address, and No response or objection is received within 90 days from the date of the certified letter. If all of the above are satisfied, the right to interment in the niche shall revert to the Church and can be made available for purchase or use by another Subscriber.

**14. Flowers, Plants and Decorations:**

**14.1** No memorabilia, such as, pictures, letters, or other such articles and materials shall be placed within, around or on the niche or the grounds of the columbarium. The Church reserves the right, in its sole discretion, to remove and dispose of such memorabilia.

**14.2** No permanent decorations of any kind may be added to the niches, or placed on the grounds of the Columbarium.

**14.3** As space allows, floral stands, wreaths, baskets, and other floral tributes, which are part of the floral offering at the time of inurnment, may remain for a period of three days. First Presbyterian Church, at its own discretion, may temporarily move these tributes dependent on other church events.

**14.4** The Church will not be responsible for flowers that are lost or stolen.

**15. Access:** The opening of any niche is prohibited by anyone other than authorized Church personnel. Upon the request of a member of the deceased person's immediate family or a person showing evidence of proper authority and just cause, a niche may be opened and the contents removed. Any opening of a niche will be done at a time convenient to the Church and any expenses related thereto will be borne by those requesting such action. Upon permanent (longer than 90 consecutive days) removal, the Subscriber or their estate terminates their right to use the niche and it reverts to the Church. The Church may rely on any documents showing evidence of authority and shall not be required to make further inquiry with respect thereto.

### **MEMORIAL COLUMBARIUM NICHE ENGRAVING POLICY (11-3-2010)**

The subscriber or their family will contract with Sears Monument Company for the engraving of niche fronts. Sears Monument contact is Allen Cosby at 304-342-4158.

Sears Monument Company will:

- Be responsible for the removal of the niche front, the placement of the temporary cover, and the return and installation of the engraved niche front.
- Bill the family directly.
- Notify the Business Administrator at First Presbyterian Church when a subscriber has made final arrangements.

Three lines per person is the maximum permitted, or a total of 6 lines for two persons.

The color of lithichrome is black. The font is Roman Classic. Size and style (regular spacing or condensed) will be determined by Sears Monument based upon the lettering requested.

The layout of the lines may be determined by the family. (For example: the surname may be the top line or centered between family members.) In no case will more than three lines for a single person or six lines for two persons be permitted. Sears Monument has a drawing of available styles prepared solely for the Columbarium on file at their office.

No decoration is permitted including, but not limited to, crosses, praying hands, terms of endearment, symbols of religious, trades, occupations and military affiliation.

An individual may make arrangements with Sears Monument for the engraving of their niche prior to their death. A copy of the preferred layout will be kept on file at the church; however no engraving is to take place prior to death. Cost of the engraving will be determined at the time the service is rendered.

First Presbyterian Church will coordinate the inurnment of cremains with the subscriber and/or their family.