



# ST. MARGARET, QUEEN OF SCOTLAND

ST. THOMAS CHAPEL • SPRINGFIELD

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Post Office Box 100 • Albany, Louisiana 70711-0100 • 225.567.3573

## CEMETERY COMMITTEE BYLAWS

Committee Members: The Reverend Jamin S. David, J.C.L., John Aranyosi, Mark Chemay, Sal Faldetta, Frank Good, Alex Kropog, Darrell Kropog, Peter Pfiffner, William Prokop

The Cemetery at St. Margaret, Queen of Scotland Catholic Church in the Hungarian Settlement near Albany, Louisiana is the final resting place of St. Margaret Parishioners and their loved ones who have witnessed to the resurrection of Jesus Christ. To the end that their service to their Lord and contributions to family and society may be remembered, the congregation of St. Margaret, Queen of Scotland Catholic Church establishes a Cemetery Committee to order and maintain the burial grounds established in 1910.

### I. ORGANIZATION

- A. The Committee shall be named the “St. Margaret, Queen of Scotland Catholic Church Cemetery Committee” (hereafter referred to as “Cemetery Committee” only). The Cemetery is a religious cemetery owned, managed, and administrated by St. Margaret, Queen of Scotland Catholic Church.
- B. The Committee shall be at least eight (8) members consisting of seven (7) lay persons and any active assigned clergy. The Cemetery Committee is recognized as the Cemetery Authority.
- C. Committee members shall be appointed by the Pastor. Members serve at the discretion of the Pastor for an indefinite time.
- D. The Committee shall elect a Chairman and a Secretary. The Chairman shall preside over meetings and insure the proper and orderly conduct of business. The Secretary shall keep minutes of all meetings and an accurate record of plot reservations and burial activities.
- E. The Committee shall meet at least twice a year and additionally as necessary on the call of the Pastor or the Chairman.
- F. A quorum shall consist of four (4) members of the committee to transact any official business.
- G. Any committee member may resign at any time by submitting a letter of resignation to the Pastor.

### II. RESPONSIBILITIES

- A. Of that portion of land owned by St. Margaret, Queen of Scotland Catholic Church which has been designated by that Church as reserved for a cemetery, the Cemetery Committee shall have general responsibility in accordance with the provisions of these bylaws and any additional rules and regulations requisite to accomplish the general objective of the

Cemetery. The Cemetery Committee shall revise the rules and regulations as necessary for the continued proper administration and conduct of the Cemetery.

- B. The Committee shall establish the purchase price of interment rights to cemetery plots, transfer fees, interment fees, sizes, and shall make assignment of and receive payment for any of the aforementioned rights of burial. Price schedules are to be approved by the Committee and the Pastor before being put into effect.
- C. The Cemetery Committee shall maintain an up-to-date record of the cemetery detailing all occupied, reserved, and available burial plots.

### **III. AMENDMENTS**

These Bylaws and the Rules and Regulations of the St. Margaret, Queen of Scotland Catholic Church Cemetery may be amended by a two-thirds vote of the Committee.

# **ST. MARGARET, QUEEN OF SCOTLAND CATHOLIC CHURCH CEMETERY RULES AND REGULATIONS**

1. A copy of these approved rules and regulations and any amendments added hereto will be provided to all persons purchasing cemetery burial rights. Copies are also available for any interested persons or parishioners.
2. The St. Margaret, Queen of Scotland Catholic Church Cemetery is a religious cemetery and primarily those dying in the Catholic faith, or spouses thereof, shall be interred in this cemetery. The number of burial rights to be purchased at one time by a family is limited to husband, wife, and two minor children living in the household. The plots must be designated by name and used only by the family. Upon a death, the Cemetery Committee or the Pastor must be notified of the intention to use the burial right in order to insure the integrity of the purchase.
3. All lots and plots in the Cemetery shall be used for no other purpose than as a place of burial for human remains of those of the Catholic faith (and as provided elsewhere), and all lots shall be held subject to the rules and regulations heretofore established or which may hereafter be established, whether or not the same appear in the rules and regulations annexed in the deeds of such lots, plots, or cemetery space.
4. The Cemetery Committee may, from time to time, revise these rules and regulations and make reasonable amendments and additions thereto as may be necessary for the proper administration and conduct of the cemetery and the government of its grounds as it may deem requisite and proper to secure and promote the general objectives of the Cemetery. All undefined terms or definitions shall be defined by a two-thirds vote of those present of the Cemetery Committee. The decision of the Cemetery Committee shall be binding upon all who transact cemetery business with St. Margaret, Queen of Scotland Catholic Church.
5. Multiple interments in a single plot or lot will be permitted according to the following guidelines:
  - a. Below grade level interments may be two (2) full-size casket or vault burials;
  - b. Multiple cremains as space allows;
  - c. A combination of cremains and full-size caskets or vaults as space allows.
6. All private mausoleum or sarcophagus structures are prohibited in the cemetery.
7. The enclosure of any grave or graves in any society or private enclosure is not permitted.
8. No vault, monument, grave marker, nor any structure of any shape not in conformity with the Catholic Faith will be permitted. The Cemetery Committee desires to give as free a scope as possible to the individual tastes of deed holders in regard to the style and character of their improvements, but in justice to the interest of all, it reserves the right of preventing or removing any structure which may be considered injurious or prejudicial to the general good appearance of the Cemetery.
9. If any monument, effigy, structure, or any inscription whatsoever would be placed in or upon any lot which shall be determined by the Cemetery Committee to be offensive or improper or injurious to the appearance of the surrounding lots, plots, or grounds, the Cemetery Committee shall have the right, and it shall be its duty, to enter upon such lot or plot and remove the said offensive or improper object or objects at the expense of the lot or plot owner(s).
10. The standard size for cemetery lots or plots shall be as follows:

**Section I**

Single Plot	Not to exceed 10 feet X 4 feet 6-inches
Double Plot	Not to exceed 10 feet X 9 feet 2-inches

**Section II**

<p>This is the oldest and most populated area of the Cemetery. Single and double size plots will subject to existing available space.</p>
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**Section III**

Single Plot	Not to exceed 10 feet X 4 feet 6-inches
Double Plot	Not to exceed 10 feet X 9 feet 2-inches

11. A walkway of four feet width will be maintained between rows of graves in Section I and Section III.

12. The fee schedule for rights of burial is as follows:

Category 1 <sup>(1)</sup>	Supporting St. Margaret Parishioner	<b>\$750.00</b>
Category 2 <sup>(1)</sup>	Non-Supporting <i>or</i> Former St. Margaret Parishioner	<b>\$1,500.00</b>
Category 3 <sup>(1)</sup>	Non-Parishioner	<b>\$3,000.00</b>

*(1) See Article 38 for definitions.*

13. The recognized Owner of Title is the person in whose name the official title to a cemetery deed appears in the official records of the Cemetery Committee and shall be treated as the recognized deed holder for the plot by the Cemetery Committee.

14. All transfer of ownership rights are subject to approval by the Cemetery Committee. In order to insure that at all times the Cemetery Committee will have complete and accurate records, the transfer of any right of interment or cemetery plot shall not be binding upon the Cemetery Committee until the transfer is approved, in writing, by a duly authorized officer of the Cemetery Committee and is further duly recorded in the official records of the Cemetery.

15. The Cemetery Committee may refuse to give its consent to a transfer or may refuse to issue evidence of the right of interment so long as there is any indebtedness due on such right of interment per cemetery plot.

16. The transfer of any right of interment or cemetery plot whether by conveyance, assignment of a purchase contract, or otherwise shall be subjected to all the terms, provisions, and conditions of the Rules and Regulations of the Cemetery Committee.

17. In dealing with a deed holder, a Cemetery Committee may rely upon, for all purposes, the last address of said owner that is on file in the office of the Cemetery Committee, and any notice forwarded to the owner of record at said address shall be conclusively considered as sufficient proper legal notification for any and all purposes. If an owner wishes to change his address, it shall be their duty to notify the Cemetery Committee in writing. When such a notice is received by the Cemetery Committee, the owner's address shall be promptly changed and thereafter the new address shall prevail.

18. Every right of interment and cemetery plot shall be subject to the Laws of the State of Louisiana pertaining to community property and inheritance, including but not limited to, the laws of intestacy, donations inter vivos<sup>(2)</sup>, and mortis causa<sup>(2)</sup>, and successions.

*(2) See Article 38 for definitions.*

19. Deed holders shall not allow internments to be made in their plots for remuneration, nor shall any transfer or assignment of any plot or of any interest therein be valid unless the consent in writing of the Cemetery Committee is first had. The transfer must comply with all other requirements of these bylaws. Should a deed holder no longer wish to retain their right of burial, St. Margaret, Queen of Scotland Catholic Church will re-convey to itself the deed according to the original fee shown on the deed.
20. Visiting hours to the cemetery grounds are limited to the daylight hours. Visitors are cautioned to exercise care when visiting the cemetery.
21. Visitors are requested not to throw or scatter unsightly articles on the grounds.
22. All rubbish must be removed immediately to such place of deposit as may be provided for this purpose. Refuse containers are provided by the Cemetery Committee.
23. Liquors or refreshments will not be allowed on Cemetery grounds.
24. All adornments are subject to the written approval of the Cemetery Committee.
25. All faded floral expressions and dead flowers will be removed at the discretion of the Cemetery Committee.
26. All flower arrangements are to be placed in approved memorial vases only.
27. The planting of shrubbery or trees is not permitted in the cemetery without consent of the Cemetery Committee. Any and all landscaping within the cemetery will be under the direction of the Cemetery Committee.
28. No "For Sale" signs will be allowed on lots, plots, or vaults. No advertisements in any form will be allowed in the Cemetery, and the Cemetery Committee reserves the right to remove any such signs or advertisements.
29. Soliciting work or placing business cards upon plots is prohibited.
30. Any disorderly persons who willfully violate any of the rules and regulations of the Cemetery or persons trespassing on the cemetery property shall be ejected from the grounds, and all persons shall be held liable according to civil law for any damage done.
31. The deed holder of each lot shall keep in repair, at his own expense, the improvements thereon. The committee is responsible for cutting grass only. All other maintenance of burial plots is the responsibility of the family of the deceased or deed holder.
32. All persons wishing to do monument work in the cemetery must have a written order signed by the deed holder giving authority to do such work. All work must comply with the Cemetery Committee requirements of prior approval. All masonry work or monument completion is subject to prior approval of the Cemetery Committee.
33. Headstones, slabs, and monuments which have fallen or which require repair will be removed by order of the Cemetery Committee. Headstones, slabs, or monuments which are leaning or pose a safety hazard are subject to removal.
34. All workmen employed in the construction or erection of monuments must be subject to the supervision of the Cemetery Committee Chairman or Pastor, and any workmen failing to conform to this regulation will not be permitted to work in the cemetery afterward.

35. In making excavations, the Cemetery Committee reserves the right to use temporarily the adjoining lot to receive tools, derricks, and materials as are necessary to perform all work.

36. Definitions:

Non-Parishioner means anyone who is/was not a registered parishioner of St. Margaret, Queen of Scotland Catholic Church at any time during their lifetime.

Cemetery means a place used or intended to be used for interment of human remains.

Cemetery Space means one or more graves used or intended to be used for the interment of human remains.

Donation “inter vivos” (between living persons) is an act by which the donor divests himself at present and irrevocable of the thing given in favor of the donee who accepts it.

Donation “mortis causa” is a gift made by a person in sickness who, anticipating his death, delivers or causes to be delivered to another the possession of any personal goods to keep as his own in case of the donor’s demise.

Former St. Margaret Parishioner means any person who was a parishioner of St. Margaret, Queen of Scotland Catholic Church either registered independently or as the child of another registered parishioner.

Grave means a space of ground in a cemetery used for burial of human remains.

Intestate is when a person dies without making a will or dies without leaving anything to testify what his wishes were with respect to the disposal of his property after death.

Lot or Plot means land in a cemetery used or intended to be used for the interment of human remains.

Non-Supporting St. Margaret Parishioner means any registered parishioner who has not supported the endeavors of St. Margaret, Queen of Scotland Catholic Church either through monetary contributions or ministerial service.

Religious Cemetery means a cemetery that is owned, operated, and managed by a recognized church or religious society.

Succession means the transmission of the rights, estate, and obligations of the deceased person to his heirs.

Supporting Parishioner means a registered supporting parishioner of St. Margaret, Queen of Scotland Catholic Church who has supported the endeavors of said church with monetary contributions or ministerial service.

37. Upon obtaining proper permits and authority, an interred body may be removed in accordance with Louisiana State Law in a dignified manner subject to the complete preservation of bordering and or adjoining grave lots or plots. No refund will be made for any lot or plot in the cemetery after utilization as a burial site, whether intended to be temporary or permanent. The vacated burial site shall be restored to an acceptable condition as an unused lot by removal of vault installations or foundations, grave structures of any shape, and land fill to a uniform surface level. No remaining burial structures, foundations, or debris shall be used as cavity backfill.

38. (a) Special cases may arise in which the literal enforcement of a Rule or Regulation may impose unnecessary hardship. The St. Margaret Cemetery Committee reserves the right to make exceptions, suspensions, or modifications of any of these Rules and Regulations without notice when, in its judgment, such action appears necessary or desirable; but any such exception, suspension, or modification, shall in no way be construed as affecting the general application of such Rules and Regulations.

(b) The St. Margaret Cemetery Committee may, and it hereby and herein expressly reserves the right at any time and from time to time with or without notice to the deed holder to repeal, amend, modify, add to, and/or change any of the above and foregoing Rules and Regulations in whole or in part upon the written authorization of the majority of the Cemetery Committee, and upon doing so, such new Rules and Regulations, amendments or modifications or additions or other changes shall be fully binding on a uniform basis upon all deed holders.

## PAROCHIAL MAUSOLEUMS & COLUMBARIUMS

1. The term “Mausoleum” shall herein refer to each and every one of the present structures located along the periphery of the St. Margaret Cemetery property constructed for crypt interments as well as any additions or future structures for similar purposes.
2. The term “columbarium” shall refer to stand alone units or a section of the community mausoleum(s) containing niches for the permanent inurnment of cremated human remains.
3. The term “cremains” shall mean the remains of a deceased person which has been cremated. “Cremation” thus refers to the reduction of the body of a deceased person to cremated remains in a crematory.
4. The Catholic Church has always considered its cemetery grounds as sacred and devoted to the burial of the dead. A Mausoleum space shall not be used for any purpose other than a place of burial for human remains.
5. St. Margaret Cemetery reserves the right to regulate the method of decorations of plots so that uniform beauty may be maintained and so that Catholic values are reflected through such adornments. Décor on mausoleum marble shutter plates is limited to the engraving of the marble shutter plate of the mausoleum crypt, standard bronze niche markers as issued by the Department of Veterans Affairs (see below), and one approved mausoleum flower vase holder. Décor on columbarium marble shutter plates is limited to the engraving of the marble shutter plates *only* or standard bronze niche markers as issued by the Department of Veterans Affairs (see below) *only*. No flower vase holders can be affixed to the columbarium marble shutter plates under any circumstances.
6. Standard bronze niche markers to memorialize United States Veterans measuring 8 and ½ inches long, 5 and ½ inches wide, with a 7/16 inch rise, and weighing approximately 3 pounds as issued by the Department of Veterans Affairs can be affixed to the marble shutter plates of the mausoleum crypts. Niche markers of the same size and specifications can be affixed also to the columbarium marble shutter plates *only without* any further additional engravings or adornments. Emblems of belief placed on government furnished markers should only reflect Christian values.
7. Because all mausoleums in the cemetery are parochial burial structures, only preferred vendors are allowed to engrave/attach/affix anything to the marble shutter plates of the mausoleum crypts. St. Margaret designates Thompson Monuments (12012 Highway 190 West, Hammond, Louisiana 70403) as its *only* approved and preferred vendor.
8. The placing of boxes, shells, toys, metal designs, ornaments, chairs, benches, vases, glass, wood, or iron cases, and similar articles upon or around mausoleum crypts shall not be permitted, and if so placed, St. Margaret Cemetery will remove the same. The adhering of any objects to crypt fronts other than approved lettering or emblems is not allowed. No metal, wooden, or stone floral stands and/or pedestals aside from approved vase holders shall be allowed.
9. Drawings or sketches of proposed work including engraving must be submitted to the Pastor and/or Cemetery Committee Chairperson and approved before any engraving/attaching/affixation is begun. Adornments, urns, and lettering for crypts or niches are all subject to the approval and control of or acceptance by the Pastor and by St. Margaret Cemetery.
10. St. Margaret Cemetery provides perpetual care for its community mausoleums; this care is and shall be at all times consistent with the provisions of Louisiana Revised Statutes as now or hereafter amended. If St. Margaret Cemetery should at any time, and from time to time, perform any maintenance and care in excess of the statutory requirements, it may discontinue such extra maintenance and care at any time. Moreover, St. Margaret Cemetery shall never be obligated

to spend for perpetual care any more than the proper proportionate share of the annual earnings from the total Perpetual Care Fund that is allocable to the Owner(s) burial space.

11. The sale or transfer of ownership or transfer of Right of Interment of a mausoleum crypt must be done by bill of sale with the reissue of an Official Title of ownership by Acme Mausoleum. In order to conduct this transfer, a fee payable to Acme Mausoleum for issue of a new title is required. The new Title will be mailed to the St. Margaret Parish Office to be picked up by the new deed holder after being recorded in the official Cemetery Records. This will complete the transaction and make it legally binding.

*These Rules and Regulations have been amended and/or modified by vote of the Cemetery Committee on the following dates: 21 February 1991; 11 August 1993; 29 June 1994 including new definitions; 29 June 1994 including new sales prices; 18 April 1996; 19 November 2003; 19 March 2004; 15 November 2007; 24 September 2008; 04 September 2014 including new sales prices and extensive modification; 07 April 2016 including addenda related to the mausoleum and columbarium structures.*

Passed by Vote of the Cemetery Committee, 02 June 2016, and Effective Sunday, 05 June 2016, the Tenth Sunday in Ordinary Time

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Rev. Jamin S. David, J.C.L.  
*Pastor*

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William Prokop  
*Committee Chairman*

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Alex Kropog  
*Committee Secretary*

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John Aranyosi

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Mark Chemay

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Salvador Faldetta

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Frank Good

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Darrell Kropog

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Peter Pfiffner