

**Bylaws of the New Liberty Cemetery Committee
of New Liberty United Methodist Church**

The Council on Ministry (COM) of New Liberty United Methodist Church in Braselton, Georgia of Jackson County, hereby confirms that the organization of the Cemetery Committee of New Liberty United Methodist Church of Braselton, Georgia, (“Committee”), is a not-for-profit organization of said church for the purpose of more efficiently carrying on the business of the New Liberty Cemetery in Braselton, Georgia, (“Cemetery”), of conveying of the right of interment, of collecting funds necessary for the perpetual care when desired, and of making the cemetery more self-sustaining.

The Bylaws of the Cemetery are as follows:

I.

The duly elected COM of New Liberty United Methodist Church is the governing body of the Cemetery Committee. New Liberty United Methodist Church is the sole owner of New Liberty Cemetery with said ownership being vested in the church’s trustees who may not sell, lease, or otherwise dispose of said property without the express approval of New Liberty United Methodist Church at a regular church business meeting, such proposed action being announced and represented in writing to the congregation at a regular church business meeting to be voted on at the next church business meeting.

II.

All business of the Committee is subject to the Charter of New Liberty United Methodist Church and shall be conducted in compliance with the laws of the State of Georgia governing cemeteries.

III.

The objectives of New Liberty Cemetery concerning its ministry through New Liberty United Methodist Church are as follows:

- a. To provide a suitable resting place for the deceased members of New Liberty United Methodist Church. The use of the lots reserved by members of New Liberty United Methodist Church is left to the member discretion.
- b. To provide a continuous bond between the deceased person’s living family and the church so that love for God can be kept alive and growing.
- c. Non-church members may purchase lots at the rate, at the time of purchase, at a price of \$1000 per burial plot.

IV.

The operation and maintenance of the cemetery will be administered by the Trustees and its subcommittee of Cemetery Committee members of the COM of New Liberty United Methodist Church elected by New Liberty United Methodist Church.

- a. The Church Trustees at large shall operate and maintain the cemetery for New Liberty United Methodist Church in accordance with the rules and procedures outlined in this Constitution and Bylaws. The Trustees at large shall carry out the day-to-day functions of the Cemetery.

V.

It is the responsibility and duty of the Trustees in conjunction with the COM to provide for the operation, maintenance, beautification, improvement, and security of the New Liberty Church Cemetery.

- a. The COM at large shall be in charge of all maintenance of the cemetery.
- b. The COM shall exercise general oversight of all cemetery functions including the opening and closing of graves, installation of markers, planting of shrubbery, and the like.
- c. The Trustees may call upon the COM for their counsel concerning matters of legal significance or matters concerning the operation of the cemetery.
- d. Major changes and/or development of the cemetery may be made by the COM only after having been duly presented to the church at a regular business meeting and upon the church's approval at the following regular church business meeting.
- e. The Trustees and the cemetery subcommittee are responsible for the assigning of lots for burial whether requested in advance or at the time the need arises.

VI.

A savings account for the operation, maintenance, and care of the cemetery is to be established with an acceptable financial institution by the COM when funds are available. Gifts, bequests from will, surplus savings account earnings, sale of lots, and church allocations are to be the primary sources of the savings account.

- a. Saving account funds are to be deposited in the savings account as soon as is feasible after they are received by the church.
- b. Checks can be made to the church with "Cemetery" written in the memo line.

New Liberty United Methodist Church has complete control of the finances of the cemetery with the church finance chair paying the bills, keeping the records, and providing monthly accounting to the church.

The church finance chair shall pay all bills approved by the chairman of the COM.

Trustees are authorized to spend from the available cemetery funds with any purchase over \$200 requiring the prior approval of the COM chairman.

VII.

The Trustees and Cemetery subcommittee shall maintain a set of dated copies of all rules and resolutions passed by the COM relating to the Cemetery and it shall be the duty of the secretary of the COM to provide the Cemetery subcommittee with such resolutions. An updated record of grave space rights (of interment) and burials shall be kept by the Committee in the general records of New Liberty United Methodist Church. The Trustees shall keep an up-to-date map showing all burial plots and their assignments and post it in the church office. The present set of Rules are dated and attached hereto.

RULES AND REGULATIONS OF NEW LIBERTY CHURCH CEMETERY

Rule 1 –Ownership

A. New Liberty United Methodist Church is the owner of New Liberty Cemetery and reserves the right to regulate all admissions of persons and machines to the Cemetery. All conveyances of Right to Burial in grave spaces are made subject to these Rules and Regulations. All persons wishing to do work in the cemetery must first obtain approval of the Trustee Chairperson, Committee on Ministry (COM) Chairperson, or Pastor of New Liberty United Methodist Church. A cemetery lot owner's rights are contractual and subject to the ordinary rules of this contract. One who is granted or deeded a lot in the New Liberty Church Cemetery does not acquire ownership of the soil. He/she acquires only a right of burial therein which has been designated as an easement or as a license or privilege.

B. The right to bury in grave spaces in the cemetery may be reserved by active members of New Liberty United Methodist Church in good standing, for themselves, their spouses, and their children. Collateral relatives restricted to brothers and sisters as well as ascendants must purchase a plot if they are not members in good standing at New Liberty and would like to be buried in New Liberty Church Cemetery for the price of \$1000. If a receiver of grave space(s) seeks to bury another family member, not specifically stated herein, then a request can be made to the COM, as the governing body of the Cemetery Committee, which will then decide to grant or deny the request giving consideration to the relationship and reason stated for such right.

Active membership in New Liberty United Methodist Church for the purpose of right to burial in the New Liberty Cemetery is defined as:

- a. Member in good standing for at least one year;
- b. Giver on record; and,
- c. baptized, confirmed, or received at New Liberty United Methodist Church and/or a letter of transfer on file for at least one year with conditions a. and b. also being met.

C. Members in good standing who join another church forfeit any claims on burial plots in the cemetery.

- a. “Good standing” is defined as being an active member in the church, participating in the life and ministry of the church, and a giver on record.

D. Members who fall out of good standing forfeit any claims on burial plots in the cemetery.

E. If the owner of the burial plot is not buried in that plot, the plot will revert back to the church.

F. The right to bury can only be conveyed directly from New Liberty United Methodist Church. Transfer of burial rights from a party other than New Liberty United Methodist Church to another party is strictly prohibited. If one who has made payment for the Right to Burial in New Liberty Church Cemetery no longer has a need or desire for burial in New Liberty Church Cemetery, they may request to transfer their Right to Burial back to New Liberty United Methodist Church for the amount of their original, payment less an administrative fee of \$200. Proof of payment is required for reimbursement.

G. Those who are not collateral relatives to members in good standing may be buried in New Liberty Cemetery by receiving the approval of the COM and purchasing their plot for a discounted price of **\$600**.

- a. The full price of the plot must be paid before any burial can take place.

H. Veterans of any branches of United States armed services shall not be charged referenced price for a plot. Family donations shall be accepted.

I. As of **May 1, 2022**, any burial plot that has been reserved for a person or family that is no longer a member in good standing may be purchased by that person or family for **\$1000.00** a plot or else the plot(s) will revert back to the church. They have until December 31, 2022 to pay. If the person so named on the plot dies prior to December 31, 2022, the plot must be paid for before the grave can be opened.

J. Prior to **May 1, 2022**, anyone who has already paid for a burial plot and are no longer members in good standing of New Liberty United Methodist Church are grandfathered in and are guaranteed burial plots as previously designated. Proof of receipt or other proof of purchase is required to show ownership. If proof cannot be obtained, one must purchase a plot for \$1000.00.

Rule 2 – Burials and Monument Work

A. When a burial is needed, the family must contact the church office to confirm the burial and date. Family members will be responsible for the location of burial spaces within their plot before a grave space within that plot is opened. Any one immediate family member may request the burial. Cemetery personnel will assist in this location whenever possible and to the best of their ability, but will not be responsible for errors made in the location of said grave spaces.

B. Holders of rights to bury in plots will instruct those persons opening and closing graves to exercise caution not to damage adjoining or nearby graves or monuments of others. Any damage to cemetery property will be corrected by those individuals at their sole cost.

C. New Liberty United Methodist Church assumes no responsibility for damages to gravesites, copings, monuments, markers, etc. that may occur while preparing for burial in another plot or while work is being done to another plot/lot or from any act of God that may occur.

D. It shall be the responsibility and liability of the funeral home, grave digger, monument company, or any other such company or person who is working in the New Liberty Church Cemetery, to repair, replace or make good any damages to any other lot/plot that may occur as a result of a mistake or oversight on said person's part.

E. All burials, monuments, and or work otherwise performed by persons other than cemetery personnel must be done in compliance with applicable governmental laws and regulations and within the guidelines outlined in these Rules and Regulations. New Liberty United Methodist Church reserves the right to remove any monument, fence or other improvement in the cemetery that does not comply with these Rules and Regulations.

F. Plans and specifications covering size, design, material and finish of monuments will be submitted to the COM Trustees and Cemetery Committee for approval before work will be permitted.

G. No more than one body shall be buried in one grave space without written permission of the COM. In the case of cremains, up to eight (8) urns may be buried in one cemetery space.

Rule 3 – Planting and Decoration

A. Flags, fresh flowers, potted plants, and artificial flowers may be placed on grave sites. Glass containers or glass vases are not acceptable as flower holders.

B. There shall be no planting of shrubbery, trees, flowers, etc. in the ground of the cemetery except that of a live plant in a pot that is placed on a gravesite.

C. Planting of shrubs, trees, or flowers must be done only with the approval of the COM Trustees and Cemetery Committee.

D. The COM Trustees and Cemetery Committee reserve the right to remove any decoration or planting not in keeping with these Rules and Regulations, without notice to the owner.

E. New Liberty United Methodist Church assumes the responsibility for the maintenance of the cemetery grounds. It is however expected of family members to maintain inside the plot in which their loved one is buried.

Rule 4 – Assessments

A. The price of the right to bury in grave spaces shall be set and periodically updated based on market and maintenance costs, by the Cemetery Committee with the approval of the COM of New Liberty United Methodist Church. This price will include the cost of perpetual care. A burial fee of **\$1000** will be assessed and is due prior to burial. Payment should be made directly to New Liberty United Methodist Church.

Rule 5- Perpetual Care

A. Perpetual Care is understood to be a fund put together to help maintain the cemetery grounds and plots. New Liberty United Methodist Church does not charge active members for plots, only people who are active members. Regardless of membership to New Liberty United Methodist Church, families are invited to make contributions to the perpetual care fund. These funds are used to ensure trees are cut away from plots, the grass is mowed regularly, keeping paths clear, securing the grounds, signage can be purchased for reserved plots, and American flags are purchased for military members' plots, for instance.

B. To make a donation to New Liberty's perpetual care fund, you may do so in the following ways:

- a. Sending a check to New Liberty United Methodist Church with "Perpetual Care" written in the Memo.

Address: New Liberty United Methodist Church
17 Thompson Mill Road
Braselton, GA 30517

- b. You can also give online at New Liberty United Methodist Church by going to newlibertyumc.org/give. Click on "click here to give" and then "Cemetery Upkeep." Follow the instructions from there.

Rule 6 – Responsibility of Grave Owners and Family Members

A. The holders of the right to bury in all grave spaces and their families shall be solely responsible for and shall hold New Liberty United Methodist Church (and all members thereof and anyone for whom New Liberty United Methodist Church may be responsible) harmless from any responsibility whatsoever for:

a. The maintenance of all monuments and other improvements placed on any grave space.

b. Any injury to any person or damage to any property arising from the condition or upkeep and maintenance of their grave space, and of all monuments, fences, and other improvements thereon.

c. Any damage to their grave space or to any monuments, fences, and other improvements thereon caused by Acts of God or vandalism.

B. New Liberty United Methodist Church has the right to update and revise its cemetery policies. The church will take appropriate measures to notify those affected of any changes in policies. However, it is the responsibility of those who have plots in the cemetery to stay in touch with the church so they can be appropriately informed.

C. All funeral directors shall contact the Pastor of New Liberty United Methodist Church prior to making funeral plans at the church and/or cemetery. It is the responsibility of the family to contact the funeral director for the purpose of burials and monument placements at New Liberty Cemetery.

The most up to date version of the Bylaws and Rules & Regulations of the New Liberty Church Cemetery can be found at www.newlibertyumc.org

Questions may be addressed to:

New Liberty United Methodist Church
17 Thompson Mill Road
Braselton, GA 30517

Phone: 706-684-3235