
IV. THE CONSTITUTION

for the Ephraim Moravian Church Cemetery, Village of Ephraim

Definitions:

Blocks and Rows – The cemetery is divided into blocks and rows in the older section of the cemetery for identification purposes, with individually numbered gravesites in all sections of the cemetery.

Cemetery “Forever” Fund – previously the cemetery endowment fund, behind held in a separate account at the Moravian Fund as a permanent fund for care of the cemetery.

Cemetery Operating Fund – each year the interest earned on the “Forever” Fund is transferred to our church for use in the current year for maintenance of the cemetery. One half of any income for gravesites sold, as well as dividends from the Proctor & Gamble stock owned, also goes into this operating fund each year.

Gravesite – Individual site of burial, 4' x 10', for one burial or up to 4 cremations. Half gravesites of 4' x 5', if available, may be purchased for two cremations.

Lot – Group of family gravesites, adjoining and within the same cemetery block.

Plat – Map of the entire cemetery showing boundaries, driveways, individual blocks, rows, and gravesites.

A. NAME

The cemetery shall be known as *The Moravian Cemetery of Ephraim, Wisconsin*.

B. OBJECT

The object of this cemetery shall be to offer an *attractive*, well-kept and modern place for interment of the dead.

C. ORIGIN

This cemetery is the outgrowth of the original burying grounds as set apart by the earliest settlers in Ephraim, Wisconsin. The first interment took place on December 2, 1858 (the child of Johan Arentz, who died on November 28, aged 8 years, 6 days).

D. OWNERSHIP AND MANAGEMENT

1. All cemetery property *shall be under the control of* the Board of Trustees of the Moravian Church of Ephraim, Wisconsin, and a corporate body in law, in whose name all titles to the said properties shall be vested.
2. To the said Board of Trustees shall be committed the entire control, management and care of the cemetery under and according to the rules and regulations adopted by the Church Council of said Moravian Church.
3. The Board of Trustees shall have power to appoint a superintendent, a cemetery committee, and a sexton wherever this shall be deemed advisable.
4. The Board of Trustees shall have power to set the prices of gravesites. The Board of Trustees shall submit at each Annual Meeting of the Church Council a report on the work, condition and finances of the cemetery.

E. INCOME AND FUNDS

1. The Board of Trustees shall be charged with the responsibility of receiving the necessary income to cover the expenses of care, upkeep and improvement of the cemetery. The income from the Cemetery "Forever" Fund is set aside for current expenses and improvements. The said Board of Trustees shall exercise the utmost care to invest these latter funds in the safest manner, with careful consideration of any use of principal for cemetery improvements.
2. Out of the income from the sale of gravesites shall be set aside 50%, which shall be added to The Cemetery "Forever" Fund for investment. The remaining 50% shall be put into the cemetery operating fund for the current year's expenses.
3. Should funds remain in the cemetery operating account at the close of the year, they shall be reserved for the care, development and improvement in succeeding year, or it may be invested in The Cemetery "Forever" Fund, whichever the Board of Trustees deems advisable.

F. THE TREASURER

1. The Treasurer of the Moravian Church of Ephraim, Wisconsin shall act as the Treasurer of the Cemetery. Current funds shall be received and disbursed only on order of the Board of Trustees.
2. Should conditions warrant, the Board of Trustees may appoint an additional Treasurer to be known as the Treasurer of the Cemetery Cemetery "Forever" Funds, who shall be in charge of the "Forever" Fund.
3. Each of these Treasurers shall keep a regular up-to-date book at all times, and shall submit a report of the condition of the funds at each Annual Church Council.

**V. THE RULES AND REGULATIONS
for the Ephraim Moravian Church Cemetery, Village of Ephraim**

A. GRADING AND DRAINAGE

It shall be the duty of the Board of Trustees to properly grade all parts of the cemetery grounds before they are offered for sale for interment purposes. Grading shall be subjected to proper drainage.

B. THE CEMETERY PLOT-PLAT

1. The entire cemetery grounds shall be carefully platted according to a plan, which will provide for easy access to the various sections, making allowance for vehicle driveways and foot walks to the various blocks.
2. The complete *plat* shall plainly show in detail the locations and dimensions of every part of the cemetery.
3. The completed *plat* shall be made as permanent as possible. Several blueprinted copies of the master *plat* and the *gravesites* in each block shall be made. One copy of the *plat* shall be placed on record at the Moravian Archives Building in Bethlehem, PA; one copy shall be used to mark in all gravesite sales and kept by the superintendent of the cemetery and shall also record all interments made in the cemetery; one copy of the plat shall be recorded with the Register of Deeds in

the County of Door; all remaining copies shall be kept on file in the Church Office.

C. GRADE OF LOTS AND GRAVESITES

1. All grade lines are to be established by the Board of Trustees. These shall in no case be changed without the consent of the superintendent who shall be chargeable to said Board.
2. Lots and gravesites shall not be graded above any lines established by the Board of Trustees.
3. Gravesite mounds are forbidden in any part of the cemetery.

D. DIMENSIONS OF LOTS AND GRAVESITES

1. There shall be no specific provision made for family lots in the newly developed sections of the cemetery. If larger burying *lots* are desired, they shall be acquired by purchasing adjoining gravesites within the same cemetery block.
2. All individual gravesites shall be 4 (four) feet wide and 10 (ten) feet *in length* in the newly developed sections. Gravesites in the older sections (Blocks 1 & 2) shall be consistent with gravesite sizes within those sections.
3. *Gravesites* shall permit cremation burial, allowing four cremation burials per standard *gravesite*. Burials shall be on the *gravesite* two to the east and two to the west. However, there shall be only two markers allowed per standard ~~lot~~ *gravesite*, one being the headstone, the other being a name place in the center of the ~~lot~~ *gravesite*, level with the ground
4. If substandard *gravesites* (4 feet wide by 5 feet *in length*) are available, they may be purchased for cremation burial only, at one-half the price of a standard *gravesite*. Two cremation burials will be allowed on such *gravesite*, with one nameplate for the two, level with the
Each cemetery block *in the old section* shall be marked on the four corners with the number assigned to that Block. All gravesites shall be in straight rows running parallel north and south and east and west.
5. Family lots within the block boundaries may be marked with lot markers on each corner of the lot or lots purchased by one person. standardized markers must be bought *and approved by the* superintendent of the cemetery, who shall place them on the lot or lots.

E. PRICES OF LOTS AND GRAVESITES

1. Prices of gravesites shall be determined by the Board of Trustees and shall be kept in a separate record.
2. The price of gravesites sold to members of the Ephraim Moravian Church and to non-members shall be determined by the Board of Trustees, but non-members shall be charged more than members.
3. Gravesites can only be bought at the church membership price for Ephraim Moravian communicants or non-communicants (baptized, but not yet confirmed children of members). If a church member wants gravesites for family members who are not members of this congregation, those must be purchased at the price for non-members. *For church members who have unused gravesites or*

portions of gravesites and wish to have non-members buried there, there shall be a prorated payment assessed for those burials.

4. Upon receiving the payment for the gravesites, the superintendent shall record the name of the purchaser in the Lot Book (*Gravesite Owners' Index*) and write in the name of the purchaser on the gravesite diagram prepared for that purpose. A deed shall be given the purchaser identifying the gravesite by Block number, Row number, and Gravesite number, *or, in the new section, by Gravesite number*. The deed will be subject to compliance with the Rules and Regulations of the Ephraim Moravian Church Cemetery.

F. RESALE OF GRAVESITE AND PERMISSION TO BURY

1. The Ephraim Moravian Church agrees to repurchase any cemetery *gravesites* it sells for the price for which *it* was sold. No cemetery *gravesites* shall be resold by its owner except to the Moravian Church.
2. If no heirs exist and if not specifically designated in the deceased owner's will, unused portions of gravesites or lots shall revert in ownership to the church after a period of five years.
3. Before permission to bury shall be granted, when a death occurs, the cemetery superintendent shall be notified to mark the gravesites.

G. GENERAL CARE

1. The Board of Trustees shall keep in improved and *cared-for* condition for burial purposes all *gravesites* sold by the cemetery so far as the "Cemetery "Forever" Fund and Cemetery Operating Fund will allow.
2. The superintendent shall within a reasonable time after burial arrange for removal of any flowers, wreaths, etc. put on the gravesite at the time of burial, leveling the ground and planting grass.
3. The grass shall be kept mowed in every part of the grounds open for use.
4. Individual care of the gravesites and family lots is encouraged.
5. The maintenance, removal and/or planting of new trees within the cemetery grounds shall be the responsibility of the Board of Trustees and paid for from Cemetery funds or through donations.
- 6.

H. FLOWERS, SHRUBS, TREES

1. The cemetery will allow only the use of natural flowers or plants for the decoration of gravesites. All planted flowers will not extend more than eight inches from the headstone. From May 1 to November 1, only live plantings will be allowed; from November 2 to April 30 (during winter months), *evergreen or natural material wreaths* may be placed on gravesites.
2. Bushes, trees, shrubbery or creeping plants may not be planted at any gravesite, neither shall any flower boxes, potted plants jars, urns, or other receptacles *or decorations* be permitted. *Metal spikes that hold*

potted plants above the ground are permissible within eight inches of the headstone; however, plantings will be removed and discarded if not cared for.

3. *Commemorative markers or American flags shall be placed for only two weeks surrounding national holidays or they will be subsequently removed by the cemetery superintendent.*
4. A copy of these rules shall be furnished to each family at the time of purchase and again at interment.

I. MEMORIALS AND MONUMENTS

1. Owners of lots and gravesites should purchase such memorials and markers as will tend toward the keeping of harmony in the general appearance of the cemetery.
2. All gravesites must be marked after interment, and the church urges that placement of a marker be made within eighteen months after interment has taken place.
3. All monuments and markers shall have concrete foundations to support them.
4. Foundations shall be not less than four inches in depth. Each foundation must be at least 4 inches larger than the headstone and be level with the ground.
5. All foundation work shall be subject to the approval of the superintendent.
6. The work of building these foundations and their cost shall be up to the individual gravesites owner, who shall be responsible for meeting all prescribed specifications.
7. *For a single gravesite*, the base of all headstones in Blocks 3 through 8 shall be *no larger than 14" x 24"*; headstones shall be no higher than 30" from the ground. They shall be placed at the east end of the gravesite in the eastern section of the cemetery and in the west end in the western section. Only one headstone will be allowed per standard gravesite. Fieldstones of any kind, with or without inscription, shall not be used as headstones. In the case of multiple gravesites with one headstone, the size and placement of that headstone shall be submitted to the Board of Trustees for approval.
8. In the case of cremation burials, a name plate no larger than 14" x 24" may be placed in addition to the headstone on a full-size gravesite. It shall be placed in the center of the gravesite, level with the ground. If the cremation burial gravesite is a half-size gravesite of 4 x 5 feet, no headstone will be allowed, but a name plate shall be placed at the east end of the substandard gravesite in the eastern section of the cemetery, on the west end in the western section, and level with the ground.
9. Any damage to memorials and/or monuments shall be reported by the cemetery superintendent to the family of the gravesite owner and repaired by said owner within 12 months of notification. If it can be shown that gross negligence on the part of the Church or contracted workers of the church has caused the damage, the repair cost shall be borne by the church; otherwise, damages from natural causes (age and wear, storms, falling trees, etc.) or undetermined causes shall be borne by the owner of the monument.

Because the Church cannot insure property owned by others, you may wish to notify your insurance company of the value of your monument so that it can be included in your policy in the event of damage.

J. OPENING AND CLOSING OF GRAVESITES AND REMOVAL OF EXCESS

1. Notice shall be given to the cemetery superintendent at the earliest possible time under whose direction all interments (opening, closing, and removal of excess) shall be made.
2. No gravesite shall be opened on Sunday or interments made on Sunday morning.
3. It is expected that owners of lots (more than one gravesite) shall designate, *in cooperation with the cemetery superintendent*, the location of gravesite to be opened for interment.
4. The cost of opening and closing gravesites and the removal of excess ground shall be borne by the gravesite owner.

K. DISINTERMENTS

No disinterment or removal of any body or cremation shall be permitted without the written order from a duly authorized person and upon approval of the Board of Trustees.

L. RECORDS

Permanent records shall be kept as follows:

1. A *Plat* of the Cemetery as a whole.
2. A *Plat* of each Cemetery Block in greater detail.
3. A *Gravesite Owner's Index*, *previously called The Lot Book*.
4. A record of all interments.

M. PAST RECORDS

1. Prior to the date of adoption of these rules any needed information now impossible to secure will be foregone, and any land on which the management is reasonably sure may contain a gravesite where an interment has been made will be set aside as occupied and care will be given it in accord with the general care of the cemetery.
2. Any and all past records relating to the cemetery interment, lot or gravesite sales, plots, transactions, etc., shall be kept on file in the Church Office.
3. Requests for information on past burials shall be made through the cemetery superintendent or as directed by the superintendent.

N. AMENDMENT AND ADOPTION OF CONSTITUTION, RULES AND REGULATIONS

1. The foregoing Constitution, Rules and Regulations may be amended at any time by the Church Council of the Moravian Church of Ephraim, Wisconsin, provided that previous notice of any proposed amendment shall be given at the church, and that two-thirds of those present shall vote in favor of the same.
2. The foregoing Constitution, Rules and Regulations were adopted by the Church Council on April 24, 1960, and amended on May 4, 1983.

3. They were approved by the Provincial Elders' Conference of the Northern Province of the Moravian Church in America on October 15-17, 1983.
4. Amended by Church Council, January 28, 1987 and January 1992.
5. They were formally approved by the Provincial elders' Conference in the spring of 1994.
6. Amended by Special Church Council on March 8, 1998.
7. Amended by Church Council on January 27, 2010.