

**BY-LAWS**  
**Of**  
**RED SPRINGS CEMETERY ASSOCIATION**

**ARTICLE 1**

**Purpose and Operation**

The Red Springs Cemetery Association is a non-profit Association organized and exists to help to improve, beautify, and maintain the cemetery at Red Springs, Smith County, Texas and to this end shall have the right to raise funds for this work.

**ARTICLE II**

**Membership**

Any person interested in the maintenance of the Red Springs Cemetery is a welcome member of this Association and as such are entitled to attend the annual meeting of the Association, to vote on Association matters at such meetings and to hold office in the Association.

**ARTICLE III**

**Meetings**

A meeting of the Association shall be held the last Sunday in April of each year. The meeting will be held in the sanctuary of the Red Springs Baptist Church at approximately 1:30 P.M. following lunch at the church. The purpose of the meeting is to elect officers and members of the Board of Trustees and to discuss and act on matters pertinent to the operation of the cemetery. The election of officers and other issues that may come up at this annual meeting shall be decided by a simple majority vote of the members present at the meeting.

**ARTICLE IV**

**Officers and Duties**

1. The Board of Trustees shall consist of President, Vice-President, Secretary, Treasurer, and three additional Board members. They shall be elected annually by a majority vote of the members present at the Annual Meeting of the Association.
2. It shall be the duty of the President to preside at all regular or special meetings of the Association, and shall be chairperson of the Board of Trustees. The President shall discharge all such duties as usually pertains to the office of a president.
3. The Vice-President shall assist the President in the discharge of their duties and in their absence, the next in rank shall assume such duties.
4. The Secretary shall keep a minute book in which shall be entered accurate accounts of the proceeding of all meetings of the Association. The Secretary shall contact all known members either by letter, email, or in person to remind them of the upcoming meeting. All expenses for this meeting shall be taken from the General Fund of the Association.
5. The Treasurer shall have charge and custody of, and be responsible for, all funds given to the Association. The Treasurer may accept for the Association any gifts, bequest, and contributions given for the purpose of the Association.
6. Deposits shall be made from time to time to the credit of the Association in banks or other depositories as the Board of Trustees may select.

7. All checks, drafts, or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Association shall be signed by persons authorized by the Board of Trustees. No part of the net earnings of the Association shall go to the benefit of any private person without the vote of the Association in a regular meeting.
8. Vacancies: A vacancy in any office, whether by death, resignation or removal, may be filled by the Board of Trustees for the unexpired portion of their term.

#### **ARTICLE V**

##### **The Board of Trustees**

The Board of Trustees shall operate the cemetery and manage the affairs of the Association in such a manner that burials are performed efficiently; the cemetery is a credit to the community. The Board of Trustees shall serve without any remuneration of any kind. The Board of Trustees shall employ a person to manage the day-to-day care of the cemetery making sure that the cemetery is kept in an exemplary manner and in compliance with the recommendations of the Board.

#### **ARTICLE VI**

##### **Rules for the Cemetery**

1. Graves are to be marked with a permanent burial plot marker that is constructed of either marble, granite, or bronze and must have a minimum size of 16 inches by 8 inches by 4 inches thick. No homemade type burial plot markers or adornments shall be erected at a burial plot.
2. All vehicles must remain on the established roadways except for vehicles used for preparing grave sites.
3. Planting of trees, shrubs, or plants of any type within the cemetery boundary will not be allowed.
4. All flowers, bulbs, small evergreen shrubs, enclosures (Phase I only), etc. previously placed within the boundary of the cemetery plot shall be maintained by the family. The Association can remove all noted items if not maintained by the family.
5. The funeral home or the family desiring to have a grave dug shall notify a member of the Board of Trustees for proper marking of the grave site before excavation begins.
6. No person shall distribute any card or pamphlet of any description or solicit orders or cause any disturbance in the cemetery or commit an unseemly act to or nuisance or interfere with any person or do any act to provoke a breach of the peace or to hurt or annoyance of persons lawfully using or visiting the cemetery.
7. Phase II cemetery section requires a \$20.00 annual maintenance fee due March 1<sup>st</sup> of each year. When the person passes away the assessment is no longer required.
8. A marker deposit of \$500.00 is required prior to burial. If a permanent marker is installed within one year the deposit will be refunded.
9. No enclosures will be allowed in Phase II cemetery section.
10. No new enclosures will be allowed in Phase I cemetery section.
11. All cemetery interments (opening and closing of graves), must be directed by Caudle Rutledge Daugherty Funeral Home (Lindale, Texas).

12. All casket burials will be required to use at minimum a concrete liner approved by Caudle Rutledge Daugherty Funeral Home (Lindale, Texas).
13. All interments will be charged a \$250 dirt fee.
14. Any person wishing to be interred in the cemetery without a reserved plot or wishing to reserve a plot must either have a family member buried in the cemetery, be a member of Red Springs Baptist Church, or live in the Red Springs community with board approval.
15. Only one casket burial per single plot is allowed and no more than 2 burials total (one casket and one urn or two urns) per single plot will be allowed.
16. All burials must meet the state rules and requirements which may limit the size of urns based on depth of the hole.
17. Invoices for Phase II annual fees will be mailed on or before February 1<sup>st</sup> and due on March 1<sup>st</sup> of each year. If payment is not received by April 1<sup>st</sup>, an additional attempt to contact the invoiced party will be made. If payment is not received by June 1<sup>st</sup>, the plot will be considered abandoned and no longer reserved.
18. Plots will be considered abandoned if a person has deceased and has been confirmed to be buried elsewhere and there is no permanent marker present in reserved plot.
19. If a person is deceased and was cremated, the family will be allowed one year from date of death to install a permanent marker, whether the ashes or interred or not, for the plot. If no permanent marker is installed within one year, the plot will be considered abandoned.
20. Plots deemed abandoned as defined in these by laws will be released and no longer reserved.

#### **ARTICLE VII**

##### **Amend the By-Laws**

The By-Laws may be amended or revised at any annual meeting of the association by a majority vote of the interested persons present at the annual meeting.