



The Episcopal Diocese of Tennessee

Policy Regarding Cemeteries, Columbaria, and Memorial Gardens under Canon 10

Scope

- This policy governs every parish, mission, organization, and institution of the Diocese of Tennessee that establishes, maintains, alters, or discontinues any cemetery, columbarium, memorial garden, scattering garden, burial ground, crypt, or other place used for the interment, inurnment, memorialization, or scattering of human remains.
- This policy applies to the physical place, any related structure or land, and every agreement, certificate, application, map, policy, fee schedule, inscription form, brochure, website description, or other document by which the cemetery, columbarium, or memorial garden is governed or presented.

Canon 10 approval

- Cemeteries, columbaria, and memorial gardens shall be treated as property encumbrances under Canon 10 unless the Bishop and Chancellor determine otherwise.
- No covered place or governing document may be established, materially altered, relocated, terminated, or represented as available for use until the parish or mission has obtained diocesan review and all approvals required by Canon 10.

Required submission

- Each proposal shall be submitted to the Bishop and Council, first going to the Finance & Property and Architectural Committees for review, through a diocesan submission packet established by the Bishop and Council in consultation with the Chancellor.
- Until a standard form is adopted, the submission shall include a vestry or mission council resolution; a narrative of the pastoral purpose and proposed use; site, survey, building, or architectural plans; proposed agreements, policies, certificates, applications, maps, and public-facing language; plans for maintenance, plans for applicable insurance, records, finances, access, and long-term stewardship; and a civil-law compliance statement addressing the matters summarized in Appendix A.

Required documents and property language

- Every covered cemetery, columbarium, or memorial garden shall be governed by written policies and agreements approved for consistency with this diocesan policy.

- Parish documents shall grant only a limited right of burial, inurnment, memorialization, or related use.
- Parish documents shall not grant or imply any ownership or real-property interest.
- Legal title to land, structures, and ownership of niches, plaques, fixtures, records, maps, and related property shall be with the parish or mission subject to the beneficial rights of the Diocese.

Eligibility, liturgy, and records

- Persons whose remains or cremains are eligible for interment, inurnment, memorialization, or scattering of human remains shall ordinarily include members of the parish, former members, clergy associated with the parish, and members of their families. The Rector, Priest-in-Charge, Vicar, or Bishop, with vestry or mission council concurrence, may approve other persons for pastoral reasons.
- Before remains or cremated remains are placed, the parish or mission shall receive a signed agreement or authorization from the person holding the right to control disposition under Tennessee law or from a person with other legally sufficient authority, and a copy of the certificate of death.
- All services of burial, committal, inurnment, scattering, or memorialization shall be conducted according to the Book of Common Prayer or other liturgy authorized by the Episcopal Church, under the direction of the Rector, Priest-in-Charge, Vicar, or Bishop.
- Permanent records shall be maintained by the parish or mission for every interment, inurnment, scattering, commingling, memorial placement, inscription, agreement, successor contact, and any later removal or relocation. Records shall be reconciled regularly with maps, agreements, and physical markers and shall be preserved in redundant physical and digital form.

Disinterment, relocation, and termination

- No disinterment, removal, relocation, termination, or discontinuance shall occur without written request by a person or body with authority to initiate the action, and with pastoral review, vestry or mission council action where the parish or mission is the actor, diocesan review, any consent required by Canon 10, and compliance with Tennessee law.
- When civil law requires authorization from a state or local official, chancery-court action, notice to the Tennessee Historical Commission, arrangements for reinterment, permanent access, due care and decency, or memorialization, those requirements shall be satisfied before remains or cremated remains are disturbed.

Review authority and existing documents

- The Bishop may require review by the Chancellor, the Bishop and Council, the Standing Committee, the insurance representative, the architect, the civil engineer, the surveyor, the environmental consultant, the funeral director, or other professional adviser.
- The Chancellor reviews, advises, and confirms legal sufficiency but does not independently approve property encumbrances unless acting pursuant to authority otherwise given by the Canons, Bishop and Council, or by another canonical body.
- All existing parish or mission documents using terms such as "ownership," "purchase," "sale," "perpetual use," or "perpetual care" shall be reviewed and revised where necessary to conform to this policy.