

**Town of Evergreen
Ordinance _____**

An Ordinance to Establish Rules and Regulations for the Operation of the Rocky Ridge Cemetery.

Purpose: The purpose of this ordinance is to regulate the management, operation and platting of the Rocky Ridge Cemetery, the burial of human remains and other cemetery activities.

The Rocky Ridge Cemetery is owned and maintained by the Town of Evergreen for the benefit of all citizens. Definite rules and regulations must be set up by the Town Board to ensure proper maintenance and beauty and to prevent abuse and destruction. The following rules and regulations are set forth to govern Rocky Ridge Cemetery. The Town Board reserves the right to amend or change any of these rules or regulations to conform with newly developed cemetery practices.

The Town Board appoint the Clerk to be the Cemetery Sexton and maintain the records for the Rocky Ridge Cemetery.

The Town Board shall, from time to time, fix a schedule of prices for all lots in the Rocky Ridge Cemetery and for all work done for private parties by the Town employees or sub-contractor and his assistants.

SALE OF LOTS

PROCEDURE; ISSUANCE OF DEEDS. The sale of lots in the Rocky Ridge Cemetery shall be under the control of the Sexton subject to the rules and regulations and the general supervision of the Town Board. Any applicant shall apply to the Sexton and select from those lots available for sale the lot which he desires to buy. The Sexton shall then prepare a receipt of payment in triplicate and issue a deed to the lot in the form prescribed by the Town Board. The purchaser may record this deed with the County Register of Deeds.

TRANSFER. The transfer in accordance with applicable Wisconsin Statutes of lots previously sold may be registered with the Sexton by presentation of the original deed on the back of which is written, "I hereby transfer to (name of the new owner) (portions of the lot)" and the endorsement of the original lot owner, or by presenting a court order evidencing transfer. This would have to be acknowledged and witnessed if it is desired to record the transfer with the Register of Deeds.

CARE OF CEMETERY

DEFINITION OF CARE. "Care" either perpetual or annual, shall include the grass cutting, weed whipping, leaf disposal, filling sunken graves, raising markers, roads, fences, trees and shrubs, buildings and park areas; but shall not include maintenance or repair of any monuments, nor the planting of flowers or shrubs upon any lot.

REGULATIONS FOR IMPROVING LOTS

FENCES. No fences or enclosures around lots shall be permitted.

GRAVES. Graves shall not be raised above the level of the lot.

MONUMENTS AND MARKERS.

Monuments or markers may be erected on any lot provided the following: Single grave monuments or markers shall not exceed 24 inches in width. Double grave monument or markers shall not exceed 36 inches in width. No grave monument or marker shall exceed 2 feet in height. All monuments and markers shall be of bronze, granite or marble and no vertical joints therein shall be permitted. All foundations for monuments and other structures must be of sufficient depth and stability to support the proposed structure. No monument or marker may be erected until the foundation therefor has been approved by the Cemetery Superintendent.

The Town Board may authorize a town employee or subcontractor to enter upon any lot and remove any shrub or tree which is deemed detrimental to the cemetery or adjoining lots, or unsightly or inconvenient to the public. He may also enter upon any lot and make any improvement deemed for the advantage of the grounds.

LIABILITY

The Town, or its employees, assume no liability for damages to property or of person, or for physical or mental suffering arising out of the performance of its normal operations; or for loss by vandalism or other acts beyond its reasonable control.

REGULATIONS

Interments will not be made on Sundays except by order of the local Board of Health.

All interments shall be made in a permanent outer container excluding the use of wood. All caskets shall be placed in a grave box or vault.

All graves shall be dug by a designated grave digger under the direction of the Sexton or his authorized agent. Depth of graves shall conform to the State Board of Health specifications.

The interment of 2 bodies in one grave will not be allowed, except in case of a mother and infant, twin children or 2 children under age 5 buried at the same time, or in special circumstances with the approval of the Sexton or his agent. More than one cremains with a max of two (2), may be buried in a single grave space.

All artificial items need to be removed within one week after the holidays. Flowers and items left in urns attached to the headstone can remain until September 1. Flowers and items left on newly dug graves may be left for a month.

NOTICE

The Sexton or his agent shall, whenever possible, be given 36 hours' notice to assure the opening and preparation of a grave prior to interment. Barring unforeseen or other untoward circumstances, such grave shall be opened and prepared for interment.

When several burials occur in a one or 2 day period, the burials may be scheduled at the discretion of the Cemetery Sexton but in a prompt and efficient manner.

BURIAL PERMIT REQUIRED. No burial will be permitted until a legal burial transit permit has been presented to the Sexton. The interment of bodies of persons who have died of contagious disease shall be in strict accordance with the rules of the State Board of Health.

The lot owner or funeral director shall designate on the interment form the location of the graves on the lot to the Sexton and any change of location made after the opening of a grave has begun shall be at the expense of the lot owner. When definite information for locating a grave is not available 36 hours' prior to grave preparation to meet the time requested for interment, the cemetery may exercise its best judgment in making a location in order that the requested time for error or inconvenience of such location and an additional charge will be made for any change requested.

There will be no responsibility on the part of the Town for the protection and maintenance of flowers, wreaths, emblems, etc., used in conjunction with funerals.

INTERMENT FEE. A charge for opening and closing a grave including the seeding of the plot will be made at a current rate set by the Town. The charge for opening a grave, removal of excess material, refilling and seeding shall be paid to the Town Clerk or designated grave digger and a receipt therefor presented before digging may begin.

DISINTERMENTS

Disinterment of bodies from graves in the cemetery will be made only by the Town in accordance with the requirements of the State Board of Health. Charges set by the Town for removal must be paid in advance.

Lot owners, or their heirs, desiring graves opened may secure the necessary disinterment permit from the state and deliver same to the cemetery manager. All removals will be made by the Town under supervision of a licensed embalmer.

For sanitary reasons, graves will not be reopened for inspection except for official investigation.

RECORDS

The Sexton shall try to log and keep the following records for the cemetery:

INDEX OF LOT OWNERS. An index shall be maintained consisting of a card for each lot owner or joint owner, arranged by surname, showing the full name of the owner and the lot and block number of the lot owned.

INTERMENT REGISTER. The interment register shall be kept in book form and shall contain a cumulative record of burials, showing in separate columns the date of interment, consecutive number of the burial, the full name, place of death, name and address of funeral director, lot and block, size of grave, location of grave in terms of feet from designated boundaries, and interment fee, for each burial.

BURIAL RECORD. The burial record shall consist of a cumulative card index, arranged alphabetically by surname, containing a card for each person interred. Each card shall record the full name of the person buried, giving the surname first, the date of burial, and lot, block and grave number.

FILE OF BURIAL PERMITS. The burial permits required by sec. 69.48 (2), Wis. Stats. shall be endorsed by the Sexton with the date of the interment over his/her signature.

REGULATIONS

The following regulations shall apply to Rocky Ridge Cemetery:

DISTURBING PROPERTY. No person except the owner of the lot or a cemetery employee shall cut, remove, injure or carry away any flowers, trees, shrubs, plants or vines from any lot or property; nor shall any person deface, injure or mark upon any markers, headstones, monuments, fences or structures; nor shall any person other than the owner injure, carry away or destroy any vases, flower pots, urns or other objects which have been placed on any lot.

REFRESHMENTS. No person shall consume or possess refreshments or liquors.