

Chapter 22 CEMETERIES*

*Cross references: Streets, sidewalks and other public places, ch. 82.

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ARTICLE I. IN GENERAL

Sec. 22-1. Penalty for violation of chapter.

Except as otherwise provided, any person who shall violate any provision of this chapter or any order, rule or regulation made under this chapter shall be subject to a penalty as provided in section 1-17.

(Code 1983, § 8.15)

Sec. 22-2. Perpetual care fund.

- (a) All payments, deposits and gifts for the perpetual care of lots in the municipal cemetery shall be made to the city clerk/treasurer, who shall issue receipts therefor. The clerk/treasurer shall keep a record book of all moneys received for perpetual care, recording the name of the person from whom the moneys were received and a clear description of the lot or portion of the lot for which the payment was made.
- (b) All moneys collected other than for perpetual care shall also be deposited with the clerk/treasurer, to be credited to the general fund.

(Code 1983, § 8.12(3))

Sec. 22-3. Rates for perpetual care and lot costs.

The charges for perpetual care and lot costs in all city cemeteries shall be as follows:

TABLE INSET:

Lot Size	Lot	Perpetual Care	Total
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Lot Size	Lot	Perpetual Care	Total
One-half lot (four graves) (ten feet by 20 feet)	85.00	240.00	325.00
One-quarter lot (two graves) (ten feet by ten feet)	55.00	120.00	175.00
One grave (five feet by ten feet)	40.00	60.00	100.00

A six-grave lot shall be \$500.00.

City cemetery lots in southwest area shall be sold as four-grave lots, size 12 feet by 20 feet.

Community cemetery lots adjacent to the Lutheran Cemetery and golf course shall be sold as six-grave lots, each grave five feet by ten feet, keeping two feet from the lot lines of the Lutheran Cemetery and golf course. Six-grave (17 feet by 20 feet) lots in the Community Cemetery between the City Cemetery and the Lutheran Cemetery shall be \$500.00.

(Code 1983, § 8.12(4))

Sec. 22-4. Disbursements for perpetual care.

All perpetual care funds will be used in accordance with Wis. Stats. ch. 157.

(Code 1983, § 8.12(5))

Sec. 22-5. Regulations.

- (a) *Purpose and definition.* In order to protect cemetery areas within the city from injury, damage or desecration, these regulations are enacted. The term "cemetery" used in this section shall include all cemetery property, grounds, equipment and structures, both privately and publicly owned, which are located within the city.
- (b) *Authority to establish rules and regulations.* The cemetery property owner shall have the authority to establish reasonable rules and regulations to regulate and govern the operation of any cemetery in accordance with state law and this Code. The cemetery property owner shall reserve the right to prohibit and regulate the planting or placement of any flowers, plants, vines, shrubs, trees, flower pots, urns or other objects on cemetery property. Placements of any such plantings, containers or objects shall be in accordance with established regulations of the cemetery property owner.
- (c) *Authorized notices.* No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any cemetery, except cemetery regulations and other signs authorized by the owner. No person shall remove, deface or damage in any manner any official sign or notice posted in any cemetery.
- (d) *Loitering prohibited.* No person shall loiter or cause a nuisance or engage in any sport or exercise on any cemetery property without the owner's consent.
- (e) *Alcoholic beverages prohibited.* No person shall consume or have in his possession any open container containing an alcohol beverage upon any cemetery property within the city unless the property is specifically named as being part of a licensed premises.

- (f) *Play vehicles prohibited.* No person shall operate or make use of a play vehicle upon any cemetery property without the owner's consent. As used in this section, a play vehicle shall mean any coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- (g) *Presence after hours prohibited.* No person shall be present upon any cemetery property without the owner's consent during posted hours when the cemetery is not open to the public.

Secs. 22-6--22-30. Reserved.

ARTICLE II. CEMETERY COMMISSION*

***Cross references:** Administration, ch. 2.

Sec. 22-31. How constituted.

The cemetery commission shall consist of six members. One member shall be a councilmember selected annually by the council for a one-year term, May 1. Four citizen members of the city shall be appointed by the mayor, subject to confirmation by the council, for terms of four years. The cemetery sexton shall be the sixth member. The terms shall be staggered so one member is appointed each year. The term of each citizen member shall commence May 1, following appointment.

(Code 1983, § 1.37(1))

Sec. 22-32. Organization and meetings.

The cemetery commission shall provide for the time and place of its meetings, annually elect a chairman and secretary, and keep a written record of its proceedings, to include all actions taken, a copy of which shall be filed with the city clerk/treasurer. Three members shall constitute a quorum, but all actions shall require an affirmative approval of a majority of its members.

(Code 1983, § 8.12(1)(b))

Sec. 22-33. Compensation.

The council may by resolution provide for compensation for services of citizen members of the commission.

(Code 1983, § 8.12(1)(c))

Sec. 22-34. Supervision of cemeteries.

The cemetery commission shall have general supervision and control of the several

cemeteries maintained by the city, subject to the rules and regulations established by the council from time to time. Wis. Stats. ch. 157, relating to municipal cemeteries, is incorporated in this section by reference.

(Code 1983, § 18.12(1)(d))

Sec. 22-35. Rules and regulations.

The cemetery commission, subject to approval of the council, may adopt additional rules and regulations for the operation and maintenance of the municipal cemeteries not in conflict with law or the regulations adopted by the council.

(Code 1983, § 8.12(1)(e))

Sec. 22-36. Sexton.

The cemetery commission may appoint a superintendent or sexton and may provide compensation, which may be paid out of city funds.

(Code 1983, § 8.12(2)(a))