

## PART I ADMINISTRATIVE LEGISLATION

### Chapter 14 CEMETERIES

- 14.1 Location and Establishment
- 14.2 Authority
- 14.3 Definitions
- 14.4 Records
- 14.5 Selling Gravesites, Cremation Sites, Private Mausoleum/Crypt Plots
- 14.051 Private Mausoleum/Crypts
- 14.6 Interment/Inurnment/Entombment Regulations
- 14.7 Lot Improvements
- 14.8 Conduct of Persons in the Cemetery
- 14.9 Cemetery Map
- 14.10 Penalty

#### 14.1 Location and Establishment.

The location of the Lake Delton Cemetery is the North 401 feet of the NW 1/4 NW 1/4 of Section 21, Township 13 North, Range 6 East, Village of Lake Delton, Sauk County, Wisconsin. The above-described cemetery became the property of the Village of Lake Delton on May 29, 1973 by transfer of all property, real and personal, held by the Delton Cemetery Association to the Village of Lake Delton and adoption of resolution no. 5-73-126 by the Village Board of the Village of Lake Delton on May 29, 1973. Said "Instrument of Transfer" and "Resolution" being recorded with the Register of Deeds for Sauk County, Wisconsin, in Volume 377, Pages 379–381, Document No. 390770.

#### 14.2 Authority.

This cemetery has been established and is continued upon land owned by the Village of Lake Delton, Sauk County, Wisconsin. The Village will manage, operate, maintain and enforce all regulations of the cemetery in accordance with the provisions of § 157.50(2) and Chapter 61 of the Wisconsin Statutes.

#### 14.3 Definitions.

- A. Village. The Village of Lake Delton, Sauk County, Wisconsin owning and controlling the cemetery
- B. Cemetery. A tract of land used for burials or above-ground interment.
- C. Cremation. The disposal of a human remain by burning it to ashes
- D. Cemetery Map. CIMS Digital Map showing the location of each burial site.
- E. Crypt. Are designed for one entombment only. They are above ground on a plot of land and can be stacked above or next to each other.
- F. Entombment. Disposition of human remains above-ground.
- G. Burial Permit. Legal written permission for burial to occur.
- H. Vault. A container that houses a casket for final interment in the cemetery.
- I. Interment. Disposition of human remains by in ground burial.
- J. Inurnment. Disposition of Cremation below or above ground.

- K. Mausoleum. An external free-standing building enclosing the interment space or burial chamber of a deceased person or persons privately owned and constructed.
- L. Memorial. A monument, marker bench, or large urns (marked or unmarked).
- M. Monument. A memorial of granite or other approved material that extends above the surface of the lawn.
- N. Marker. A memorial of granite or other approved material that does not extend above the surface of the lawn.
- O. Monument Maintenance. For the general upkeep, care and maintenance of the Cemetery grounds around the monument or marker placed on each grave site. In no case, shall "Monument Maintenance" be construed as meaning the maintenance, repair or replacement of any memorial, monument, marker, tomb or Mausoleum within the confines of the Cemetery. It is required that each burial space owner shall keep in good repair all stone or monumental work placed upon his or her burial space.
- P. Perpetual Care. Includes the cutting of grass, and the raking and cleaning of burial spaces at reasonable intervals, along with the pruning of shrubs and trees, and other labor necessary in keeping with a properly maintained Cemetery.
- Q. Plot. A single grave lot platted, whether or not occupied by a grave. (gravesite)
- R. Mausoleum Space. A twelve foot (12') x twelve foot (12') plot of land for a small building used for the interment of bodies or remains of many individuals, often of a single family, above ground
- S. Undeveloped space. A mausoleum/crypt space that is not ready for the burial of human remains on the date of the sale of the space
- T. Ashlar. A thin slab of squared stone used for facing walls or in building of the private mausoleum or crypt.

#### 14.4 Records.

- A. Record keeper. The Village Clerk shall keep all records and reports relating to the cemetery.
- B. Required records. The following records shall be kept for the Lake Delton Cemetery:
  1. CIMS Digital Map. The map shall indicate each lot and gravesite sold in the cemetery and shall identify it by number of block, number of lot, and number of gravesite. It shall also show by diagram the location and number of each grave, the name, burial number and grave number within the lot of each person buried in the lot.
  2. CIMS Index of owners and burials. A database index shall be maintained in the CIMS Software of each lot owner, or joint owner, of a grave site in the Lake Delton Cemetery, showing the full name of the owner and the grave site number(s), lot and block number of the grave site(s) owned, the full name of each person buried, the date of burial, and the lot, block and grave number.
  3. CIMS Lot ownership record. Upon payment of the purchase price of a plot to the Village Clerk will issue a receipt and enter the name of the owner into the CIMS software.

#### 14.5 Selling Gravesites, Cremation Sites, Private Mausoleum/Crypt Plots.

- A. Sale of individual sites. All sales after the effective date of this Chapter shall be for single gravesites, single cremation site or undeveloped space for a Mausoleum/Crypt.

B. Price. The Village Board shall review and adjust annually the charge per gravesite to reflect competitively current rates. Upon passage of this chapter, the price shall be

1. Single Gravesite - five hundred fifty dollars (\$550.00), which shall include monument maintenance and perpetual care.
2. Single Cremation Site - one hundred fifty dollars (\$150.00), which shall include monument maintenance and perpetual care.
3. Undeveloped space for a Mausoleum - three thousand five hundred dollars (\$3,500.00), which shall include perpetual care but no Mausoleum Maintenance
4. Undeveloped space for a Crypt for six (6) - three thousand five hundred dollars (\$3,500.00), which shall include perpetual care but no Crypt Maintenance
5. Undeveloped space for a Crypt for four (4) - two thousand five hundred dollars (\$2,500.00), which shall include perpetual care but no Crypt Maintenance
6. Undeveloped space for a Crypt for two (2) – two thousand five hundred dollars (\$2,500.00), which shall include perpetual care but no Crypt Maintenance

The Village however, shall have the authority to revise the price annually without amendment of this Chapter.

C. Resale. No owner may transfer any gravesite, single cremation site or undeveloped space for a Mausoleum/Crypt within the Lake Delton Municipal Cemetery with profitable consideration. Prior to resale to any other person, the cemetery shall have the right to re-purchase any gravesite at the original purchase price.

D. Purchase receipt. The Village Clerk shall give to the purchaser of any gravesite a written receipt for the purchase money, describing the lot, block and gravesite, single cremation site or undeveloped space for a Mausoleum/Crypt according to the CIMS digital map and shall be recorded in the CIMS Software.

E. Issuance of deeds. The Village Clerk shall issue a deed to the gravesite(s), cremation site (s) or undeveloped space for a Mausoleum/Crypt in the form prescribed by the Village Board and approved by the Village Attorney. The deed shall be signed by the Village Clerk and Village President and sealed with the corporate seal and acknowledged and shall be recorded in the CIMS Software.

#### 14.051 Private Mausoleums/Crypts.

No private mausoleum/crypt shall be constructed within the limits of the Cemetery except by permission of the Public Work Director and only in such places and in such manner as he/she may direct:

A. Placement. The Village shall have full discretion as to the placement of a private mausoleum/crypt within the Cemetery. The Mausoleum/crypt with footings cannot be over twelve feet (12') x twelve feet (12') plot area or twelve feet (12') x ten feet (10') plot area.

B. Plan review. All construction plans of a private mausoleum/crypt shall be reviewed by the Village Public Works Director prior to construction. Construction plans shall be submitted to the Village prior to purchase of plot.

C. The mausoleum/crypt shall not be constructed or installed by the Village.

D. Building specifications. All mausoleums/crypts shall include footings below the frost line. All footings shall be constructed with poured concrete on site. Mausoleums/crypts built entirely above the ground must be constructed of granite

E. Operation/Entombment. Duplicate keys for mausoleums must be left in care of the Village Clerks Office. In the mausoleum's catacombs or crypts approved material must be provided, so that entombment can be separately sealed.

F. Disclaimer. The Cemetery and the Village shall not be liable for any claims or actions arising out of the construction, erection or materials of the mausoleum/crypt installed and constructed by a private contractor.

G. The Village reserves the right to reject any plan if the aesthetics or structural conditions of the mausoleum/crypt are not acceptable.

H. All maintenance responsibility of the private mausoleum/crypt shall be performed by the owner or the owner's next-of-kin, or authorized contractor of the owner of the owner's next-of-kin.

I. All Mausoleum/crypt entombment requires the deceased to be embalmed and delivered to the cemetery in a wood or metal coffin, cardboard or plywood are not acceptable.

#### 14.6 Interment/Inurnment/Entombment Regulations.

A. Interment/Inurnment/Entombment fee. The Cemetery Committee shall determine an interment fee – grave opening or inurnment fee - cremation opening: The fee shall include the cost of grave/cremation opening, grave/cremation closing, and filling with black soil, seeding, fertilizing, mulching with straw and watering when needed. Entombment fee – Mausoleum/Crypt opening fee: The fee shall include the cost of opening & closing the Mausoleum/Crypt and sealing the Ashlar. The Village Board shall review annually the Interment/Inurnment/Entombment fee and may change it in the future without modification of this Chapter.

B. Burial permit required. No Interment/Inurnment/Entombment shall be permitted or dead body removed without a burial permit or removal certificate issued by the register of deeds, city health officer or other appropriate official from the place where the death occurred. The Village Clerk shall retain such permit or certificate as part of the cemetery records. All Interment/Inurnment/Entombment, disinterment's and other matters relating to disposing dead bodies shall be pursuant to the state statutes and the orders of the state board of health. Cremation Certificate and/or copy of the death record may also be required.

C. Notice of interment/entombment. Notice of Interment/Inurnment/Entombment must be given to the Public Works Director or Village Clerk at least forty-eight (48) hours in advance. The Public Works Director or Village Clerk shall arrange for the grave opening. Whenever possible, Interment/Inurnment/Entombment will be scheduled to enter the Cemetery no later than 1:00 p.m., Monday through Friday. Interment/Inurnment/Entombment that require work being done other than during regular work hours Monday through Friday will be charged extra at the current overtime rate for actual time spent. Interment/Inurnment/Entombment normally will not be scheduled on Saturday, Sunday or an official Village holiday. If penetration of frost or removal of snow is necessary to perform a winter burial, you may charge the actual additional amount that it costs the cemetery to do this.

D. Cremation sites. Up to four (4) inurnments of cremation may be made on a full, single gravesite. Only one (1) cremation may be made on a single cremation site. All cremations shall have a cremation vault.

E. Cremation Burials. Cremation burials shall be by cremation vault or non-degradable urn only. The maximum height for cremation vaults and non-degradable urns shall be

(i) 17 inches if no full burial is in the same grave space and

(ii) 10 inches if a full burial is within the same grave space.

F. Vehicle prohibition. No vehicles, including vault trucks, monument trucks and funeral coaches will be allowed off the main cemetery roads.

G. Suspension of work. Laborers working in the vicinity of a lot where an Interment/Inurnment/Entombment is in progress must suspend work and maintain a silence during the progress of the service, and during the period immediately preceding and following.

H. Prior to interment each grave shall have a concrete grave liner or vault installed.

#### 14.7 Lot Improvements.

A. Fences. No fences or enclosures around gravesites, single cremation site or undeveloped space for a Mausoleum/Crypt shall be permitted.

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

C. Monuments and markers.

1. Monuments required. Monuments are required and must be erected within one (1) year of the interment date.

2. Foundations. All grave markers (monuments) placed in the Lake Delton Cemetery shall be placed on a concrete base, the surface of which shall be level with the ground, and on center within the monument aisle (west end of grave sites). Such base shall be at least eight (8) inches wider than the stone or marker placed thereon. 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 Public Works Director has approved the foundation therefore.

4. Monument material. All monuments and markers shall be of bronze, granite or marble.

5. Monument type. Above ground markers (monuments) may be placed in the monument aisle (west end of grave site) for full single gravesites. Additional monuments in any gravesite shall be flush with the ground. Single Cremation sites shall be flush with the ground with a maximum size of twenty-four inches (24") long x twelve inches (12") wide and a minimum of twelve inches (12") x twelve inches (12") and placed directly above the inurnment with a concrete base of thirty-six inches (36") x twenty-four inches (24") under the marker.

D. Trees, shrubs, plants and flowers.

1. Urns. A cement urn is required for planting flowers or green plants at any single gravesite. The urn must be placed on a cement base larger than the base of the urn and must be placed away from grave markers, trees and shrubs to permit mowing completely around the urn without the need for hand clipping. The use of urns mounted on an iron pipe with ground plate base and urns hanging from iron pipes are also permitted. Such urns shall be placed to permit mowing completely around without hand clipping and hanging urns shall be placed high enough from the ground to permit the mower to pass under. No urns are allowed on the single cremation sites or the mausoleum spaces.

2. Trees and shrubs. No trees or shrubs may be planted on any lot/ gravesite/cremation site/mausoleum space.

3. Plants and flowers. Temporarily placing flowers and plants at a gravesite is permitted provided same are placed in containers near the monument base. The Public Works Department shall remove neglected flowers, and shall place

containers at the north side of the storage house for a limited time for pick-up by owners of containers.

4. Artificial flowers and plants. Artificial flowers and plants shall be allowed only in urns.

#### 14.8 Conduct of Persons in the Cemetery.

A. Visiting hours for the Cemetery are from sunrise to sunset. Visitors are requested to use designated walks and drives and not to trespass unnecessarily on Cemetery lots, pick any flowers, damage any shrub, tree or plant, or mar or deface any monument, stone or structure in the Cemetery.

B. Motor vehicles may enter the Cemetery from Wisconsin Dells Parkway/Hwy 12 and Clara Avenue; no motor vehicles may exit the Cemetery on to Wisconsin Dells Parkway/USH 12. No person may use the Cemetery grounds or any road therein as a public thoroughfare, except for purposes relating to the Cemetery.

C. Law enforcement authorities and military personnel on official duty shall be the only persons allowed to possess weapons on cemetery property.

D. It is unlawful to bring, cause, or permit any animal to enter the Cemetery, except service animals, unless confined inside a vehicle.

E. No person may remove any object from any place in the Cemetery or make any excavation without the written permission of the Village Clerk.

F. No person may obstruct any drive or path in the Cemetery or in any way injure, deface, or destroy any structure, grave, flower, tree, or other thing in the Cemetery.

G. No person may drive any motor vehicle at a speed exceeding five (5) miles per hour. All motor vehicles must be kept off the grass.

H. No person may disturb the quiet of the Cemetery by noise or improper conduct of any kind.

I. Children shall not be permitted to engage in playing within Cemetery grounds, and children under ten (10) years of age shall not be admitted to the grounds unless accompanied by an adult, who shall be responsible for their conduct while therein.

J. No skate boards, bicycles, roller skates, hoverboards, or scooters are allowed in the Cemetery.

#### 14.9 Cemetery Map.

Before any new block of the Lake Delton Cemetery is opened for the sale of gravesites, the Village board shall cause it to be plotted by and updated on CIMS Cemetery Software. A copy of the CIMS Digital Cemetery Map shall be provide to Public Works Director. The plat shall be so designed as to provide direct access to each lot from either a road or walk.

#### 14.10 Penalty.

Any person who violates any provisions of this Chapter shall be subject to a penalty not to exceed two hundred fifty dollars (\$250.00). Each day during which a violation of this Chapter exists at any time shall be a separate offense.

#### 14.11 Repeal of Village Cemetery code.

Village Ordinance 4-88-244 and 4-96-244A are hereby repealed.