

CHAPTER 21

CEMETERIES

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21.01 CITY CEMETERIES. This chapter shall create rules and regulations with regard to properties known as Hillside Cemetery which have been transferred to the City by the Chilton German Ladies Aid Society and such cemetery shall be subject to the provisions herein.

21.02 CEMETERY COMMITTEE. The Public Works Committee created under Section 2.02(3) of the Municipal Code shall be responsible for the operation of the cemetery. (Ord. #981 12/21/04)

21.03 SUPERINTENDENT CEMETERY SUPERINTENDENT
(Ord. #981 12/21/04, Ord. #1120 9/01/15)

(1) The Director of Public Works shall act as the Cemetery Superintendent.

(2) POWERS AND DUTIES. The Cemetery Superintendent shall:

(a) Have general supervision and charge of cemetery grounds, and the laying out of cemetery lots, the sale thereof, and the recording of ownership of all lots.

(b) Keep all necessary records of all burials, of all monument permits, and of the transfer of ownership of cemetery lots.

(c) Be directly responsible to the Public Works Committee of the Council, and shall abide by such rules and regulations as may be promulgated from time to time by the Public Works Committee and approved by the Council.

21.04 SALE OF LOTS. All sales of cemetery lots in the City cemeteries shall be governed by this section. (Ord. #985 5/17/05, Ord. #1120 9/01/15)

(1) The Council shall establish the price of lots and permit fees by resolution from time to time, and such price shall include perpetual care.

(2) All applications for the purchase of lots in the cemeteries shall be made to the City of Chilton.

(3) (a) There will be a limit of four (4) urns per gravesite for cremation.

(b) There will be a limit of one (1) vault and two (2) urns per gravesite.

(Ord. #663 5/5/87, Ord. #985 5/17/05)

21.05 CONVEYANCE OF LOTS. Cemetery lot conveyances shall be made as follows:
(Ord. #592 6/7/83, Ord. #1120 9/01/15)

(1) All lots sold in the cemetery shall be conveyed by deed. The purchaser acquires the title and fee to the lot, subject to the conditions, limitations and reservations established by this chapter or those, which may hereafter be established for the government or maintenance of Chilton Hillside Cemetery.

(2) Any transfer of ownership of a gravesite, if there has been no interment therein, shall be made subject to the written approval of the Cemetery Superintendent. If a lot has

interment therein, then a transfer of ownership is subject to Wisconsin Statute Section 157.10.

(3) Lots can only be sold in one quarter, one-half, three fourths or whole sections. Sections 24, 25, 76, 77 and 128 shall be restricted to single interments. (Ord. #985 5/17/05)

21.06 INTERMENT AND DISINTERMENT. (Ord. #1120 9/01/15)

The Cemetery Superintendent may allow interment upon request by the owner of the gravesite and/or next of kin of the deceased. The request must be given in writing and filed with the Cemetery Superintendent. Interment shall be made in a concrete or better quality crypt (vault) or box. The material should not be ceramic or anything that will deteriorate or break.

Disinterment of a body within the City Cemetery to another gravesite located within the City Cemetery shall not be made without permission from the Cemetery Superintendent, the owner of the gravesite and/or the next of kin of the deceased.

The Cemetery Superintendent shall follow all local laws and state statutes pertaining to disinterment when a body is removed from the City Cemetery to be buried in another location outside of the City Cemetery. (Ord. #592 6/7/83, Ord. #985 5/17/05)

21.07 GRAVE REGULATIONS. (Ord. #592 6/7/83, Ord. #985 5/17/05, Ord. #1120 9/1/15)

(1) All graves dug in any lot of the City cemeteries shall be headed towards the west and headstones erected thereon shall be placed at the West End of such graves that being the head end of the grave. Engraving on the monument must face west in the First Addition to Hillside Cemetery except that individual name may be engraved on the East Side of the monument.

Each monument shall be placed on a concrete slab 4 inches thick, with a minimum of 3 reinforcing rods no smaller than one half inch in size, 2 rods of which shall be spaced 6 inches from the outside edge and the third in the center of the slab laying parallel to the other two.

Such slab shall be no wider than 24 inches and no longer than 48 inches for single interment and shall be installed at ground level for maintenance purposes.

Slabs for family monuments shall be no wider than 24 inches and no longer than 72 inches and shall be installed at ground level.

Each monument slab shall be placed at the West End of the plat with the West End of the slab on the lot line.

(2) All monuments shall be installed on concrete slabs as provided herein and shall be so located on the slab so as to maintain a 6-inch lip on all sides of the concrete slab. Monuments shall not exceed 8 inches in width and 30 inches in height. (#985 5/17/05)

- (3) Before any grave is dug in any City Cemetery, the owner of the lot upon which it is to be placed shall consult with the Cemetery Superintendent, and shall follow his directions relating to the position upon which the grave shall be placed. The required fee for a monument permit must be paid beforehand. Any person erecting a headstone upon any grave in the City cemeteries shall consult the Cemetery Superintendent prior to erecting said headstone. (Ord. #637 10/15/085, Ord. #985 5/17/05)
- (4) No grave in the City Cemetery shall be made or maintained above the level of the remaining portions of the lot upon which it is placed. (Ord. #985 5/17/05)
- (5) The planting of trees, shrubs, perennials or annuals or a tall growth on graves is not permitted. One flower or plant shall be placed at the base of the monument. Additional items are allowed to be temporarily placed on the monument but may not extend over the base of the monument slab. (Ord. #985 5/17/05)
- (6) Each marker shall be placed on a concrete slab 4 inches thick with a minimum of 3 reinforcing rods no smaller than 3/8 inches in diameter, 2 rods of which shall be spaced 6 inches from the outside edge of said slab and the third in the center of the slab and laying parallel to the other two. Such slabs shall not exceed 24 inches in width and 48 inches in length for a single marker and not to exceed 72 inches in length for a family marker and shall be installed at ground level.

21.08 MONUMENTS, MARKERS AND VAULTS. (Ord. #637 10/15/85, Ord. #985 5/17/05, Ord. 31120 9/1/15)

- (1) No monument or grave marker shall be erected or placed upon a lot by any person without first having obtained a monument permit from the City of Chilton
- (2) Dealers' or manufacturers' cards or advertisements shall not be marked on any stone or placed anywhere within the cemetery limits.
- (3) Workmen engaged in placing stones, or removing excess ground, shall provide suitable boards on which to move the same, or on which to run trucks, and immediately after work is completed rubbish is to be cleared away and the ground left clean and in good condition. Adjoining lots, paths or roads where work is being done must not be blocked or damaged. All workmen engaged in erecting monuments or other structures are prohibited from tying ropes to trees, shrubs or other objects. The workmen shall not litter the grounds longer than necessary. Surrounding lots are to be restored to their proper condition. In cases of neglect, removal or repair work will be made by cemetery employees at the expense of the lot owner or contractor.
- (4) The Council or the Cemetery Superintendent shall have the right to enter and remove from any lot, any monument, effigy or enclosure, or any structure, which shall be determined by them to be improper, offensive, or injurious to the appearance of the cemeteries.
- (5) The placing of boxes, shelves, ornaments, lighted ornaments, banners, chairs, settees, glass, wood, or iron cases and similar articles upon a lot shall not be permitted, and if

so placed the Council or Cemetery Superintendent shall reserve the right to remove the same. (Ord. #985 5/17/05)

- (6) The cemetery authorities will not be responsible for any damages to the lots or structures thereon, or for flowers or plants removed from any lot. Any damage or loss shall be reported to the Superintendent, who shall endeavor to discover the offender.
- (7) Lot owners are prohibited from placing any curbing or fencing around their lot. The Council may remove curbs or fences at the cost of the owner of the lot in case of violation of this section.

21.09 CONDUCT IN CEMETERIES.

The following regulations shall govern the public in the cemeteries of the City:

- (1) No person shall loiter on the cemetery grounds after dark.
- (2) Visitors shall keep on the paths and avenues and not walk over lots to take a shortcut through the cemetery.
- (3) Automobiles or other motor vehicles shall not be operated or driven within the cemetery at a speed in excess of 15 miles per hour.
- (4) Cemetery roads shall not be used as a public thoroughfare or as shortcuts from one street to another.
- (5) No person driving in the cemetery shall make a "U" turn in the avenues.
- (5) Animals are not allowed in the cemetery. (Ord. #985 5/17/05)
- (7) No person shall throw rubbish on the avenues, walks, or any part of the cemetery grounds.
- (8) No person shall pluck or remove flowers, either wild or cultivated, or break any tree, shrub or plant, or write upon, deface, or injure any marker, monument, or structure in or belonging to the cemetery.
- (9) Unsupervised minors are not allowed in the cemetery. (Ord. #985 5/17/05)
- (10) Firearms are not permitted in the cemeteries, except those used by law enforcement and military companies. (Ord. #985 5/17/05)
- (11) No person shall disturb the quiet and good order of the cemeteries by noise or other improper conduct. (Ord. #985 5/17/05)
- (12) No person shall erect or maintain any advertising sign upon cemetery grounds. (Ord. #985 5/17/05)

(13) No person shall ski, sled ride, snowmobile or in any other way use the cemetery property for recreational activities that would tend to disrupt the quiet and good order of such cemetery. (Ord. #985 5/17/05)

21.10 COUNCIL AUTHORITY. The Council shall, from time to time, lay out or alter avenues or walks, and make such rules and regulations for the governing of the cemetery grounds, as it may deem proper and expedient. All lot owners are subject to such rules, conditions, limitations and regulations as the Council may make from time to time, for the governing and improvement of cemetery grounds. The Council or the Superintendent of Cemeteries shall have the right to enter upon any lot and remove therefrom any tree or shrubs in such lot, when they become detrimental to adjacent lots or avenues or cause inconvenience to passers-by by reason of roots, branches or otherwise.

21.11 PERPETUAL CARE.

(1) DEFINITION. Perpetual care means the cutting and sprinkling of grass at reasonable intervals; the raking and cleaning of the lot or grave, the pruning of the shrubs and trees; also includes capital improvements to buildings and grounds and such work as may be necessary to keep the lot or grave in good and neat condition in a manner as is now regularly done upon the lots or graves. It also includes the removal of snow from the roadway to the cemetery lot and the clearance of a sufficient space adjacent to the lot to facilitate the conducting of a burial. The repair or replacement of any foundation marker or monumental structure, the planting of flowers or plants, or any special work, or the cleaning of monuments or stones is not included in the term perpetual care. The same service given to lots upon which Perpetual care has been placed shall be given to lots which are on the annual assessment plan. Perpetual care also includes capital improvements to buildings and grounds.

(2) The City shall provide all perpetual care as described in (1) in perpetuity for those graves in the cemetery. (Ord. #866 9/1/88)

(3) INVESTMENT OF PERPETUAL CARE FUNDS. The City shall establish and maintain a non-lapsing account in its general fund for purposes of receiving and depositing monies from any person for the purpose of perpetual care of the Hillside Cemetery and the graves located therein. In addition, proceeds from the sale of cemetery lots shall be deposited in this account. (Ord. #866 9/1/98)

21.12 PENALTY. Any person who shall violate any provision of this Chapter shall be subject to a penalty as provided in Sec. 20.04 of this Municipal Code.