

## CHAPTER 5

### City Cemetery

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#### **SEC. 5-5-1 MANAGEMENT OF CEMETERY**

The East Thorp Cemetery Association shall have the authority to manage and operate of the municipal cemetery as provided in Section 2-4-1 of these Ordinances, consistent with the provisions of these ordinances.

#### **SEC. 5-5-2 CEMETERY LOTS**

- (a) Before any new block of a municipal cemetery is opened for the sale of lots the Common Council shall cause it to be platted and recorded in the office of the Register of Deeds.
- (b) The Common Council shall, from time to time, fix a schedule of prices and charges for all lots sold in the municipal cemetery including the following: prices for all work done for private parties by the association, its employees or municipal employees; charges for perpetual care; and charges for recording the deed.
- (c) All conveyances and transfers of lots in the municipal cemetery shall be in accordance with applicable Wisconsin Statutes of lots previously sold, and may be registered with the cemetery association by presentation of the original deed on the back of which is written "I hereby transfer to \_\_\_\_\_ portions of said lot," and the endorsement of the original lot owner, his heirs, administrators or assigns, along with the quit claim deed to that portion of the lot being transferred, or by presenting a Court order evidencing the transfer.
- (d) Owners of lots who have not provided for perpetual care, shall pay to the secretary of the cemetery association an annual assessment for care, in the amount determined by the

Common Council from time to time. All amounts so received shall be deposited in the cemetery association fund. Notice of the annual assessment shall be sent to lot owners pursuant to section 157.11(7), Wis. Stats. Upon failure of said lot owner to pay said assessment for five consecutive years, the Common council shall order repossession of such lots, and shall offer for sale those portions not occupied.

**SEC. 5-5-3                      RULES.**

- (a) Hours. The City Cemetary shall be open to the public at the following times:
  - (1) 8 a.m. to 8 p.m., May 1 to September 15.
  - (2) 8 a.m. to 6 p.m., September 16 to April 30.
  - (3) No visitors shall enter or remain in the City Cemetary other than during the hours it is open to the public without the consent of the Public Works Director.
- (b) Animals. No dogs shall be allowed within the cemetery grounds.
- (c) Prohibited Actions. No person shall pluck any flowers, or ornamental plants or shrubbery, or deface any monument or injure anything about the grounds or walk over any improved lot or grave.

**SEC. 5-5-4                      LOT AND MONUMENT SPECIFICATIONS.**

- (a) All monuments shall be firmly set with a foundation laid at least 5' deep in the ground and tapering to the top thereof, and the top of such foundation shall project not more than 1" above the surface of the ground.
- (b) Such foundation shall project at least 6" outside of the base of the monument at every point thereof.
- (c) Markers shall be set on a slab not less than 4" deep into the ground and such slab shall project not more than 1" above the surface of the ground and shall project at least 6" outside of the base of the markers at every point thereof.
- (d) No monument or marker may be set except by the Public Works Director, or by his directive; and no monument or marker may be set without first obtaining permission from the City Clerk.
- (e) The Public Works Director or the sexton at his direction, has general charge of the walks, drives and grounds,

digging of graves, care of the cemetery and will wait upon funerals arriving at the cemetery.

- (f) No grading of the lots shall be undertaken by any person, except with the sanction and approval of the Public Works Director.
- (g) All owners of lots within the cemetery shall pay to the City Clerk a designated fee for the care and upkeep of the lots on or before May 15 yearly. The perpetual upkeep and lot fee shall be combined.
- (h) Mounds over new graves shall be seeded in the spring and old sod removed.
- (i) If any responsibilities of the lot owner are neglected, the City shall perform the maintenance at the expense of the lot owner.
- (j) All complaints shall be made to the Public Works Director who has power and authority to enforce all regulations.

**SEC. 5-5-5 PERPETUAL CARE.**

- (a) A permanent cemetery fund shall be established for the perpetual upkeep and care of lots from individual donations.
- (b) Individual lot fees shall be determined by the City council for perpetual care of lots.
- (c) Gifts of monies donated unless otherwise directed by the owner shall be paid directly into the treasury of the City.
- (d) The City Clerk shall annually report a detailed analysis of revenues and expenditures pertaining to the perpetual care and upkeep of the cemetery.

**SEC. 5-5-6 PENALTY.**

Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in this Code of Ordinances.