

Chapter 9

CEMETERY

§ 9-1. Cemetery grounds.

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§ 9-6. Violations and penalties.

[HISTORY: Adopted by the Common Council of the City of Gillett as Ch. XIV of the former Municipal Code. Amendments noted where applicable.]

§ 9-1. Cemetery grounds.

- A. Dedication. The grounds of the Wanderer's Rest Cemetery, Gillett, Wisconsin, as described as Sec. 21, T28, R18E, Outlot 12 of the City of Gillett and recorded at the office of the Register of Deeds for Oconto County, have been set aside and dedicated for cemetery purposes by the Common Council.
- B. City jurisdiction. Any purchaser of lots in Wanderer's Rest Cemetery shall agree to release to the City full jurisdiction over the cemetery grounds, as is specified by this section and all regulations adopted by the Common Council in conformity therewith.

§ 9-2. Caretaker.

- A. Appointment. The Parks and Cemetery Committee Chairperson shall be designated as the Caretaker.
- B. Powers and duties.
- (1) The Caretaker shall exercise general supervision of the Wanderer's Rest Cemetery and shall regulate the manner of burial. The Caretaker shall also decide where flowerbeds, headstones, plant stands and other grave-related items shall be located.
 - (2) The Caretaker shall show lots within the cemetery. Payment shall be made to the City Clerk/Treasurer according to the fee schedule as set by Common Council.¹ [Amended 5-17-2004 by Ord. No. 2004-5]
 - (a) Graves throughout the cemetery shall be sold at a cost per grave as set by Common Council, said sum to include perpetual care.
 - (b) The charge for opening and closing a grave for a vault shall be set by Common Council. Disinterment will only be done during the time the ground is not frozen.
 - (c) The charge for opening and closing a grave for an urn or an infant vault shall be set by Common Council.

1. Editor's Note: See Ch. A41, Fee Schedule.

(d) All grave openings and closings must be approved by the City of Gillett.

§ 9-3. Cemetery lots.

- A. Sale of lots. Whenever any lot in the cemetery shall be sold, the purchaser thereof shall give the full and correct name of the person in whose name said lot is to be conveyed and pay to the Clerk/Treasurer the price fixed for such lot, and thereupon the Clerk/Treasurer shall give to said purchaser a receipt setting forth a description of the lot sold, the name of the person paying such price and the price paid by said purchaser.
- B. Resale of lots. Any person owning a lot in the cemetery shall, before disposing, selling or giving the same away, notify the Clerk/Treasurer of the sale so that all records may be updated.
- C. Lot records. The Caretaker, with the Clerk/Treasurer, shall make and cause to be made a complete and accurate record of all lots and all persons buried in the cemetery. Such record shall be kept in the office of the Clerk/Treasurer.
- D. Payment required before use. No lots shall be used unless such lots so procured shall first have been paid for, and no person shall willfully inter anyone in the cemetery before the purchase and payment of said lot as herein provided.
- E. Use of sale proceeds.
 - (1) Cemetery care. Except for perpetual care funds, the money received from the sale of lots shall be used to preserve and care for the cemetery and for no other purpose, as provided by this section.
 - (2) Perpetual care. The moneys received for perpetual care of cemetery lots shall be deposited with the Clerk/Treasurer and shall be deposited into the general fund to be used for perpetual care.

§ 9-4. General regulations.

- A. Walls and fences regulated. No walls or fences shall be allowed within the cemetery grounds.
- B. Riding or driving on grounds regulated. No person shall ride or drive on any portion of the cemetery grounds not laid out in the cemetery as a street or alley.
- C. Destruction of property prohibited. No person shall willfully destroy, mutilate, injure or remove any tomb, monument, gravestone, building or other structure placed in the cemetery or other work for the protection or ornamentation thereof, or shall willfully destroy or injure any tree, shrub or plant within the limits of the cemetery.
- D. Sunday burials prohibited. No burial shall be conducted or interment made in the cemetery on Sundays, except in cases of contagious disease or for some other reason where necessity for immediate burial may be urgent.
- E. Rules.

- (1) All lots and graves shall be purchased with perpetual care.
- (2) All fences, hedges or enclosures of lots are prohibited.
- (3) All trees or shrubs must be approved prior to planting.
- (4) Any stone, other than a head or foot stone, must be flush with the ground.
- (5) For head or foot stones, the concrete foundation bases must be five inches in front and back and 12 inches on each side or ends of the stone monument.
- (6) The only flowers allowed are artificial or live plants in urns or planters.
- (7) All urns, planters and summer decorations must be removed by October 1.
- (8) All winter decorations must be removed by May 1.
- (9) All placement of memorials and monuments must be approved by the Clerk/Treasurer or Caretaker.
- (10) Artificial or dried flowers and plants will be removed at time of mowing if flowers are placed in baskets, wreaths or cans, etc. They will also be removed when flowers are dead.
- (11) No loitering or walking of pets is allowed in the cemetery.
- (12) The City of Gillett will not be responsible for any damage to urns and monuments by normal cemetery maintenance or by vandalism.
- (13) All burial urns must be registered with the Clerk/Treasurer.

§ 9-5. Burial regulations.

- A. Grave digger. The grave digger will be notified by the Caretaker as to the need for a grave to be dug. The Caretaker will mark the grave boundaries. The grave digger will be required to remove the sod in blocks two inches thick and cut it into squares which would be small enough to handle. Dirt removed from the grave must be placed on plywood or a tarp. Any excess dirt must be hauled away. When backfilling the grave, it will be required to backfill around the sides of the vault first, compacting the backfill as it is added, then backfill on top of the vault, compacting the backfill in lifts of eight inches to within one inch of the top of the grave. The sod will be replaced and remain one inch above the surrounding ground. The digger will be responsible for one year of maintenance on each grave, which will include filling a grave that has settled and seeding the grave if necessary.
- B. Payment for digging grave. The City of Gillett will pay the grave digger a sum as set by the Common Council. The payment will be made in two payments, the first, being 75%, will be paid upon completion of the burial. The second, being 25%, will be paid 90 days after the burial, contingent upon the grave site being returned to its original state. [Amended 5-17-2004 by Ord. No. 2004-6]

§ 9-6. Violations and penalties.

Any person who shall violate the provisions of this chapter shall, upon conviction, be subject to a forfeiture as provided in Chapter 1, Article II of this Code.