

PLOVER CEMETERY **RULES AND REGULATIONS**

The Plover Cemetery is owned jointly by the Village of Plover and the Town of Plover. In accordance with their respective Ordinances, the Village of Plover and Town of Plover have the responsibility to impose the rules and regulations set forth herein.

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SECTION 1 - DEFINITIONS

"Cemetery" shall mean the Plover Cemetery on River Drive in the Village of Plover.

"Village" shall mean the Village of Plover, Portage County, WI.

"Town" shall mean the Town of Plover, Portage County, WI.

"Care" shall mean the maintenance and care of the Plover Cemetery on River Drive in the Village of Plover.

"Foundation" shall mean either a concrete or solid granite base, set flush at ground level.

"Grave Space" shall mean a space of ground in the cemetery, used or intended to be used for the burial of human remains.

"Interment" shall mean the burial of any human remains or cremains.

"Lot" shall mean one grave space.

"Lot Holder" or "Lot Owner" shall mean the person(s) who have purchased interment rights or who hold same by right of inheritance.

"Monument" shall include tablet, tombstone, headstone, grave marker, memorial, or other similar terms.

SECTION 2 - PURCHASE OF LOTS

2.1 Persons or their agents desiring to purchase a lot in the cemetery shall contact the Village of Plover, and will be referred to the Village of Plover GIS Manager. The GIS Manager will have available suitable plats showing size, location and price of lots and such other information as may be required, and will render assistance to those desiring to make lot purchases.

2.2 After selection of a lot or lots, the physical on-site lot location shall be verified and marked by the Village of Plover Public Works Dept. The Public Works Dept. shall have three (3) working days to complete the marking of the lot or lots.

2.3 The Purchaser shall then be directed to the Village Treasurer for payment of applicable lot fee(s), and issuance of a receipt for the lot purchase.

SECTION 3 - OWNERSHIP RIGHTS OF INTERMENT

3.1 The lot owner or his authorized agent shall have the right to use a lot or portion of a lot for burial purposes only in accordance with the terms of these Cemetery Rules and Regulations.

3.2 Upon full payment of the purchase price of a lot, the purchaser will be issued a cemetery receipt, and the receipt will be recorded in the records of the Cemetery. Lots or fraction of lots, for which lot receipts have been issued, will not thereafter be divided except by consent of the Village of Plover. All lots are exempt from taxation and cannot be seized for debt nor can they be mortgaged. (The only exception to this is for those lots owed to the cemetery and if vacant grave spaces are repossessed, they shall be subject to the same fees and charges.)

3.3 The lot owner shall have acquired the lot for interment of himself and/or persons who are members of the family. However, the lot owner may grant written permission, which must be notarized and placed on file with the Village, for the burial of other persons. No corpse shall be interred in a lot except the corpse of one having an interest therein, or a relative, or the husband, or wife of such person, or his or her relative, except by the consent of all persons having an interest in the lot.

3.4 Unless otherwise directed in writing and filed with the Village, the lot owner, his devisees, or his heirs, the Village will permit the interment of members of his family at the request of any interested person upon proof of eligibility for burial as follows:

- a. The surviving spouse of the lot owner shall have the first right to interment or to direct the right of interment.
- b. When there is no surviving spouse, the devisees, or heirs of the owners, may by agreement in writing, determine who among them shall have the right of interment or direction for interment, which agreement shall be filed with the Village.
- c. In the event the owner, his devisees or heirs shall not have arranged for future interments, then the devisees or the heirs, as the case may be, of such owner, shall have the right to interment in order of their need.

3.5 All burial rights in cemetery lots occupy the same position as real estate at the death of the owner. Only such persons whose names appear on the cemetery records of the Village will be recognized as owners or part owners of the lots. In case of the death of a lot owner, when the cemetery lot is disposed of by a will, and when ownership is to be determined, a certified copy of the will must be delivered to the Village before the Village will recognize the change of ownership. If the deceased lot owner left no will, satisfactory proof of descent must be provided. It is recommended that lot owners,

in making their wills, include a provision covering the cemetery lots and devise same to one person.

3.6 Interment privileges on family lots must be arranged within, and agreed to, by those entitled to succeed thereto by the laws of succession of the State of Wisconsin. The Village shall not involve itself in family disputes.

3.7 Lot owners may not resell or transfer their lots or parts of lots except as outlined below:

- a. The Village shall enter in the record kept for that purpose all deeds or transfer and re-conveyance of lots. No such re-conveyance shall be received and recorded by said Village until a fee of \$25.00 shall have been paid therefore.
- b. Said fee shall go into the Cemetery Fund.
- c. Re-conveyance of lots or parts of lots may be made only by written application submitted to the Village of Plover, along with the required fee. Such application shall be executed by the owner(s) of said lots, or if said owner(s) is deceased, by the legal heirs. The application shall state the lot and block number.

3.8 Whenever possible, repossessed lots will be used for burials before new areas of the cemetery are used or platted.

SECTION 4 - PERPETUAL CARE

4.1 In order to provide for perpetual care, the Cemetery Fund is maintained. Income from this fund will provide for maintenance costs of the cemetery. This fund is composed of the proceeds received from each lot sale, along with any other fees and charges received. The fund may also be increased by gifts, bequests, a portion of memorial charges and other service revenues.

4.2 The term perpetual care shall be construed as the obligation which the Village and Town assume for provision of all maintenance expenses in perpetuity for the Plover Cemetery. Such perpetual care shall be limited to the maintenance of lawns, leaf disposal, filling sunken graves and raising of markers, caring for avenues, alleys, fences, buildings and grounds in general. It is understood that such expenditures shall be made at the discretion of the Village and Town. If the Cemetery Fund is not sufficient to cover the cost of said maintenance expenses, the Village and Town shall provide the funds for said maintenance from their respective General Funds. Said costs will be allocated between the Village and Town at the percentage rates of 65% Village, and 35% Town.

SECTION 5 - PRIVILEGES AND LOT RESTRICTIONS

5.1 Each lot in the cemetery will, prior to its sale, be suitably marked by the Village of Plover Public Works Dept. with a marker placed on each lot corner and set level with the adjacent ground. To maintain accuracy and uniformity of marking, substitutes or additional corner posts may be used only if approved by the Village of Plover Public Works Dept. The Public Works Dept. shall have three (3) working days to mark said lots.

5.2 No mound shall be raised upon any grave above the general level of the lot.

5.3 No coping, curbing, fencing, hedging, borders or enclosures of any kind shall be allowed on any lot. The Village reserves the right to remove same if so erected, planted, or placed.

5.4 Wooden boxes, wire containers, glass jars, bottles, toys, cans and other such objects are not allowed to be placed on lots, and if so placed, will be removed by the Village without notice.

5.5 Urns are not permitted on lots sold after the date of these Rules and Regulations. Urns existing on lots as of the date of the adoption of these Rules and Regulations may remain. These urns shall be set in 5-inch cement bases. Existing urns shall be removed by the Village as they become unsightly or deteriorated and shall not be replaced. However, before each urn is destroyed or discarded, the last owner of record of the lot will be notified by mail that such urn has been removed from the grave and will be destroyed unless the owner thereof claims same within 30 days after mailing of said letter.

5.6 All landscaping, care of lots, and other work in the cemetery will be performed by the Village of Plover Public Works Dept.

5.7 The Village reserves the right for its workmen and those persons necessary to the performance of normal cemetery operation to enter upon or cross over any lot in the cemetery in the performance of such duties.

The Village or its employees assume no liability for damages to property or of person, or for physical or mental suffering arising out of the performance of its normal operations; or for loss by vandalism or other acts beyond its reasonable control.

5.8 The Village reserves the right to alter, change, or close alleys, roadways, water mains and other physical public properties of the cemetery.

SECTION 6 - INTERMENTS

6.1 No burial will be permitted until a legal Burial Transit Permit has been presented to the Village, and a Plover Cemetery Burial Permit has been obtained from the Village. The Village shall not be liable for the Burial Permit or the accuracy of the data contained therein.

6.2 The interment of bodies of persons who have died of contagious disease shall be in strict accordance with the rules of the State Board of Health.

6.3 Interment may take place on any day except Sundays, New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day or Christmas Day.

6.4 All interments, both full casket and cremains, shall be made with burial vaults. All interments shall be made in a permanent outer container, excluding the use of wood.

6.5 All graves shall be opened only by persons or firms authorized to do so by the Village of Plover, and under the direction of the Public Works Dept. The depth of graves shall conform to the Wisconsin State Board of Health specifications.

6.6 Opening and closing a grave, including the refilling and re-sodding or re-seeding of the plot, will be the responsibility of the lot owner and/or Funeral Director of their choice. Said refilling and sodding or seeding shall be completed within a reasonable period of time, and shall not exceed 120 days from the date of burial.

The lot owner or funeral director shall designate on the Burial Permit form the location of the lot, and the location of the grave on the lot. Any change of location made after the opening of a grave has begun shall be at the expense of the lot owner. When definite information for locating a grave is not available no less than 3 working days prior to grave preparation to meet the time requested for interment, the Village Public Works Dept. may exercise its best judgment in making a location in order that the requested time for interment be met. The Village assumes no responsibility for any error or inconvenience of such location and an additional charge will be made for any change requested.

6.7 The Village shall be given no less than 3 working days notice prior to the burial date to assure proper identification and marking of the cemetery lot.

6.8 There will be no responsibility on the part of the Village for the protection and maintenance of flowers, wreaths, emblems, etc., used in conjunction with funerals.

6.9 The remains of one human being only shall be interred in one grave space. The interment of two bodies in one grave will not be allowed, except in the case of mother and infant, twin children, or

two children buried at the same time, or in special circumstances with the approval of the Village.

6.10 Two cremation interments are permitted on any existing, used grave space. A limit of two markers will be allowed on a grave space, one of which shall be flush with the ground and of a size which meets the approval of the Village.

6.11 Combined vault space shall not exceed 7' 6" in multiple interments.

SECTION 7 - DISINTERMENTS

7.1 Disinterment of bodies from graves in the cemetery will be made only in accordance with the requirements of the State Board of Health. Charges set by the Village for removal must be paid in advance.

7.2 Lot owners, or their heirs, desiring graves opened may secure the necessary disinterment permit from the State and deliver same to the Village. All removals will be made under the supervision of a licensed embalmer.

7.3 For sanitary reasons graves will not be reopened for inspection except for official investigation.

SECTION 8 - MONUMENTS AND MARKERS

8.1 Grave markers and foundations will be set only by a monument company according to regulations specified by the Village. Only monuments purchased from, and erected by, recognized dealers are permitted in the Cemetery.

8.2 Gravestone Base Foundation Installation Requirements. All gravestone base foundations shall be installed by the Village of Plover. Monument companies shall provide the Village with dimensions for proposed foundations. Such dimensions shall be consistent with the sizing options identified in Figure 1.

Monument companies are responsible for gravestone base foundation installation costs, which shall be paid to the Village of Plover. Pricing for foundation installation can be found in Figure 2. Foundation fees shall be paid prior to installation.

Options Regarding Purchase of Gravestone Base Foundations. Foundations may be purchased from the Village of Plover. If a monument company chooses to buy a foundation from the Village of Plover, a foundation price list can be found in Figure 2.

8.3 All markers will be head stones, and placed uniformly at the head of the deceased. All headstones shall be placed at the east end of the lot, and the inscriptions shall be made on the west side of the monument.

8.4 All markers or bases shall be set on a concrete foundation. All markers or bases shall have a 3-inch setback from the edge of the foundation on all four sides, with no holes. A permit for installation of monuments, markers, and their foundations shall be obtained from the Village prior to installation.

8.5 The setting of monuments, stones and markers and the transportation of all tools, materials, etc., within the cemetery grounds shall be subject to the supervision and control of the Village. Such work shall be conducted between the hours of 8:00 a.m. and 3:30 p.m., Monday through Friday, except national holidays. Whenever possible, at least 24 hours notice shall be given to the Village that said work is to take place. Heavy trucking will not be permitted within the cemetery when, in the opinion of the Village, such work might cause damage to the driveways. Except when special permission is obtained, all work as outlined above shall be completed and debris removed immediately.

8.6 The Village reserves the right to refuse permission to erect any monument work not in keeping with the good appearance of the grounds. The size of the monument and/or stone work must be given to the Village and approved before said work will be permitted on a lot.

8.7 Stone work or monument work, once placed on its foundation, shall not be removed, except by permission of the Village.

8.8 The lot must be paid in full before any markers or monuments are set.

8.9 Temporary markers must be removed or replaced with a permanent marker within one year.

SECTION 9 - VAULTS AND MAUSOLEUMS

9.1 Construction of above-ground vaults and mausoleums is prohibited.

SECTION 10 - TREES AND SHRUBS

10.1 The planting of trees and shrubs on any lot(s) or part of lots is strictly prohibited.

10.2 No person will be permitted to trim, prune or remove branches from any existing tree or ornamental shrub in the cemetery, whether on his lot or not.

10.3 Lot owners may request, in writing, removal of existing trees on grave sites that hinder full usage of the grave site. This written request shall be made to the Village of Plover, and the Village Public Works Dept. will perform or arrange for the actual removal. Lot owners shall be liable for identification of the specific trees to be removed. The expense of the tree and stump removal shall be paid by the lot owners.

SECTION 11 - DECORATIONS ON GRAVES

11.1 Decorations are allowed only at the side of monuments.

11.2 Decorations or plantings are not allowed in front of, or in back of monuments.

11.3 Decorations may not be placed directly in, or on the ground.

11.4 Plantings are only allowed in urns, and only if said urn or urns are in existence prior to the adoption of these Rules and Regulations. Urns are allowed only at the sides of monuments.

11.5 Decorations/plants are allowed in holders that clip onto the top of monuments, or in rod holders that suspend items above monuments, or in vases or containers permanently attached to and part of the monument. Rod holders or shepherd's hooks must be installed so their base is inserted into the ground adjacent to, and in contact with, the edge of the monument base.

11.6 Excessive decoration is prohibited.

11.7 The following items are not permitted: Trees, shrubs, foam, glass, metal or wooden items, wire tripods, toys or balloons, lawn ornaments, statuary or figurines, bricks, stones, and wood chips.

11.8 Fresh cut flowers may be used anytime and will remain until, in the judgment of the Village, they have become wilted and unsightly. Potted plants may be set on lots, without disturbing the sod, on special occasions such as Memorial Day, birthdays, anniversaries, etc., but must be removed within 5 days. If left longer than 5 days, or if they become unsightly, they will be removed.

11.9 Artificial flowers are prohibited unless in a vase or pot mounted to the monument, on a shepherd's hook and suspended above the monument, or in holders that clip only to top of monuments. If they become unsightly, they will be removed.

11.10 The Village is not responsible for loss of, or damage to, any item placed or planted on any lot. Items left on any lot for a complete growing seasons will be removed and discarded at the end of said growing season.

SECTION 12 - RULES FOR VISITORS

12.1 The cemetery will be open to visitors at all times between sunrise and one-half hour after the official sunset. Permission to enter the cemetery at any other time must be obtained from the Village of Plover Public Works Dept. or the Plover Police Department.

12.2 Loitering in the cemetery is not permitted.

12.3 Picnics or parties with refreshments will not be permitted.

12.4 Dogs will only be allowed in the Cemetery when confined in a vehicle. No other animals are allowed in the Cemetery. Guide or signal dogs or any other animal trained to guide or assist a person with disabilities is exempt from this section.

12.5 Firearms will not be allowed in the cemetery except in conjunction with military funerals. At all other times firearms, bows and arrows, sling shots and other like articles are prohibited.

12.6 Visitors are required to use the walks and drives whenever possible, and shall not pick flowers, either wild or cultivated; injure any shrub, tree or plant; or mar or deface any monument, stone or structure in the cemetery.

12.7 No recreational vehicles are allowed in the cemetery.

12.8 Motor Vehicles must be kept under control at all times and at no time may exceed a speed limit of 10 miles per hour. It is prohibited to leave any vehicle on any road or drive within the Cemetery in such position as to prevent other vehicles from passing, and if so parked or left, the Village may remove said vehicle. Motor vehicles shall be driven or parked only on the paved roadways within the Cemetery, specifically designated for the use of motor vehicles. The Village assumes no responsibility for any damage done within the Cemetery by vehicles.

12.9 Bicycles and Motorcycles are governed by all rules that apply to motor vehicles.

SECTION 13 - MISCELLANEOUS

13.1 It is urged that lot owners interest themselves in the present and future care of their lots, as a single neglected lot mars the beauty of the entire section.

13.2 Prospective lot purchasers may feel free to visit the cemetery for information without obligation or pressure to select. Lot owners are urged to feel free to contact the Village at any time if the meaning and intent of these rules and regulations are unclear or if other information is desired during the normal business hours.

13.3 A schedule of fees and charges, as established by the Village, shall be on file with the Village and incorporated into these rules and regulations. Such schedule may change from time to time without advance notice to conform to current economic conditions.

13.4 All fees and charges outlined in the current schedule of fees and charges (Section 14 of this document) are payable to the Village of Plover, where receipts will be issued for the amounts paid.

SECTION 14 - FEES AND CHARGES

	<u>Amount</u>
14.1 Single grave - Resident <i>(Any person who, at time of death, is a resident of the Village or Town. Exceptions to this definition, because of past residency, may be made by the Village on a case-by-case basis.)</i>	\$600.00
14.2 Single grave - Non Resident	\$700.00
14.3 Fee for locating and marking of lot, other than at time of purchase	\$50.00
14.4 Burial Permit Fee	\$25.00
14.5 Permit Fee for installation of Monument Foundation	\$25.00
14.6 Lot Re-conveyance Application Fee	\$25.00

14.7 Disinterments

\$100 Each Opening

SECTION 15 - VILLAGE BOARD/TOWN BOARD APPROVAL & ADOPTION

The aforesaid Plover Cemetery Rules and Regulations are hereby approved and adopted by the Village Board of the Village of Plover this 15th day of June, 2011.

Signed:

Daniel H. Schlutter, President
Village of Plover

Attest:

Karen M. Swanson, Clerk
Village of Plover

The aforesaid Plover Cemetery Rules and Regulations are hereby approved and adopted by the Town Board of the Town of Plover this 15th day of June, 2011.

Signed:

Timothy J. Karcheski, Chairman
Town of Plover

Attest:

Joan Scheider, Clerk
Town of Plover
Addendum - Forms

Fee: \$25.00

PLOVER CEMETERY

BURIAL PERMIT

Lot Owner Name _____

Lot Owner Address _____

Burial Location: Lot # _____ Section _____

Decedent's Name _____

Standard Burial _____ Cremation _____

Date of Death _____

Date of Burial _____

Funeral Home _____

Funeral Home Address _____

Funeral Home Contact person _____

Funeral Home Contact Phone _____

Permit Fee Paid \$ _____

Date Paid _____

Received by _____

FEE: \$50.00

PLOVER CEMETERY

REQUEST FOR LOCATING AND MARKING OF LOT

OTHER THAN AT TIME OF PURCHASE

Per Section 14.3 of the Plover Cemetery Rules and Regulations, the Public Works Dept. will physically locate and mark a lot previously purchased. The location and marking will be completed within 3 working days of receipt of this written request, and payment of the \$50.00 fee to the Village of Plover Treasurer.

Lot Owner Name _____

Lot Owner Address _____

Contact Phone Number _____

Contact Name (if different from owner) _____

Lot Description: Lot # _____ Block # _____ Section # _____

Date of Purchase of Lot _____

Original Purchaser _____

Fee Paid \$ _____

Date Fee Paid _____

Received by _____

(3-working day time frame begins upon receipt of fee by Village)

Fee: \$25.00

PLOVER CEMETERY

APPLICATION FOR RE-CONVEYANCE OF LOT

Original Owner Name _____

Original Owner Address _____

Hereby requests to re-convey the following Lot(s) within the Plover Cemetery:

Lot # _____ Block # _____ Section _____

To:

New Owner Name _____

New Owner Address _____

Date of Conveyance _____

Signature of Original Owner: _____

Date: _____

Signature of New Owner: _____

Date: _____

Application Fee Paid \$ _____

Date Paid _____

Received by _____

FEE: \$25.00

PLOVER CEMETERY

PERMIT FOR INSTALLATION OF MONUMENT FOUNDATION

Lot Owner Name _____

Lot Owner Address _____

Lot Description: Lot # _____ Block # _____ Section _____

Funeral Home/Monument Company _____

Address _____

Contact person _____

Contact Phone _____

I hereby certify that the monument foundation on the above described lot will be installed as per the specifications required by Section 8 - Monuments and Markers, of the Plover Cemetery Rules and Regulations.

Signature _____

Date Signed _____

Permit Fee Paid \$ _____

Date Paid _____

Received by _____