

CEMETARY REGULATION ORDINANCE

JULY, 1982

An Ordinance to establish rules and regulations for the management of the town cemetary of the Town of Lafayette, Chippewa County, Wisconsin.

The Town board of the Town of Lafayette, Chippewa County, Wisconsin, does ordain as follows:

SECTION I - STATEMENT OF POLICY

The town cemetary is owned and maintained by the Town of Lafayette for the benefit of all citizens. Definite rules and regulations must be set up by the Town of Lafayette to insure proper maintenance and beauty and to prevent abuse and destruction. The following rules and regulations are set forth to govern the town cemetary.

SECTION II - STATE STATUTES AND REGULATIONS ADOPTED

The applicable provisions of Chapter 157 of the Wisconsin Statutes together with all act supplementary thereto and amendatory thereof are hereby adopted and made a part of this ordinance.

SECTION III - RULES AND REGULATIONS

A. Purchase of Lots

1. Persons or their agents desiring to purchase a lot in the town cemetary are referred to the Town Clerk. The Clerk will have available suitable plats showing size and price of lots, and such other information as may be required, and will render assistance to those desiring to make lot purchases.
2. All fees and charges as outlined in the current schedule fees and charges, are payable at the office of the Town Clerk or Treasurer, where receipts will be issued for the amounts paid and lot deeds issued.
3. A schedule of fees and charges as established by the Town Board, shall be on file in the office of the Town Clerk. Such schedule may change from time to time without advance notice to conform with current economic conditions
4. Upon full payment of the purchase price of a lot, the Town Clerk will issue a cemetary deed, under seal, and the deed will be recorded in the records of the Town as evidence of ownership of the lot.

B. Ownership of Rights of Interment

1. The lot owner or his authorized agent shall have the right to use a lot or a portion of a lot for burial purposes only in accordance with the terms of the cemetary rules and regulations.

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.

5. Unless otherwise directed in writing and filed with the Town Clerk the lot owner, his devisees or his heirs, the cemetery 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 of interment or to direct the right of interment.

b. Where there is no surviving spouse, the devisees, or heirs of the owner, 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 Town Clerk.

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.

6. All burial rights in cemetery lots purchased from the Town occupy the same positions as real estate at the death of the owner. Only such persons whose names appear on the cemetery records of the Town will be recognized as owners or part owners of 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 Town Clerk before the Town 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 to one person.

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

a. The Clerk shall enter in the record kept for that purpose all deeds of transfer and reconveyance of cemetery lots. No such reconveyance shall be received and recorded by the the Clerk until a fee of five (5) dollars has been paid therefore.

b. Said fee shall go into the general fund.

c. Reconveyance of lots or parts thereof may be made only by written application therefor upon blanks furnished by the Town Clerk, the same to be approved by the Town Board Chairman. Such application shall be executed by the owners of the lots or if the owner is deceased, by the legal heirs. The application shall state the lot and block number or other identifying description.

C. Privileges and Restrictions

1. Each lot will, prior to sale, be suitably marked by the Town.

3. Pets will be allowed in the cemetary only when confined in a vehicle.
 4. Firearms will not be allowed in the cemetary, except in conjunction with military funerals, memorial services and law enforcement personnel.
 5. Visitors are required to use walks and drives whenever possible and shall not pick flowers, injure shrubs, plants or trees, or mar or deface any monument, stone or structure in the cemetary.
 6. Vehicles traveling in the cemetary shall not exceed fifteen (15) miles per hours.
 7. Riding of bicycles, motor bikes, motor cycles or other such vehicles shall not be permitted in the cemetary unless such vehicles are present in conjunction with cemetary business.
- F. Penalties. Any person convicted of a violation of any of the provisions of this ordinance shall forfeit not less than one dollar nor more than One hundred dollars for each violation.
- G. Severability. Every provision of this Ordinance shall be considered separable and the invalidity of any section, clause provision or portion hereof shall not affect the validity of any other portion.
- H. Effective Date. This Ordinance shall be effective upon passage and publication as required by law. This Cemetary Regulation Ordinance shall supersede any and all previous Cemetary Regulation Ordinances of the Town of Lafayette.

Adopted this day of , 1982.

The foregoing Ordinance was duly adopted by the Town Board at a regular meeting of the Town Board of the Town of Lafayette on the day of , 1982.

TOWN BOARD:

Donald Bouquet
Chairman

Filed this 7th day
of September , 1982.

Louis Wolfe
, Supervisor

Edna Frederick
Deputy, Clerk

Ernest J. King
, Supervisor

I further certify that copies of this Ordinance were posted in at least three public places in the Town of Lafayette.

Dated this 7th day of September , 1982.