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Ordinance # 2018-02

Town of Greenwood Cemetery Ordinance

STATE OF WISCONSIN
Town of Greenwood
Vernon County

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Greenwood Cemetery Ordinance. The purpose of this ordinance is to establish regulations and specifications regarding the establishment and operation of cemeteries by religious associations who have an established cemetery authority that is not organized or conducted for pecuniary profit operating within the Town of Greenwood.

SECTION II – AUTHORITY

The Town Board of the Town of Greenwood, Vernon County, Wisconsin, has the specific authority to adopt this Cemetery Ordinance under s. 157.129 Wis. stats.

SECTION III – ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to establish and regulate the use of cemeteries in the town.

SECTION IV – ESTABLISHMENT AND OPERATION OF CEMETERIES

Pursuant to s. 157.219 Wis. no person may establish or operate a cemetery within the Town of Greenwood unless the following conditions are met.

A. Minimum acreage required for a cemetery:

- (1) A cemetery should be able to facilitate a minimum of 50 double burial plots, the minimum lot size of which shall be ten feet by ten feet.
- (2) A ten-foot by ten-foot lot will accommodate two adult burial spaces (plots) or any combination of burials which would not take any greater area than two adult burials.
- (3) An adult burial space (plot) is 37 inches by 93 inches by six feet.

B. Location restrictions:

- (a) No grave shall be located in the floodplain.
- (b) No grave shall be located closer than 50 feet from a public road right-of-way

C. Public Access Road:

(a) Every cemetery shall have a public access road to its outside boundary.

D. Protection from grazing farm animals:

(a) All cemeteries shall be protected from the grazing of farm animals.

E. Marker:

(a) All non-cremated final remains placed in a cemetery or a private burial site shall have a permanent marker stating the name of the deceased and the birth and death dates, if known.

F. Formal name sign

(a) Every cemetery shall have a formal name which shall be placed on a permanent sign placed by the main entrance of the cemetery.

G. Private burial

(a) Any person who causes a burial on private property in the county, not dedicated as a cemetery, shall within 30 days of said burial, complete and record a declaration of burial, with the register of deeds of the county, and pay such recording fee as shall be required. Said declaration shall include the following:

(1) Name of decedent.

(2) Date of birth, if known, or approximate age.

(3) Date of death.

(4) Date of burial.

(5) The location of the burial, including:

(I) The town, range, section, and section quarter quarter or other legal description as may be applicable, such as a certified survey map;

(II) A map or sketch of the burial location and;

(III) the location coordinates as determined by the global positioning system (GPS) of the US Government.

(6) The name and current address of the person completing the declaration, that person's relationship to the deceased, and their signature authenticated in a manner authorized by Wis. Stats §§ 706.06 or 706.07.

SECTION V - ENFORCEMENT

This ordinance shall be enforced by a letter of warning and order to correct the specified violation(s), and if such violation(s) are not corrected within the time frame established in

the first letter, a second letter shall be sent advising that a fine (or fines), have been levied.

SECTION VI - PENALTIES

The penalty for a violation of this ordinance shall be a forfeiture of \$1,000, plus applicable court costs for each final human disposition and the expense of all relocation costs as may be required by the court in enforcement of this ordinance. Such costs shall be assessed to the cemetery authority.

SECTION VII – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION VIII – EFFECTIVE DATE

This ordinance is effective on publication or posting.
The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 14th day of APRIL, 2018.

Joseph A. Nusse
Town Chairman

Allen D. Storch
Town Supervisor

[Signature]
Town Supervisor

Attest: Lawrence Post
Town Clerk