

VILLAGE OF WEYERHAEUSER  
ORDINANCE 2021-6  
WEYERHAEUSER COMMUNITY CEMETERY REGULATIONS

**Cemetery Regulations**

Weyerhaeuser Community Cemetery is owned and maintained by the Village of Weyerhaeuser for the benefits of all its citizens. Definite rules and regulations must be set by the Village Board to insure proper maintenance and beauty and to prevent abuse and destruction. The following rules and regulations are set forth to govern the Weyerhaeuser Community Cemetery. The Village reserves the right to amend or change any of these rules or regulations to conform to newly developed cemetery practices.

**Purchase of Lots**

Persons or their agents desiring to purchase a lot in the cemetery are referred to the Office of the Village Clerk/Treasurer. The Village Clerk/Treasurer 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. Upon having made a lot selection, the prospective purchaser may appear at the Office of the Village Clerk/Treasurer where the lot sale will be made and the deed issued.

**Ownership Right of Interment**

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 the Cemetery Rules and Regulations.

Upon full payment of the purchase price of the lot, the Village Clerk/Treasurer will issue a cemetery deed and the deed will be recorded in the records of the Village as evidence of lot ownership. Lots or fractions of lots, for which lot deeds have been issued by the Village, will not thereafter be divided except by consent of the Village. All lots are exempt from taxation, and they cannot be seized for debt (except those owed to the cemetery) nor can they be mortgaged.

All repossessed vacant grave spaces shall be subject to the same fees and charges.

The lot owner shall have acquired the lot for interment of himself and members of his family. However, the lot owner may grant written permission (which must be notarized and placed on file with the Village Clerk/Treasurer) 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.

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Unless otherwise directed in writing and filed with the Village Clerk/Treasurer, 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:

1. The surviving spouse of the lot owner shall have the right to interment or to direct the right of interment.
2. When there is no surviving spouse, the devisees, or heirs of the owners, may be agreement in writing, determine who among them shall have the right to interment or direction for interment, which agreement shall be filed with the Village Clerk/Treasurer.
3. In 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.

All burial rights in cemetery lots purchased from the Village occupy the same position as real estate at the death of the owner. Only such person whose names appear on the cemetery records of the Village will be recognized as owners or part owners of lots. In case of the death of a lot owner, when the 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 Clerk/Treasurer 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 cemetery lots and devise same to one person.

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

1. The Village Clerk/Treasurer shall enter in the record kept for that purpose all deeds of transfer and reconveyance of cemetery lots.
2. Reconveyance of lots or parts of lots may be made only by written application therefor upon blanks furnished by the Village Clerk/Treasurer. Such application shall be executed by the owner(s) of said lots or if owner(s) are deceased by the legal heirs. The application shall state the lot and block number.

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

**Care of Lots**

The Village shall provide all care and maintenance in perpetuity for all grave sites in the Weyerhaeuser Community Cemetery.

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**Privileges and Restrictions**

Each block in the cemetery will, prior to sale, be suitably marked by the Village with a metal, brick, or concrete post placed in 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.

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

No hedges, fences, or enclosures of any kind will be permitted on or around lots.

No planting of shrubs or trees will be permitted on single or two-grave lots.

Only flush markers will be permitted in newly platted areas of the cemetery. No planting of any kind will be permitted in newly platted areas of the cemetery and bases for markers must be thirty-four (34) inches or less.

All artificial flowers displayed in the cemetery must be in containers and placed at the head of the grave lot. Any artificial flowers not in containers will be removed from the cemetery by the Public Works Director (PWD) or the public works employee.

Wreaths on wire stands must also be placed at the head of the lot.

Fresh cut flowers may be used anytime and will remain until, in the judgement of the PWD or the employee, they become wilted or unsightly. Containers for cut flowers are to be a type level with the ground surface and not holding water when not in use, or of the type to be disposed of when the flowers are removed.

Plotted plants may be set on lots, without disturbing the sod, on special occasions, such as Memorial Day, birthday, anniversary, etc., will be picked up and destroyed if unsightly, or preserved for use in the cemetery beds if suitable.

All landscaping, care of lots, and other work in the cemetery will be done by the Village, but it is desired that each lot owner feel free to consult with those in charge of the cemetery at all times. Their advice will be given without charge and may be of value to those contemplating the purchase of or improvements to cemetery lots.

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 performance of such duties.

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

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

**Rules for Visitors**

The cemetery will be open to visitors at all times.

Persons or picnic parties, with refreshments, will not be permitted.

Dogs will be only allowed in the cemetery when confined in a vehicle.

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 will not be permitted,

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.

Vehicles traveling in the cemetery shall not exceed 15 miles per hour.

No riding of bicycles, motor bikes, motorcycles, snowmobiles, or such vehicles will be allowed in the cemetery unless in conjunction with cemetery business.

Horses are not permitted in the cemetery.

**Interments**

All interments shall conform to the Wisconsin State Board of Health specifications.

All graves shall be dug under the directions of the PWD or Village employee.

A charge for opening and closing a grave including the sodding and seeding of the plot will be made at a current rate set by the Village. Said charge will be paid to the Village Clerk/Treasurer prior to performance of the service. No burial will be allowed until all fees have been paid to the Village Clerk and an authorization has been issued.

The lot owner or funeral director shall designate on the interment form the location of the graves on the lot to the Village Clerk/Treasurer and any change in location made after the opening of a grave has begun shall be at the expense of the lot owner. When definite information for locating

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a grave is not available Thirty-Six (36) hours prior to grave preparation to meet the time requested for interment, the cemetery may exercise its best judgement in making a location in order that the requested time for interment may be met. The cemetery assumes no responsibility for any error or inconvenience of such location and an additional charge will be made for any change requested.

The Village Clerk/Treasurer shall whenever possible be given thirty-six (36) hours' notice to assure the opening and preparation of a grave prior in interment. Barring unforeseen or other untoward circumstances such grave shall be opened and prepared in time for interment.

When several burials occur in a one- or two-day period, said burials may be scheduled at the discretion of the Village Clerk/Treasurer, but in a prompt and efficient manner.

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.

The interments of two bodies in one grave will not be allowed, except in case of a mother and infant, twin children, or two children buried at the same time, or in special circumstances with the approval of the Village Clerk/Treasurer.

More than two cremains may be buried in a single grave space. Only two markers will be allowed on grave space of which one shall be flush with the ground and of a size which meets the approval of the Village Clerk/Treasurer.

#### **Disinterment**

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

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

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

#### **Monuments and Markers**

Grave markers and foundation will be set only by the monument company according to regulations specified by the Village. Except as herein otherwise provided, under no conditions

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will the Village construct monument or marker bases or erect monument or markers on bases, except government military markers. The Village reserves the right to require the construction of a foundation of such size, material and design as will provide ample insurance against settlement or injury to the stonework. The top of the concrete foundation will be constructed flush with the ground line. All markers will be set with a five (5)-inch margin.

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 PWD. Whenever possible at least twenty-four (24) hours' notice shall be given to the PWD that said work is to take place. Heavy trucking will not be permitted within the cemetery when, in the opinion of the PWD, 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.

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 monuments and/or stonework must be given to the PWD and approved before said work will be permitted on a lot. All monuments must be set in line with other monuments so far as possible as directed by the PWD.

Stonework or monument work, once placed on its foundation, shall not be removed except by permission of the PWD.

The lot must be paid in full before markers or monuments are set or any burial is authorized by the Village Clerk/Treasurer.

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

**Miscellaneous**

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

All fees and charges as outlined in the current schedule are payable at the Office of the Village Clerk/Treasurer, where receipts will be issued for the amounts paid.

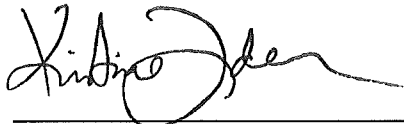
A schedule of the fees and charges as established by the Village Board shall be on file in the Office of the Village Clerk/Treasurer. Such schedule may change from time to time without advance notice to conform to current economic conditions.

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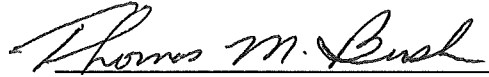
**Effective Date**

This ordinance shall take effect and be in force from and after passage and publication.

Approved at the monthly Village Board meeting of the Village of Weyerhaeuser, Rusk County, Wisconsin, this 8<sup>th</sup> day of September, 2021.



Kristine Snyder, Village Clerk



Tom Bush, Village President

