

CHAPTER 21

MANAGEMENT AND OPERATION OF MUNICIPAL CEMETERIES

21.01 APPLICABILITY

(1) This ordinance shall apply to all cemeteries acquired by the Village of New Auburn whether acquired by deed, gift, or purchase pursuant to Section 157.50 Wis. Stats. or by operation of law pursuant to Section 157.063, Wis. Stats.

(2) Nothing contained herein shall prevent or restrict the power of the Village of New Auburn pursuant to Section 157.50(3) Wis. Stats. to convey and transfer ownership of municipal cemeteries to cemetery associations.

21.02 SYSTEM OF MANAGEMENT AND OPERATION. Pursuant to Section 157.50(2), Wis. Stats., this ordinance shall determine the system of management and operation of municipal cemeteries.

(1) The overall manner of operation of municipal cemeteries shall be determined by the Village Board from time-to-time by amendment of this Ordinance or Resolution. The specific day-to-day operation of any individual cemetery shall be determined by the Village Board, the members of which shall be appointed pursuant to the provisions of Section 2.11 of this ordinance except that the members do not have to be trustees.

(2) **MAINTENANCE OF CEMETERIES.** The cemetery grounds will be maintained by the Village crew in the manner determined by the Village Board from time-to-time.

(3) **PROCEEDS TO GENERAL FUND.** Pursuant to Section 157.50(1), Wis. Stats., all funds contributed to the Village of New Auburn for perpetual care or maintenance of cemeteries, whether received as proceeds of sale of lots, proceeds from cost of perpetual care, or by gift, inheritance or operation of law shall be transferred to the General Fund unless such gift or bequest shall specifically require that the fund be accounted for separately, in which event, a separate fund may be established in accordance with the wishes of the Donor or Testator. It is the intention of the Village to minimize any accounting or bookkeeping costs of operation of cemeteries.

(4) **RECORDS.** The Village Board shall be in charge of and maintain all records of the cemetery including lot locations, boundaries, and identity of persons buried in grave sites, which records shall constitute public records of the Village. The manner of recordkeeping shall be determined by the Committee, subject to further direction of the Village Board.

(5) **LOTS MAY BE SOLD**

(A) Lots which are presently platted may be sold by the Village Board with all proceeds to be deposited in the General Fund of the Village of New Auburn. The amount of consideration of lots shall be established by the Village Board by Resolution from time-to-time, and shall include the cost of perpetual care in the purchase price. The Cemetery Committee shall from time-to-time recommend to the Village Board suggested prices.

(B) Lots which are not platted in accordance with Section 157.07, Wis. Stats., may not be sold unless a specific resolution is adopted by the Village Board after giving consideration to the advisability of platting and need to locate the boundaries in the future.

(C) Conveyance shall be by Cemetery Deed which shall be signed by any member of the Cemetery Committee and by the Village Clerk.

(6) The Cemetery Committee may devise regulations for management and care of the cemetery under Section 157.11, Wis. Stats., as fully as if they constituted a Board of Trustees pursuant to said Statute. Such regulations shall not be in effect until approved by Resolution of the Village Board. Any violation of said regulations so adopted shall be a violation of this ordinance and subject to the forfeitures contained in Section 157.11 Wis. Stats.