

CHAPTER 12

CEMETERY

TABLE OF CONTENTS

12.001 – TITLE, CEMETERY RULES AND REGULATIONS..... 12-1

A. BACKGROUND, AUTHORITY, PURPOSE, DEFINITION, AND
VARIATION 12-1

B. RULES AND REGULATION..... 12-2

12.002 – PENALTY.....12-4

12.001 - TITLE

CEMETERY RULES AND REGULATIONS.

A. BACKGROUND, AUTHORITY, PURPOSE, DEFINITION, AND VARIATION

1. Background. The Town of Pittsfield claims ownership to and jurisdiction over the North Pittsfield Cemetery located in the Town of Pittsfield as referenced by an Affidavit of Title For Cemetery Lands, duly recorded with the Brown County Register of Deeds on September 18, 1995. The legal description for this cemetery is as follows:

Commencing at the Southeast corner of the Southwest quarter (SW ¼) of the Southeast quarter (SE ¼) of Section Twelve (12) township Twenty five (25) North, Range Nineteen (19) East, thence North Twenty five (25) rods; thence West Nineteen (19) rods; thence South Twenty five (25) rods, thence East Nineteen (19) rods, to the place of beginning, containing two and 98785/100000 acres.

2. Authority. The Town of Pittsfield shall have the authority to establish reasonable rules and regulations to regulate and govern the operation of any cemetery under its jurisdiction, including the one legally described above, in accordance with state law and this Ordinance.
3. Purpose. In order to protect cemeteries within the Town of Pittsfield from injury, damage, or desecration, and for the purpose of preserving, improving, and beautifying cemeteries, these rules and regulations are enacted.
4. Definitions.
5. The term “cemetery” as hereinafter used shall include all cemetery property, grounds, equipment, and structures, both privately and publicly owned, which are located within the Town of Pittsfield.
6. The term “Town” as hereinafter used shall mean the Town of Pittsfield and/or its governing body.
7. Variation. The rules and regulations contained herein may only be varied upon application to and permission from the Town.

B. RULES AND REGULATION

1. Monuments, Lots, and Burial.

- a. All monuments must be made from concrete, granite, marble, or bronze and must be erected by a monument dealer.
- b. Only one monument per grave shall be allowed.
- c. Enclosures of any kind around graves are prohibited.
- d. No monument over 3 feet in height shall be allowed.
- e. All monuments must be placed at the head of the grave.
- f. All monuments shall be erected on a concrete or granite base of sufficient depth and width to assure permanency of level support for the monument. Bases shall be of good quality and guaranteed by a contractor or monument dealer. Bases must be installed flush with the ground with at least 3 inches of unoccupied space from the edge of the base to any lot line.
- g. Any person purchasing a cemetery lot and/or grave must be an owner of residential property located within the Town, or a Town resident.
- h. Any person owning a lot and/or grave shall, before disposing, selling or otherwise transferring ownership of the lot, give the Town the first opportunity to purchase the lot at the going rate for a lot.
- i. Burials shall be conducted at reasonable times and may be postponed due to winter weather conditions or wet grounds or otherwise as may be specified by the Town.
- j. No more than 3 cremations in a single burial site.

2. Appearance of Cemeteries

- a. The Town shall regulate the method of decorating lots and/or graves so that uniform beauty is maintained.
- b. The planting of trees or shrubs is prohibited. Flowers may be planted in vases, flowerpots, or urns. There shall be no direct planting in the ground. Placement of any planting shall be in accordance with Town policy.

3. Protection of Cemeteries

- a. No person shall kill, injure, or disturb, or attempt to kill, injure, or disturb any animals in the cemetery.
- b. No person shall cut, remove, damage, or carry away any cemetery property except as may be directed by the Town.
- c. No person shall move, remove, deface, mark, or damage in any manner any cemetery markers, headstones, monuments, fences, structures, signs, vases, flower pots, urns, equipment, or other cemetery property.
- d. Visitors of the cemetery shall use only the avenues, roads, and walks, unless it is necessary to walk on the grass to visit a grave or to gain access to one's own lot.
- e. No person shall litter, dump, or deposit any rubbish, refuse, earth, or other material in the cemetery.
- f. Pets, including animals of any species, are prohibited in the cemetery.
- g. No person shall operate or play any amplifying system or sound device in the cemetery.
- h. No person shall post, paste, fasten, paint, or attach any placard, bill, notice, sign, or advertising matter upon any structure, tree, or other natural object in the cemetery, except cemetery regulation and other authorized signs.
- i. No person shall loiter, cause a nuisance, or engage in any sport in the cemetery.
- j. No person shall consume alcohol beverages or have in his or her possession any open container containing an alcohol beverage in the cemetery.
- k. No person shall operate or make use of a play vehicle in the cemetery. As used herein, a play vehicle shall include, but not be limited to, any coaster, skateboard, roller skates, sled, toboggan, bicycle, or toy vehicle. Children under 16 years of age are not permitted in the cemetery unless accompanied by an adult.

4. Motor Vehicles

- a. Motor vehicles are restricted to the roads and parking areas. Except the authorized maintenance vehicles, no person shall operate a motorized vehicle in the cemetery outside of areas designated as parking areas or areas where operation of such vehicles is specifically permitted. Any unlawfully parked motor vehicle may be towed or removed by the Town at the vehicle owner's expense.
- b. No person shall operate any motorized vehicle in the cemetery in excess of fifteen (15) miles per hour unless otherwise posted.

12.002 – PENALTY

Failure to comply with the provisions of this ordinance can result in a forfeiture of not less than \$100.00 nor more than \$300.00. **Rev 0707**