

WHEREAS, good public policy requires written rules and regulations to insure consistent treatment of the public,
NOW THEREFORE, BE IT RESOLVED that the following rules and regulations of the Floral Hill Cemetery be adopted:

RULES AND REGULATIONS

SECTION 1 DEFINITIONS -

- A. BLOCK - An appropriate numbered and specifically designated area containing Lots and Grave Spaces.
- B. CEMETERY - As herein used shall mean the Floral Hill Cemetery located at 1215 Beckert Rd. New London WI 54961 and shall, further, refer to all cemetery property, grounds, equipment and structures both privately and publicly owned.
- C. CEMETERY COMMISSION - Refers to the Cemetery Commission a group of people appointed by the Mayor of the City of New London and records office for the Floral Hill Cemetery located at 215 N. Shawano St. New London WI 54961.
- D. CEMETERY DEED - The official document produced by the City of New London for the conveyance of ownership of interment rights to a designated grave space(s) located within the Floral Hill Cemetery.
- E. CONTRACTOR - Any person, firm or corporation other than a City of New London employee that is engaged in placing, erecting or repairing any memorial or monument, excavating and preparing grave sites for interments or performing any other work on the cemetery grounds.
- F. CORPSE - The deceased body of a human being.
- G. CREMAINS - The incinerated remains of a corpse.
- H. CRYPT - A repository for the entombment of human remains.
- I. DISINTERMENT - The removal of remains of a human corpse from their original place of interment.
- J. DISPOSITION PERMIT - As used in these Rules, Regulations and Policies shall mean a legal "Report of Final Disposition of a Human Corpse Burial Transit Permit" issued by the State of Wisconsin.
- K. FOUNDATION - A concrete base placed flush with the ground of a grave site, on which to erect monuments, headstones, markers or memorials.
- L. GRAVE SPACE - An interment rights within a plotted cemetery lot.
- M. INTERMENT – Burial or permanent disposition of the remains of a deceased person.
- N. LOT - A designated area within a block, containing a specific number of grave spaces.

- O. MARKER - Any headstone, memorial marker or structure placed upon any lot or grave space for the purpose of identification or memory of the interred.
- P. MONUMENT - Any headstone, memorial marker or structure placed upon any lot grave space for the purpose of identification or memory of the interred.
- Q. OWNER - The owner of the rights of interment to a specific lot or grave spaces of which the owner has an official Cemetery Deed.
- R. OUTER BURIAL CONTAINER - A container that surrounds a casket in order to prevent the ground from collapsing.
- S. PERPETUAL CARE AND MAINTENANCE FUND - The obligation of the City of New London to maintain and care for the Floral Cemetery sites for perpetuity from funds derived from the segregated Perpetual Care and Maintenance Fund.
- T. PERPETUAL CARE DEED - Is the official document produced by the City of New London for the conveyance of a guarantee of Perpetual Care and Maintenance Fund for designated Grave Space(s) located within the Floral Hill Cemetery. This Deed is part of the Cemetery Deed.
- U. REMAINS - Those parts that remain of a corpse after the ravages of time, weather or destruction.
- V. SEALED VAULT - An Outer Burial Container or permanently sealed container that surrounds a casket, which should be constructed of a non-wood durable substance such as concrete.
- W. SEXTON - The care taker and overseer of the cemetery appointed by the Cemetery Commission.
- X. SECTION - An alphabetically designated area containing numerical Blocks, Lots and Grave Spaces.
- Y. URN - A closed vessel used for the preservation of cremains.
- Z. Urn Vault - A container which is sealed and surrounds an urn in order to prevent the ground from collapsing and aids with finding the cremains in the future if needed.

SECTION 2 PURCHASE AND OWNERSHIP OF INTERMENT RIGHTS.

- A. Individuals, families or their agents, desiring to obtain interment rights to a Lot or Grave Space(s) in the Floral Hill Cemetery must contact the Sexton of the Floral Hill Cemetery in the City of New London. The Sexton will either provide or arrange assistance in showing the Lots or Grave Space(s) available for the purchase of said interment rights.
- B. Upon having made a Lot or Grave Space selection and making the required full payment or the corresponding fees, the City of New London will issue an official Cemetery Deed which will include the Perpetual Care and Maintenance Fund Deed as evidence of interment rights. The Floral Hill Cemetery does not allow for the sale of interment rights for one-half (1/2) Grave Spaces.

- C. Each owner is vested with the ownership of the right of interment for the sole purpose of interment of human remains. Ownership will remain with the original purchaser(s). After the demise of the original purchaser(s), their interment rights shall pass to their spouse. Lineal descendants shall have equal rights of interments. In case that there are no lineal descendants then the nearest relative of the purchaser shall have the right of interment.
- D. In case of death of the lot owner, when the cemetery lot is disposed of through a probate proceeding, a certified copy of the final court document assigning the lot shall be filed with the City of New London. If there is an unprobated will, a certified copy of the will must be delivered to the City of New London before the Floral Hill Cemetery will recognize the change of ownership. If the deceased lot owner left no will and there is no probate satisfactory and sufficient proof of descent must be provided. It is recommended that the lot owner, in making their will, include a provision addressing the cemetery lot(s) and devise to one (1) person. The Floral Hill Cemetery will not accept a transfer of interment space after interment of the original purchaser(s) unless all lineal descendants have agreed to the transaction.
- E. The owner may grant permission, which must be notarized and placed on file with the City of New London, for the burial of other persons not related by lineage. No corpse shall be interred in a Grave Space except the corpse of one (1) having an interest therein, or a relative, or spouse of such person, except by the consent of all persons having an interest in ownership of interment rights to such Lot or Grave Space.
- F. All ownership of interments for Lots and Grave Spaces is exempt from taxation and cannot be seized for debt, except those owned by the cemetery, nor can they be mortgaged. All repossessed vacant grave spaces shall be subject to the same fees and charges.

SECTION 3 TRANSFER AND ASSIGNMENT OF INTERMENT RIGHTS.

- A. Lots or Grave Spaces, for which Deeds have been issued, will not be divided, transferred, sold or conveyed without the express written consent of the Floral Hill Cemetery Commission.
- B. The sale or transfer of any interment rights by any owner shall not be binding upon the Floral Hill Cemetery or the City of New London unless such sale or transfer is approved by the Cemetery Sexton and has been recorded on all official documents provided by the City of New London and signed/executed by the duly authorized representative(s) of the City of New London. Said procedure is required in order that the Floral Hill Cemetery may, at all times, have a complete and accurate record of all owners and purchasers' rights of interments.
- C. The City of New London may refuse consent to a transfer or to an assignment as long as there is any indebtedness due the Floral Hill Cemetery. All transfers of ownership or assignments shall be subject to an administrative fee, which must be paid when the transfer or assignment is first filed.
- D. The City of New London may, if requested to, purchase said Lot or Grave Space at the original price for which Lot or Grave Space was sold, less the cost of Perpetual Care and Maintenance Fund.

SECTION 4 PERPETUAL CARE AND MAINTENANCE FUND.

- A. In order to assure a means for the permanent care of the Floral Hill Cemetery, a Perpetual Care and Maintenance Fund has been established and maintained. The term Perpetual Care and Maintenance Fund shall include the obligation of the City of New London to both maintain and care for the Floral Hill Cemetery sites. It further includes the maintenance of turf, leaf disposal, graves, streets, fences and buildings as necessary in order to preserve the maintenance integrity of the cemetery. Such care does not include the maintenance or repair of any gravestones or monumental structures erected upon Lots or Grave Spaces nor the planting of flowers or ornamental plants/shrubs. All work shall be under the control of the Floral Hill Cemetery Commission.
- B. Monies are added to the Perpetual Care and Maintenance Fund from a set portion of the total fee charged for the sale of interment rights for each Grave Space. All expenditures from this Fund shall be made at the discretion of the Floral Hill Cemetery Commission. The Cemetery Commission reserves the right to adjust said fees as necessary.
- C. All landscaping, care of lots and other work in the cemetery shall be ordered to be done by the Cemetery Commission or designee thereof. The City of New London shall retain the ownership of aisles, including monument aisles. The Cemetery Commission, further, reserves the right for its personnel and those persons or firms necessary to the performance of normal cemetery operations to enter upon or cross over any lot in the cemetery in carrying out the performance of such duties.
- D. The City of New London, Cemetery Commission, it's employees, or firms assumes no liability for damages to property or to persons, or for physical or mental suffering arising out of the performance of its normal operations, or for loss by vandalism or other acts beyond its reasonable control. Further, the City of New London reserves the right to alter, change or close alleys, roadways, water mains and any other physical public properties of the cemetery.

SECTION 5 RULES FOR PATRONS AND VISITORS.

- A. In order to protect Floral Hill Cemetery from injury, damage or desecration, all patrons and visitors to the cemetery shall fully adhere to various rules and regulations as contained in the City of New London Municipal Code as well as any future amendments thereof.
- B. Except as otherwise provided, any person who shall violate any provision of this chapter, or regulation, rule or order made hereunder shall be subject to a penalty.
- C. Floral Hill Cemetery business can be conducted at the Municipal Building of the City of New London located at 215 N. Shawano St., New London, WI, 54961 from 8:00 a.m. to 4:30 p.m. Monday through Friday. Patrons and visitors may freely visit the Cemetery anytime between Sunrise to Sunset Monday through Sunday.
- D. No children under the age of 12 years old are to be permitted to be on cemetery grounds unless accompanied by their parents, guardians or some responsible person.

- E. Persons with refreshments, firearms - with the exception of honor guards, or domesticated animals - with the exception of service animals; will not be allowed on the grounds.
- F. No driving allowed on lots, or upon the grass.
- G. No driving allowed on roadways that are unplowed.
- H. The speed limit in the Cemetery is 10 mph.
- I. This is a Carry in, Carry out facility. You must remove any refuse that you bring in.
- J. No person shall willfully destroy, mutilate, injure or remove any tomb, monument, gravestone, building or other structure placed in the cemetery, or any fence, railing, sign or other work for the protection or ornamentation thereof, or shall willfully destroy or injure any tree, shrub or plant within the limits of the cemetery.
- K. Picking flowers is prohibited.
- L. No person other than authorized Floral Hill Cemetery personnel shall destroy bird nests/houses or kill any animal on the cemetery grounds.
- M. No person shall feed animals on cemetery grounds, including bird feeders/houses.
- N. No person and/or group shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising material upon any structure, tree or other natural object within the cemetery except those official signs or notices posted by the Cemetery Commission.
- O. No persons shall use power equipment in the cemetery without prior approval from the Cemetery Commission.

SECTION 6 LANDSCAPING.

The Cemetery Commission maintains the right to either prevent or remove anything which is considered by the Cemetery Commission or Sexton to be injurious to the immediate locality, presents costly impediments to the efficient and effective maintenance of the cemetery or which is prejudicial to the overall general good appearance of the grounds (without notification to lot owners). All landscaping, care of Lots and Grave Spaces and other work in the cemetery will be done by designees of the Cemetery Commission. To preserve the historic beauty of Floral Hill Cemetery and to allow for the efficient and effective maintenance of the cemetery grounds the following landscaping regulations shall be adhered to:

- A. No corner markers, curbing platforms, steps, fences, hedges, or other enclosures will be allowed. No mound of earth or turf shall be raised upon any grave above the general level of the lot by more than three (3) inches at the center of the lot.
- B. There will be a limit of 2 floral memorials permitted per Lot/Grave Space according to individual taste. All decorations must be placed on either side of the memorial (headstone) not in front of or behind. No other items are allowed (shepherd hooks, solar lights, Knickknacks etc.). Anything made of glass, tin, aluminum, composite, wood, plastic or a lit flame/eternal candles as they are

hazardous and or unsightly therefore are prohibited in the cemetery in order to avoid any possible interference with or damage from ongoing cemetery maintenance and upkeep.

- C. No fences will be permitted on or around lots.
- D. Artificial flowers and potted plants may be placed in either a vase, pot or urn planter and placed on either side of the base of the headstone in order to avoid any possible interference with or damage from maintenance and upkeep. An empty/unused vase, pot or urn planter is considered unsightly and injurious and will be removed by Memorial Day. No items placed near the monument will be placed directly into the ground.
- E. Fresh cut flowers may be used anytime and may remain until they become wilted or unsightly in the judgment of the Sexton. They may be placed in either a vase, pot or urn planter and be placed on either side of the base of the headstone in order to avoid any possible interference with or damage from ongoing maintenance and upkeep. The cemetery is not liable for any fresh cut or planted flowers. Flowers may not be planted directly into the ground; they must be in an vase, pot or urn planter.
- F. The planting of trees/shrubs on Lots and Grave Spaces could seriously hinder the full usage of such and create hardships or safety issues; as a result therefore the public planting of tree/shrubs will not be permitted.
- G. Trees or shrubs on any grave space that hinder the full usage of said grave space may only be removed with the consent of and under the direction of the Cemetery Commission.
- H. No iron or wirework, or seat will be allowed and should any structure now on any lot become unsightly or rusty, they shall be removed from the cemetery by the lot owner on notice to that effect. Taping, wiring or gluing to a marker or monument in any manner is prohibited. Please take your flowers, containers, etc. with you, do not leave them behind to be disposed of; Carry In, Carry Out.
- I. Any items which are not secured and become loose due to wind will be placed by the cemetery workers next to the nearest gravestone.
- J. Any unsightly or damaged items that are not removed in a timely manner will be so removed at the discretion of the Cemetery Commission/Sexton.
- K. All flower arrangements, real or artificial, must be removed no later than October 5th of each year in order to allow for a thorough fall cleaning of the Cemetery. All unauthorized plantings will be removed at such time. Persons desiring to reuse such materials must claim them prior to that date or they will be discarded by the cemetery workers. Christmas, fall and winter arrangements may be placed after November 15th of each year. All Christmas, fall and winter arrangements must be removed no later than April 5th of each year for the spring cleaning of the cemetery. Spring and summer arrangements may be placed after May 15th of each year.

- L. EXCEPTIONS. During the fall and spring cleanup periods, an individual who has an anniversary of the death of their loved one may place a floral arrangement, decoration, etc. in their memory next to the headstone. You are required to notify the Cemetery Sexton prior to placing.
- M. The Cemetery Commission and the Sexton are not responsible for any personal articles left at the grave site. Although every effort will be made to prevent either theft or vandalism of grave sites, neither the City of New London nor the Cemetery Commission shall be held responsible for property lost, damaged or stolen from grave sites.

SECTION 7 INTERMENTS

- A. Floral Hill Cemetery shall be given thirty-six (36) hours' notice prior to the opening and preparation of a grave space for interment. Any and all applicable fees for preparation, opening, closing, replacing of sod and seeding of the grave space must be paid prior to performance of the service. The Floral Hill Cemetery assumes no responsibility for the protection, maintenance, damage or vandalism to flowers, wreaths or any other item used in such funeral or interment proceedings.
- B. No burial will be permitted unless and until a legal Report of Final Disposition Burial Transit Permit has been presented to the cemetery sexton. The interment of bodies of persons who have died of a contagious disease shall be made in strict accordance with the rules of the Wisconsin State Board of Health.

Further, the following guidelines shall apply:

1. Only human remains may be interred in the Floral Hill Cemetery.
2. Orders for burial given by the undertaker having charge of the burial of any person will be construed by the Cemetery Commission as orders from the lot owner themselves and, after interment; no changes in the location of graves will be made except at the expense of the lot owners.
3. Winter burials shall be allowed. However, an additional fee will be charged as established by the Cemetery Commission.
4. The interment of two (2) bodies in one (1) grave will not be allowed except in the case of a parent and infant (stillborn and up to the age of 2), two (2) small children buried at same time in one (1) casket, one (1) full size burial with one (1) cremation, or two (2) cremation burials.
5. Interments will be made only during daylight hours.
6. Interments will be made Monday through Sunday, an additional fee will be charged as established by the Cemetery Commission for weekends and holidays. Also an additional fee will be charged for burials after 3:00 p.m., this will need to be approved by the Sexton.

7. All interments shall be made in a permanently sealed outer burial container or sealed vault that is not constructed of wooden material.
8. All graves shall be excavated by the Cemetery Commission or its designated Contractor.

SECTION 8 CREMAINS

Cremains are the incinerated remains of a corpse. The cremation of a dead human body shall be considered as a final disposal of that body. Therefore, no additional permit covering transportation, interment or other disposal of the ashes of a cremated human body is required.

The following guidelines shall apply:

- A. Cremains must be disposed of in a respectable way.
- B. The scattering or dispersal of cremains over public grounds is not allowed in accordance with Wisconsin State Statutes.
- C. Two (2) cremains may be buried in a single grave space at the discretion of the Cemetery Commission.
- D. A fee for preparation, opening, closing, replacing sod and seeding of the cremation grave space must be paid to the City of New London prior to the performance of the service.
- E. Cremains must be placed in an urn vault which is a permanently sealed container that surrounds an urn, which should be constructed of a non-wood durable substance such as concrete.

In the event any such error shall involve the interment of the remains of any person, the Cemetery Commission reserves, and shall have, the right to remove and reinter the remains in the correct space or in another burial space of equal value and similar location as may be substituted.

SECTION 9 DISINTERMENTS

Disinterment is the removal of remains of a human corpse from their original place of interment to another site. The disinterment of bodies from graves in the Floral Hill Cemetery will be solely made by the Cemetery Commission or by its designated Contractor.

The following guidelines shall apply:

- A. Both Lot and Grave Space owners, and their heirs, desiring graves opened must first secure the necessary disinterment permit from the State of Wisconsin and deliver said documentation to the cemetery sexton.
- B. A disinterment permit issued by the State of Wisconsin is the only authority required by law to transport disinterred remains and to reinter those remains. A burial permit is not required.

- C. Authorization must be obtained from the Cemetery Commission before any disinterment can take place. All removals will be made under the Cemetery Commission's direction.
- D. No death certificate is required in order to obtain a disinterment permit because the original death certificate has already been filed with the state and the local registrar at the place where death occurred.
- E. For sanitary reasons, graves will not be reopened for inspection except for an official investigation.

SECTION 10 MONUMENTS AND MARKERS.

- A. The Cemetery Commission 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 stone work. The Cemetery Commission requires that grave markers, monuments, headstones, and foundations be set by a monument company/firm. Only one monument will be allowed upon a lot per owner and must not exceed to size restrictions. All monuments and markers, grass level or otherwise must have a concrete foundation with a border around the base of the monument. The size of the foundation (consider the 4" required border) will determine the largest size monument allowed, without first getting special permission from the Cemetery Commission who shall be the final word. A single gave foundation must not exceed 44" x 24", a double grave 88" x 24". Base and the tablet not to exceed 36" in height. Monuments will not be placed between December and March unless authorization is given by the Sexton.
- B. Monuments or markers, once placed on their foundation, shall not be removed without the authorization of the Cemetery Commission. The setting of monuments, stones and markers as well as the transportation of all tools, materials, etc. within the cemetery shall be subject to the supervision and control of the Cemetery Sexton.
- C. There shall be no above ground burials.
- D. The Cemetery does not supply monuments, name plates or gravesite markers.
- E. Authorization must be obtained from the Sexton prior to removing any monuments or markers.

SECTION 11 RIGHTS OF THE CEMETERY COMMISSION

- A. The Cemetery Commission reserves the right for its employees and/or contractors to enter upon, across or through any lot in the cemetery, move any memorial/headstone in the course of carrying out the normal and accepted performance of their cemetery operations without notice. The Cemetery Commission, or its employees, assumes no liability for damages to property (including the Memorial/headstone or the concrete foundation the memorial/headstone is placed upon) or of person or for physical or mental suffering arising out of the performance of: normal cemetery operations, acts of vandalism, other damage or acts beyond its normal and reasonable control. The Cemetery Commission reserves the right to construct, change or close roadways, water mains and other physical public properties of the cemetery.

- B. The Cemetery Commission will take all reasonable precautions to protect all private property, lots and/or grave owner's property in the cemetery from either loss or damage. But, the Cemetery Commission distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control and especially from the acts of thieves, vandals and rioters and from all acts of providence and nature including wind, tornadoes, hail, snow, rain and frost, regardless if the damage is direct or proximate.

All above rules and regulations are governed by Wisconsin State Statute Chapter 157 – Disposition of Human Remains.