

THE VILLAGE OF WALDO CEMETERY BYLAWS

Declaration of Policy:

Adoption of these bylaws supersedes all previous bylaws or statutes.

The Waldo Village Board of Trustees (hereinafter, Village Board) hereby ordains that the following bylaws be established to govern the proper operation and use of the Village of Waldo Cemetery, now or hereafter established. The village desires to have its cemeteries maintained in the best economically manner and firmly believes that these policies are necessary for the protection of lot and grave owners, and for the proper conduct and good order of the cemeteries.

Application of the Rules and Regulations:

The Village Board, upon majority vote of the members elect and for good cause, may modify, suspend, repeal, or amend the provisions of these policies in whole or in part. It is the intent of the Village Board that if any provisions of these bylaws are held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the remaining provisions or parts thereof.

General Regulations:

The following shall be the general rules and regulations for the use of the Village of Waldo cemetery:

Conduct in Cemeteries: No person shall:

1. Enter a cemetery except through an established gate or entrance way
2. Pick or mutilate any flowers, either wild or domestic or disturb any tree, shrub, or other plant material other than on a lot owned by that person/family or with the express permission of the lot owner.
3. Use the cemeteries as a picnic ground, or, other than in connection with a religious service, consume or possess alcoholic beverages in a cemetery.
4. Use any form of advertising on cemetery premises.
5. Discharge firearms in or adjacent to any cemetery. This prohibition shall not apply to authorized volleys at burial services conducted by recognized military organizations or associations of the United States of America.
6. Injure or deface any monument, stone, fence, or other structure or property within any cemetery.
7. Allow dogs or other domestic animals to run at large within the cemetery
8. Allow any child under the age of ten (10) years in the cemetery unless accompanied by an adult.

Traffic Regulations

No person shall operate or cause to operate any vehicle within a cemetery except on roads designed for that purpose. No vehicle shall be driven in excess of five (5) miles per hour upon any road within a cemetery.

1. No person shall unload any stone, dirt, or other material from trucks in any cemetery, except the Village of Waldo Public Works Department in the normal discharge of their work, unless permission has been received from the Village Board or board designee.
2. Any person operating a vehicle within any cemetery shall be subject to all the traffic laws of the State of Wisconsin applicable to motor vehicle operation.
3. Snowmobiles, ATVs, and go carts are not allowed within the boundaries of the cemetery except for the following: Village of Waldo Public Works Department will be allowed to use all and any motorized equipment to complete the assigned jobs.

Plot Size Established:

Unless otherwise expressly designated, standard plot size for the cemetery is hereby established as being four (4) by ten (10) feet.

The maximum number of bodies to be buried on a gravesite shall be four (4). There are two scenarios for these four burials. (1) There may be one traditional vault burial with up to three (3) cremation burials above the traditional vault. (2) There may be up to four (4) cremation burials in one gravesite if lot has no previous inurnments.

Purchase and Conveyance of Plots:

Conditions of Plot Purchases: Plots purchased in the plot sections of the Village of Waldo Cemetery, shall be conveyed by a special deed for human burial purposes only, and shall be subject at all times to the provisions of the Village of Waldo Cemetery Bylaws, along with any articles or agreement or applicable state laws.

Purchase Procedure: Plots in the cemetery shall be selected and purchased from and with the consent of the Village of Waldo Clerk, or his/her designee. Payment for lots purchased shall be made to the Village of Waldo Clerk. Such purchase shall be evidenced by a deed prepared by the Village of Waldo Clerk. Such deed shall give the following information: Name of the purchaser, purchase price, the amount paid, plot number and section in which located, and shall be presumptive evidence of ownership of the plot(s) described therein. It shall be the responsibility of the Village Board or its designee to control the funds so they may be expended as best to serve the purpose for which they are raised.

Transfer of Plots:

No transfer, assignment, or other conveyance of any plot shall be made by any owner without the express written approval of the Village of Waldo Clerk, and all transfers shall be recorded in the cemetery records.

Charge for Plots:

1. The Village of Waldo hereby establishes a fee structure for cemetery plots, burial services, staking, monument setting, and all related cemetery services. Fees for all cemetery services, including resident and non-resident rates, shall be established by resolution of the Village Board and maintained in the official Village of Waldo Fee Schedule, as may be amended from time to time.

The Village Clerk shall administer and apply the fee schedule established by the Village Board.

2. Eligibility for resident rates shall be based on the following residency criteria:
 - A. Current residency within the Village of Waldo at time of purchase; or
 - B. Ten (10) consecutive years of prior residency in the Village of Waldo.
3. Any purchaser who does not meet the criteria set forth in subsection B(1) or B(2) shall be classified as a non-resident and charged the non-resident rate established by Village Board resolution.
4. It is the responsibility of the purchaser to provide proof of residency at or prior to the time of purchase.

Perpetual Care is Defined as:

The general upkeep of lots is limited to mowing, trimming, reseeding where necessary.

Cemetery Maintenance

Responsibility of the Village of Waldo Department of Public Works. The Village Board shall determine what acts are necessary to improve and maintain the appearance and condition of the cemetery with advisory input from the cemetery committee. Without limiting the generality of the foregoing, the Village Board shall address such items as the upkeep of the drives, spring and fall clean up, raking of leaves and the general periodic mowing of grass.

Planting of Trees and Shrubs: No trees or shrubs shall be planted in any plot in the cemetery by any person or persons without the express approval of the Village Board, or its designee, and installed under the direct supervision of a Village of Waldo Public Works employee. Existing trees or shrubs may be removed by the Village of Waldo Public Works employee if deemed in the best interest of the cemetery, infringes or abutting plots, or if inconvenient to the care and maintenance of plot(s).

Size Restriction on Trees or Shrubs:

Maximum growth Height 4 ft

Maximum growth Diameter 30 in.

Grading: No person shall do any grading causing the surface of the ground to be raised above the existing height of the surrounding area. No person shall discharge any chemical or organic fertilizer herbicide.

Curbs and Fencing: No curbs or fences or other similar barriers shall be permitted around any individual or group of plots without prior written authorization from the Village Board.

The placing of boxes, shelves, ornaments, chairs, settees, glass, wood, or iron cases and similar articles upon a plot shall not be permitted, and if so placed, the Village Board shall reserve the right to remove the same.

Monuments and Markers:

All of the following monuments/markers will be installed under the supervision of the Village of Waldo Clerk or his/her designee.

No monument or grave marker shall be erected upon a lot, for which has not been fully paid. Monuments will be at the west end of the lot, markers at the east end of the lot. Monuments and markers must be permanent, of non-biodegradable material and not subject to deterioration.

Monument / Marker Specifications:

Maximum dimensions: Length = 4ft, Height = 3ft, Width = 1.5ft

Monument Foundation Specifications:

Length / Width: 4 inches larger on all side than the monument

Depth: Not less than 6"

Note: Single grave monuments/ markers and foundations shall not exceed the plot limits. For example, a single plot being 4 feet wide x 10 long, the foundation must stay within the 4-foot limit. The foundation must meet the specifications listed above. Monuments used for more than one grave must conform to the specification listed above.

Workers engaged in placing stones, or removing excess ground, shall provide suitable boards on which to move the same, or on which to run trucks and immediately after work is completed, all rubbish is to be cleared away and the ground left clean and in good condition. Adjoining lots, paths, or roads where work is being done must not be blocked or damaged. All workers engaged in erecting monuments or other structures are prohibited from tying ropes to trees, shrubs, or other objects. The workers shall not litter the grounds longer than is necessary. Surrounding lots are to be restored to their proper condition. In cases of neglect, removal or repair work will be made by cemetery employees at the expense of the lot owner or contractor.

Preparation of Grave: The preparation of graves and laying out of graveside ceremonial material shall be the responsibility of the funeral director. Any individual party or family may request such preparation dispensed for a particular service.

Hold Harmless: The Village Board, the Village of Waldo Clerk, or his/her designee and their agents shall not be responsible for any damages that may occur as a result of the respective funeral director leaving the cemetery prior to the vault cover being placed.

Interment and Disinterment

No interment shall be made without permission from the Village of Waldo Clerk. Interment shall be made in a concrete or better-quality crypt or box. The owners of lots may allow the interment of others than their immediate family, provided permission is given in writing and the same is filed with the Village of Waldo Clerk. Disinterment and removal of the body shall not be made without the permission of the Village Board, the lot owner, and the next of kin of the deceased and all permit and permission granted by the Sheboygan County Coroner's Office.

For burials, the funeral director must give the Village of Waldo Clerk a two (2) business day notification. If notice is given on a Friday before noon, burial will be on Monday after 1:00 p.m. When notice is received after noon on Friday, burial will take place no earlier than Tuesday. A Monday notice will result in a Wednesday burial and so on. An exception will be made to this if notification is made on a Thursday, a Sunday burial may be held.

Changes of Bylaws

These bylaws may be changed or amended as the Village Board sees fit, by a majority vote of the trustees in whole, at any regular meeting.