

# Woodlawn Cemetery Rules and Regulations

Woodlawn Cemetery Association, a non-profit established March 28, 1859, is a cemetery open to all. The rules and regulations of Woodlawn Cemetery Association outlined here apply to all owners and visitors of the cemetery. All graves/niches within the cemetery shall also be subject to these rules and regulations and all amendments approved by the Board of Trustees going forward.

It is a final resting place for the departed and it is the mission and commitment of Woodlawn Cemetery Association to maintain and preserve this place in perpetuity. The following rules and regulations are in place to ensure that.

## Rules and Regulations:

### I. Management of the Cemetery:

Management and regulation of all operations are determined by Woodlawn Cemetery Association and subject to both the laws of the State of Wisconsin and the association. Day-to-day operations are overseen by the Cemetery Executive Director appointed by the Woodlawn Association Board of Trustees.

II. Hours of operation and visitation: Woodlawn Cemetery shall be open to guests from dawn until dusk every day for the purpose of burial/internment of loved ones or visitation of them. There is a longstanding tradition of visitors engaging in behavior that supports respect for the dead and respect for those visiting the cemetery. All those on the cemetery grounds are expected to observe respectful courtesies and avoid unbecoming behaviors while there. Woodlawn Cemetery Association reserves the right to compel all persons coming into the cemetery to adhere to the rules and regulations of the cemetery and has the right to refuse admission to anyone not a member or to anyone not complying with these rules and regulations.

### III. Maintenance of Cemetery Grounds & Decorations

The Cemetery grounds will be maintained under the supervisor and direction of the Executive Director. This will include maintaining the grounds, repairing the roadways and removing all debris from designated collection places or containers. Grave decorations and flowers are welcome when supplied by the family and when they comply with the cemetery rules and regulations. No signs, notices, or advertisements of any kind are allowed on the cemetery grounds and soliciting within the cemetery is prohibited. Firearms are not to be brought onto cemetery property except by police officers or military escort accompanying a veteran's funeral or attending memorial services. Weeding, planting and caring for annual or perennial flowers within designated areas near grave memorials are the duty of our deceased's' loved ones. All unattended plantings or unapproved plantings such as trees and shrubbery will be removed at the Association's discretion. Fresh floral/planted pots that become unsightly, and artificial arrangements that have become faded and unsightly will be removed without notice. Planters for perennials and vases for cut flowers/artificial arrangements should be part of or attached to the monument, unless placed in the designated areas. Planters that are not in use or in disrepair will be removed. Metal planting baskets on poles may be placed alongside of graves. The cemetery is not responsible for planters/plantings damaged by trimming. Any plantings existing that infringe on gravesites, have become unkempt, planted without prior approval, will be removed in entirety.

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Woodlawn Cemetery Association reserves the right to remove any decorations it determines does not follow this requirement.

Shrubs and trees may only be planted by cemetery staff in places determined by Woodlawn Cemetery Association. All trees and shrubs of any kind shall be planted, trimmed, cut, or removed only by cemetery staff or contractors authorized by Woodlawn Cemetery Association Board or authorized contractors. Trimmings, dead flowers, or refuse from weeding should be removed from the grave areas and placed in trash receptacles or removed from the cemetery and properly disposed of elsewhere. All grave decorations must be removed before the beginning of the next season. Weather permitting; the cemetery performs a complete clean off beginning April 15th in spring, and October 15th in autumn. It is the responsibility of lot owners to remove any decorations or other items they want to keep by that time. On or after those dates, cemetery staff will remove all wreaths, flowers, or other grave decorations and dispose of them. New decorations can be placed on the gravesites after April 15th and after October 15<sup>th</sup>. Dates are subject to change and will be published on the website/Facebook. American flags are permitted year-round on the graves of veterans.

In the event that any condition is in non-compliance with these rules and regulations, the Executive Director reserves the right to remove items and correct any condition without notice.

Only pets of visitors are allowed on the cemetery grounds provided they are properly leashed and their waste picked up.

#### IV. Purchase of Burial Rights (Grave Spaces or Niches):

Anyone wishing to purchase burial rights shall contact the Executive Director who will meet with the intended purchaser/s. A purchase agreement will be prepared by the Executive Director when burial rights are granted by the Cemetery to owners. All monies for burial rights shall be made payable to Woodlawn Cemetery Association. All purchasers will receive a copy of said agreement and a receipt for the purchase price upon payment in full. The purchase agreement is the document that establishes the right of burial and ownership. No person will have burial rights in any space unless his/her name appears on the cemetery records for the space. Past contracts or deeds issued to owners shall serve as proof of ownership for burial sites. Once purchased, the ownership remains with the original purchaser and his/her/their heirs. Owners will incur additional fees for the opening & closing of the grave space or niche at the time of a death.

Woodlawn Cemetery Association reserves the right to refuse permission for interment of anyone who, at the time of death, is not the owner of the burial rights or an authorized descendant or relative of the owner by blood or marriage. Memorials may not be installed, nor plantings placed until the full purchase price has been paid. Should the purchaser of burial rights fail to carry out the terms of the purchase agreement, Woodlawn Cemetery Association may declare the said agreement cancelled and all rights of the purchaser in and to the grave space or niche forfeited. Money remitted may be held or returned, depending on the situation.

V. Transfer of Burial Rights: Woodlawn Cemetery Association MAY repurchase unused burial sites from owners. (Grave Space/Niche) The amount paid will be the same as the original purchase price. The use of burial space is for the owner of the sites or relatives as outlined in VII-B below. An owner may sell their unused burial site for whatever purchase price they choose to whomever they choose, subject to

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approval by the Executive Director and/or the Board of Trustees. Any return or transfer of burial rights must be recorded by Woodlawn Cemetery Association and is subject to the current fees for such.

VI. Descent of Burial Rights to Heirs: A burial right is an intangible asset, not subject to any will or personal gift. It must be assigned by a legitimate owner of burial right or a group of owners based solely on adopted cemetery policies and practices. Woodlawn Cemetery Association encourages the use of the Burial Right Assignment Form to avoid uncertainty and conflicts over unassigned burial space in the future. These steps should be followed for unassigned burial space:

1. Unassigned burial sites continue beyond the death of the original purchaser/s to blood descendants. Spouses have joint tenancy. The spouses of any direct heirs have precedence in future burials assignments over their children.
2. The first to hold burial rights is a surviving spouse or domestic partner.
3. If there is no surviving spouse, then to any children; if there is more than one, they all share the rights equally and must all agree to every assignment.
4. If there is/are no surviving children, then to any grandchildren; if there is more than one, they all share the rights equally and must all agree to every assignment.
5. If the purchasers have no children and no direct survivors, the burial rights go to the surviving siblings of the purchasers and those descendants.
6. Woodlawn Cemetery Association shall be held harmless for any decision made by a majority of the owners of the of the burial right.
7. Burial rights can be revised at any time by the rights holder/s to accommodate cremation burial or an accidental/sudden death. Burial rights can be assigned to anyone subject to the approval of the Woodlawn Cemetery Association.
8. In at-need situations, the deceased and his/her surviving spouse may be granted burial rights by the holder/s of burial rights.
9. The Cemetery Association has the right and power to make prudential final judgments about complicated and pressing burial arrangements so that the spirit of these steps is kept, even if the precise letter is impossible to attain.
10. Woodlawn Cemetery Association follows the requirements of Wisconsin Stat. S.S. 157.10. Refer to that chapter for complete language.

VII. Interments: All interments are to be arranged through the Executive Director. Only the Executive Director, Board President of Woodlawn Cemetery Association or their designee may authorize the opening of any burial space. The written permission of the lot owner or their immediate heir is required for interment to take place. Orders for interment must be given by the owner of the lot or legal representative. When the instructions from the lot owner regarding a burial cannot be obtained or are indefinite, or when the interment space cannot be opened when specified, for any reason, Woodlawn Cemetery Association may, at its discretion, open a grave in such location as it deems best and proper,

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so as not to delay the burial. Woodlawn Cemetery establishes the required fees for opening and closing. This fee is due no later than the time of interment. All funeral processions shall be under the supervision of management within the cemetery, as well as all elements of the burial ceremony within the cemetery.

Full Body Interments: A civil burial permit as required by Wisconsin law must be presented before interment can take place in the cemetery. Winter burials are subject to procedures contained in Wisconsin State Law (157.114) but can be modified by agreement of Woodlawn Cemetery Association and the responsible party arranging the burial according to preferences and weather conditions. Additional fees can be charged to complete a winter burial. One full body burial is permitted per grave space. In order to maintain a proper standard of care and to eliminate sunken graves caused by collapse of wooden boxes or other weak materials, it is required that all caskets be placed in suitable burial vaults.

Cremations: The cremated remains of 2 individuals may be inurned in one single grave space. In addition, the cremated remains of one individual may be placed in the same grave space with a full body burial provided there is ample room to do so. Cremated remains cannot be accepted until and unless the space for burial is verified, unless the date of interment is scheduled and unless all necessary paperwork is received. Cremation burials must be scheduled through and monitored by the Executive Director of Woodlawn Cemetery or appointed designee. Inurnment of cremated remains must be in a vault if future recovery is potentially desired. Spreading/scattering of cremated remains on top of the ground, on existing graves, with existing graves, or anywhere in the cemetery is absolutely not allowed.

Disinterment: The disinterment of the remains of a deceased person and re-interment to another plot in the same cemetery or in another cemetery are governed by the Statutes of the State of Wisconsin. Proper documents with signed permissions from the county coroner/medical examiner, pastor/pastoral director and next of kin must be given to the Executive Director prior to any disinterment. Woodlawn Cemetery Association, exercising due care in the disinterment and removal, shall assume no liability for the damage to any casket, outer burial container or grave memorial and shall retain control of the scheduling and manner of disinterment. It also determines appropriate fees for disinterment. Using their equipment, only persons employed or contracted by Woodlawn Cemetery Association shall be used in making interments or removals. Cemetery personnel or their contracted services will not be held responsible for damages or injuries resulting from defects or deterioration in burial vaults (outer burial containers).

VIII. Memorials and Markers: Woodlawn Cemetery reserves the right to grant permission for all grave memorial work to be done in the cemetery, including installation of memorials and foundations, engraving and cleaning. The responsibility of keeping any grave memorials in a safe and proper state of repair is up to the owner, the heirs or assigns. If no heir or assign can be located when a memorial needs repair, Woodlawn Cemetery Association may assume responsibility to return the memorial to a safe and proper state using cemetery operating funds.

A marker impeding movement of equipment or human approach to a new burial site may be removed temporarily and then replaced on the original location by the Executive Director's authorization. Bronze markers from the US Government for military veterans are permissible, either as the prime memorial at the head of a grave or as a footstone in conjunction with a headstone. Even though the marker is given as a tribute by the government, they must be placed on a foundation and the payment for the

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foundation and setting must be paid prior to the order being placed. All interments must be marked by an appropriate head or foot stone, or by a temporary marker provided by the funeral home, identifying the person interred. No burial site is to be left unmarked. While temporary markers provided by a funeral home are permitted, they will be removed within 6 months of placement. Temporary grave markers of any other material (not provided by the funeral home) are not permitted. Permanent markers should be placed within two years of the death. The base of the monument shall be no longer than two-thirds of the lot. The Board reserves the right to authorize the removal of such markers, etcetera, installed without permission, or which may be considered inappropriate language or graphics, at the owner's expense.

Woodlawn Cemetery provides configurations and proper measurements. Memorials may be placed on a grave before or after burial. With pre-need placement, the family or responsible party is obliged to arrange for placing the correct death date on the memorial. A concrete foundation is required for all memorial markers. Foundations and flush markers will be placed by Woodlawn Cemetery Association employees in order to stabilize the memorial and ensure its proper location. When monuments or markers have been placed in violation of any of these rules, Woodlawn Cemetery Association reserves the right to remove them at owner expense until such time its placement is compliant with the above regulations.

IX. Vandalism: Woodlawn Cemetery Association is not to be held responsible for vandalism. If vandalism occurs, Woodlawn Cemetery Association will file reports with local police. Also, Woodlawn Cemetery Association will repair any vandalism promptly to the grounds and other areas maintained by the cemetery. Woodlawn Cemetery Association will not repair any vandalism to monuments and markers. Lot owners who can be located will be notified of the vandalism. It is the responsibility of the lot owner to make arrangement for repairs and pay the incurred costs

X. Correction of Errors: Woodlawn Cemetery Association reserves, and shall have, the right to correct any errors that may have been made either in making interments, disinterment or removals, or in the description, transfer or conveyance of any sites or burial space. This includes canceling such conveyance and substituting and conveying in lieu thereof other interment rights of equal value and similar location. The changes will, as far as possible, be selected by Woodlawn Cemetery Association and money paid on account of said purchase will be refunded. In the event any such error shall involve the interment of the remains of any person, the Woodlawn Cemetery Association 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 in lieu thereof. (Wisconsin Statutes 157.112 (1) (2))

Xi. Management Prerogatives: Woodlawn Cemetery Association reserves the following rights with proper notification of lot owners:

1. to enlarge, reduce, re-plot, or change the boundaries or grading of any section(s) of the cemetery.
2. to modify or change the location of, or remove or re-grade roads, drives or walks, or any part thereof.
3. to lay, maintain, operate, alter, change, or remove pipelines, water systems, electrical service, gutters, drainage, planting, or monuments.

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4. to use cemetery property unsold as lots for other purposes, such as storage areas for landfill or other incidentals.
5. to buy/sell acreage and to open new sections when they determine it is appropriate.
6. to themselves and to those lawfully entitled thereto a permanent right of ingress and egress over plots for the purpose of passing to and from other plots.
7. to set hours of operation of the cemetery for visitors and workers.
8. to remove or cause to be removed any individual who does not observe appropriate behavior within or near the cemetery boundaries.
9. to make temporary additional rules which may be needed from time to time, to meet emergency or other situations, which are not covered by these regulations, the cemetery regulations, or Wisconsin Law.
10. to change any policy, procedure, rule or regulation at any time with proper notice to lot owners, grave owners, contractors, builders, monument dealers or any other persons interested in the cemetery.