

North Cape Cemetery

Typical Rules and Regulations

September 2024

THESE RULES AND REGULATIONS SUPERSEDE AND REPLACE ALL PRIOR REVISIONS, AGREEMENTS AND UNDERSTANDINGS (WHETHER ORAL OR WRITTEN).

General Rules and Regulations

1. Use of the cemetery shall at all times be subject to the limitations, restrictions, and conditions of all Canons, rules, regulations, laws, and discipline of the North Cape Lutheran Church and the Wisconsin Cemetery Division, either now in force or hereafter enacted.
2. A permit for Christian burial shall be issued by the Cemetery board member prior to opening any grave in the North Cape Cemetery.
3. Payments and fees
 - a) All graves must be paid in full **at the time of purchase** before the deed is issued. The graves cannot be held without payment.
 - b) Each grave site will be \$700.00. Fifteen percent of fees collected will be placed in a perpetual care fund, and the balance will be placed into a general operating fund for the cemetery. The congregation may choose to change the price at any time.
 - c) A grave maintenance fee of \$350.00 will be charged at the time of burial of human remains or cremains.
 - d) Staking and staking fees for monuments and stone markers will be done by Greg Hoppe Excavating with the assistance of a cemetery board member.
4. Graves shall not be opened in North Cape Cemetery; no services shall be performed in connection with the interment; nor monuments or memorial markers erected until all of the following conditions have been met:

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- a) The location and ownership of the grave has been established and verified by the Cemetery board.
 - b) The cost of the plot and grave-site excavation fees have been paid in full.
5. Purchasers of a plot acquire the right of erecting monuments or markers therein, subject to the conditions, rules, and regulations now in force or which may hereafter be enacted. A certificate for a plot does not grant any privileges further than herein specified. Those who wish to sell their plot must first tender the option of purchase to the North Cape Cemetery Association for an amount equal to the original contract price. **The North Cape Cemetery Association retains the right of first refusal for the purchase of any resold plot or portion thereof. The deed must be returned prior to any refund of the purchase price.** The transfer of ownership of a grave site to a third party is subject to the consent and approval of the North Cape Cemetery Association. If a parishioner, who purchased a grave site that no one has yet been buried in, wants to exchange their grave site with another spot in the cemetery, a \$50.00 administrative fee will be charged per grave. The original deed must be turned in as well. A member who has paid for a grave may choose to give use of said grave to a relative or friend.
6. The burial of a deceased person requires the purchase of a full-size grave, the opening and closing of the grave, and placement of the casket or urn into a permanent outer burial vault as a protection against future grave settling. Individual grave sites in the North Cape Cemetery may be used for the burial of a single casket, one or two cremation urns, or a combination of one casket and one cremation urn, if the grave is deep enough. Other

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combinations of caskets and urns are not allowed. All of the requirements for traditional interments hold true for each of the companion interments.

7. The North Cape Cemetery Association shall be notified at least 48 hours in advance of any planned excavation or interment. All graves must be marked in advance by Greg Hoppe Excavating with assistance from the North Cape Cemetery Association or their representatives before any digging begins. All labor performed in the cemetery, including improvements to the cemetery grounds shall be done by or through the North Cape Cemetery Association or under their explicit direction. Anyone wishing to make improvements or have work performed must present detailed plans and seek approval from the North Cape Cemetery Association or their representatives.
8. Pets and Animals are not permitted on the North Cape Cemetery grounds. Guide dogs for the visually impaired and other service animals are permitted. Service animals must be leashed and under full control of a responsible person. No pets shall be interred in the cemetery, either alone or along with human remains.
9. Children, under the age of 16, shall be under the direct supervision of a responsible adult at all times. Children should not be allowed to play on or near cemetery markers and headstones. Groups with children, as defined, must have responsible adult chaperones, generally one per every five (5) to ten (10) children.
- 10.Noise
 - a) Since these are sacred, consecrated grounds, disturbing noises including but not limited to yelling, loud conversations, sounding of horns, sirens and loud radios are not permitted in the North Cape Cemetery. No

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audio equipment may be used in a cemetery without the permission of the North Cape Cemetery Association.

11. Care and Adornment of Graves

- a) Landscaping of individual graves will take place after an appropriate settling time: No less than five months and no more than eleven months. Time is based on soil conditions, weather, and seasonal changes at the discretion of the North Cape Cemetery Association.
- b) All graves will be kept level with the ground. Mounds over graves are not permitted.
- c) All plants, flowers, planters, and flower baskets must be planted within the one-foot planting area located on the front side of the monument or marker. Other objects placed on graves that are not covered by these rules and regulations must be kept within this same one-foot area. Shepherd hooks (regardless of size) and decorative borders enclosing the perimeter of the grave site are not permitted due to the potential harm of the grounds keeping crew.
- d) All existing trees, shrubs or other objects located in the cemetery: In the opinion of the North Cape Cemetery Association, any item that becomes dangerous or inconvenient to pedestrians; becomes detrimental to the adjacent plots or alleys; hinders routine maintenance; or detracts from the general appearance of the grounds, the North Cape Cemetery Association shall have the right to remove these items or whatever parts as may be required.
 - e) Vases, urns, wreathes, foam containers, flags, flag standards, and other decorations will be permitted on graves if they are properly taken care of by the owner. All containers must be in accordance with 11c above. Glass containers are not allowed under any circumstances.

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As soon as flowers or other decorations become unsightly, they should be removed. Unwanted decorations (e.g. plastic/nylon ribbons, empty plastic containers, wire, plastic and all synthetic material, etc.) should be removed by the individual or family members.

12. Monuments and Markers

- a) Markers and monuments are to be of usual (permanent construction), customary design and proportion. All monuments must be placed in a manner as to maintain whenever possible, a proper alignment consistent with grave monuments on adjacent lots. Monumentation is restricted in some sections of the cemetery due to design, access, or maintenance requirements. The North Cape Cemetery Association also reserves the right to deny erection of offensive or undesirable monuments and to remove such if they are erected without permission.
- b) No more than two markers (e.g., one primary and one secondary) are permitted on any individual grave site in the North Cape Cemetery.
 - (1) Approved primary markers are classified as upright, flat, flush, bronze flat markers or ledger.
 - (2) Additionally, one smaller, secondary flush marker is allowed per grave site.
 - (a) The secondary marker must be centered within the one-foot planting area immediately in front of the primary marker.
 - (b) No additional planting area is provided in front of or adjacent to the secondary marker.

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- c) All monuments must be erected on a permanent concrete foundation of at least 48" in depth as to prevent settling or shifting over time. An approved footing design document is available in the North Cape church office upon request. Repair or replacement of monuments and footings is the responsibility of the family of the grave site holder. [Note: The family of the grave site holder comprises all relations within the third degree of consanguinity and second degree of affinity.]
- d) All monuments, memorials and grave markers shall display Christian symbols. The North Cape Cemetery Association reserves the right to review and approve all custom etched or personalized designs, epitaphs, quotations, and slogans to be engraved on markers and monuments. Traditional monument designs with family names and dates do not require prior approval before engraving and installation.
- e) No pet monuments, markers or burials are allowed in the North Cape Cemetery.
- f) The North Cape Cemetery Association reserves the right to review, approve or deny any variances to these requirements.

13. Perpetual Care

- a) All graves, reflecting areas and grounds shall be maintained under the terms of perpetual care provided by the North Cape Cemetery Association.
- b) Perpetual Care includes the entire maintenance of the cemetery, except watering and monument repair as described in section 12c.
- c) North Cape Cemetery Association shall not be held liable for damage to monuments, markers or adornments caused through the normal course

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of maintenance conducted for perpetual care, caused by contracted services, vandalism, or natural or unnatural disasters.

This document represents a summarization of a broader set of policies and practices used for the day-to-day administration of the North Cape Cemetery. The North Cape Cemetery Association reserves the right to resolve any and all issues not directly specified to this document using the rules and regulations developed by the Wisconsin statutes. (Reference: <http://www.cemeteries.org>)

Issued by the North Cape Cemetery Association
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