

CITY OF PLYMOUTH, WISCONSIN

Ordinance No. 10 of 2019

AN ORDINANCE AMENDING CHAPTER 4,
SPECIFICALLY SECTIONS 8-4-4, 8-4-5, AND 8-4-6,
OF THE MUNICIPAL CODE OF THE CITY OF PLYMOUTH,
WISCONSIN REGARDING CITY CEMETERIES

WHEREAS, pursuant to Wis. Stat. § 157.50, the Common Council of the City of Plymouth shall by ordinance determine the system of cemetery management and operation; and

WHEREAS, the Common Council finds that revisions to the City's cemetery regulations are necessary for the good order of the City and the health, safety, and general welfare of the public.

NOW, THEREFORE, the Common Council of the City of Plymouth does hereby ordain as follows:

Section 1. Amending Code. Sections 8-4-4, 8-4-5, and 8-4-6, City Cemeteries, of the Municipal Code of the City of Plymouth are hereby amended as follows (additions shown by underscore, deletions by strikeouts):

"SEC. 8-4-4 INTERMENT AND DISINTERMENT.

No interment shall be made within the City cemeteries, without permission from the Superintendent of Cemeteries. ~~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 Superintendent of Cemeteries. Disinterment and removal of the body shall not be made without the permission of the Council or Superintendent of Cemeteries, the lot owner, and the next of kin of the deceased. No disinterment shall be made without the written permit issued by the Health Officer. The permit shall be filed with the Superintendent of Cemeteries.

Interment shall be allowed only in registered or authorized cemeteries.

SEC. 8-4-5 GRAVE REGULATIONS.¹

(a) All graves dug in any lot of the City cemeteries after March 20, 1945, shall be headed toward the west and headstones erected thereon shall be placed at the west end of such graves, and shall be set back eighteen (18) inches from the west lot line so that all such headstones will be in a uniform line extending north to south. Before any grave is dug in any City cemetery, the owner of the lot upon which it is to be placed shall consult the Superintendent of Cemeteries, and shall follow his directions relating to the position, as regards the line from north to

¹ Amended by Ordinance No. 7 of 2012. Enacted on April 4, 2012.

south, upon which the grave shall be placed. Any person erecting a headstone upon any grave in the City cemeteries shall also consult the Superintendent as to the position in which the headstone is to be erected.

(b) No grave in City Cemeteries shall be made or maintained with a crown above the level of the remaining portions of the lot upon which it is placed.

(c) The planting of perennials or annuals of a tall growth on graves is not permitted. One flower bed will be allowed on a lot. Flower beds shall be placed at the base of the monument, the width not to be over eighteen (18) inches and the length not greater than the width of the monument.

(d) Urns, boxes, flower beds, or any permanent decoration are not allowed on cremation designated lots. Only the head stone and/or military marker foot stone will be allowed. Fresh flowers may be placed at the grave site, but may be removed at the discretion of the Superintendent of Cemeteries or his or her designee.

(e) All buried corpses shall be interred in a concrete or better quality crypt or box.

(f) Cremated remains may be buried in a container made of natural products if the container is smaller than 250 cubic inches and the remains have been reduced to a particle size of one-eighth inch (1/8") or less.

(g) Cremated remains may be buried without a container if remains have been reduced to a particle size of one-eighth inch (1/8") or less.

SEC. 8-4-6 MONUMENTS, MARKERS AND VAULTS.²

(a) No monument or grave marker shall be erected upon a lot which has not been fully paid for.

(b) Before any monument or headstone is constructed or placed upon any lot or grave site, a permit therefore shall be secured by the lot owner from the Superintendent of Cemeteries which shall contain such information and data as may be prescribed by the Council.

(c) Foundation for monuments must not be less than five (5) feet deep and not less than three and one-half (3-1/2) feet deep for markers. They must be constructed of concrete four (4) inches larger on each side than the base of the monument or marker and of the same dimensions from top to bottom and shall not project above the surface level with top of same to have smooth trowel finish.

² Amended by Ordinance No. 7 of 2012. Enacted on April 4, 2012.

(d) Dealers or manufacturers cards or advertisements shall not be marked on any stone or placed anywhere within the cemetery limits.

(e) Workmen 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 workmen engaged in erecting monuments or other structures are prohibited from tying ropes to trees, shrubs or other objects. The workmen 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.

(f) The Council or the Superintendent of Cemeteries shall have the right to enter and remove from any lot, any monument, effigy or enclosure, or any structure, which shall be determined by them to be improper, offensive or injurious to the appearance of the cemeteries.

(g) The placing of boxes, shelves, ornaments, chairs, ~~settees~~, glass, wood, or iron cases and similar articles upon a lot shall not be permitted, and if so placed, the Council or Superintendent of Cemeteries shall reserve the right to remove the same. Urns may be placed on a cemetery lot provided they are placed on a foundation level with the ground, and extending four (4) inches on all sides of the base of the urn. Before any urn is placed upon a lot, permission therefore shall be secured from the Superintendent of Cemeteries.

(h) The cemetery authorities will not be responsible for any damages to the lots or structures thereon, or for flowers or plants removed from any lot. ~~Any damage or loss shall be reported to the Superintendent, who shall endeavor to discover the offender.~~

(i) Lot owners are prohibited from placing any curbing or fences around their lot. The Council may remove the curbs or fences at the cost of the owner of the lot in case of violation of this Section.

(j) Any lot owner, desirous of constructing a mausoleum, in either of the City cemeteries shall apply for permission to the Council. Plans and specifications must be submitted with the application. In addition to any conditions that may be imposed by the Council, the proposed mausoleum shall conform to the requirements of the Wisconsin State Board of Health.

(k) The maximum number of bodies buried on a gravesite shall be four. One vault per gravesite shall be permitted, with up to three additional permitted if remains are cremated, for a total of four. *(Revised 07/09)*

(l) No animals may be buried in the cemetery.

(m) Each gravesite is allowed one head stone and one foot stone installed flush to the ground. Military markers are considered a foot stone if not mounted on the head stone. Grave markers must be installed upon the gravesite and not encroach onto adjoining gravesites or walkways.

(n) Each gravesite in the designated cremation plot area is allowed one head stone installed flush to the ground and shall be flat or horizontal to the ground. Such flat head stone shall be approved by the Superintendent of Cemeteries or his or her designee.

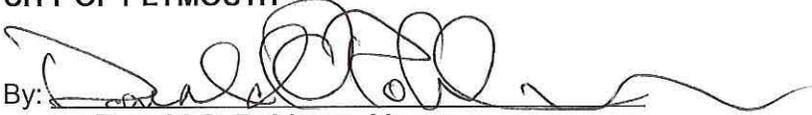
(o) No video, sound, or electronic displays will be allowed on gravesites."

Section 2. Severability. Should any portion of this Ordinance or the affected Municipal Code Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. Effective Date. This Ordinance shall take effect the day after publication.

Enacted on July 18, 2019.

CITY OF PLYMOUTH

By: 
Donald O. Pohlman, Mayor

Date: July 9, 2019

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the City of Plymouth Common Council and approved by the Mayor on the dates indicated above.

Dated: July 9, 2019


Sabrina Dittman, Clerk

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