

Chapter 18

Public Works and Infrastructure

18-1 Establish System for Operation and Maintenance of Cemetery

ORDINANCE #18-1
TOWN OF DUNN CEMETERY ORDINANCE

Section 1: Title/Purpose

This ordinance is entitled the "Town of Dunn Cemetery Ordinance". The purpose of this ordinance is to establish a system for operation and maintenance of cemetery property acquired by the Town of Dunn.

Section 2: Authority

The Town Board of the Town of Dunn has specific statutory authority, powers and duties, pursuant to Sec. 157.50, (1991-1992) Wis. Stats., and its adoption of village powers under Sec. 60.10, (1991-1992) Wis. Stats., to acquire by gift, purchase or condemnation land for cemeteries within or without the boundaries of the Town of Dunn and to determine, upon any acquisition, by ordinance, the system of management and operation of the cemetery.

Section 3: Management and Operations

The Town meeting dated November 28, 1989 authorized acquisition of the following described real estate, known as the Dunn Burying Ground, for cemetery purposes for the Town of Dunn along with all funds, all assets and personal property associated with the existing cemetery in the Town of Dunn:

Lot 1 of Certified Survey Map No. 6586 in Section 21, T6N,
R10E, Town of Dunn, Dane County, Wisconsin.

The Town Board of the Town of Dunn shall provide for the management, control, operation and care for the Dunn Burying Ground. The Town Board of the Town of Dunn shall employ or appoint a person to be primarily in charge of the daily cemetery operations and supervision. Such person shall be the cemetery Sexton. The term of the appointment or employment shall be determined by the Town Board. The term shall not exceed three years, but the Town Board has authority to reemploy or reappoint the same person for additional terms. The initial term shall commence on September 1, 1994.

Section 4: Regulations

The Town Board of the Town of Dunn shall develop, approve by resolution, and enforce written regulations respecting the Dunn Burying Ground operations,

including any physical management and any fiscal management requirements, in compliance with Chapter 157, (1991-1992), Wis. Stats.

Section 5: Annual Statement

The Town Board of the Town of Dunn shall have prepared an annual statement of the transactions at the Dunn Burying Ground and the financial condition of the Dunn Burying Ground including an accounting of receipts and expenditures. The money received from the sale of lots at the Dunn Burying Ground shall be used by the Town Board of the Town of Dunn for the care and improvement of the cemetery, operation expenses of the cemetery and maintenance of roads in the cemetery.

Section 6: Conveyances and contracts

The Town Chairman and the Town Clerk of the Town of Dunn shall sign all conveyances for cemetery lots. The Town Clerk shall be responsible to maintain the cemetery books detailing the names of the grantee, the consideration and the residence of the grantee. The Town Board of the Town of Dunn may seek all personal property associated with the cemetery and all land not used for cemetery purposes are subject to restrictions in Chapter 157, (1991-1992) Wis. Stats. The Town Board of the Town of Dunn may lease the cemetery to a cemetery association for preservation and may contract with the association to use cemetery funds. These leases and contracts shall be terminable at will by the Town Board of the Town of Dunn. The Town Board may convey real property, funds, or personal property to a cemetery association if authorized by the Town meeting. The Town Board of the Town of Dunn shall annually, or more often if necessary, establish by resolution the proper charges for cemetery lot purchases and the proper charges of the perpetual care maintenance costs.

Section 7: Improvements

The Town meeting may authorize the Town Board of the Town of Dunn to appropriate up to five hundred (\$500.00) in any year for the improvement of the Town of Dunn Burying Ground if the cemetery is under the supervision of the Town Board of the Town of Dunn.

Section 8: Investments

The Town Board of the Town of Dunn shall invest the money received for the perpetual care as provided in Chapter 881, (1991-1992) Wis. Stats. The Town Board of the Town of Dunn has the right, at any time, to terminate the perpetual care fund and place the money in the general fund if the Town of Dunn owns the cemetery and provides all maintenance expenses in perpetuity for those grave sites in the cemetery at the time of termination.

Section 9: Plat Approval

The Town Board of the Town of Dunn shall, by resolution, approve, to its satisfaction, all cemetery plats or maps for burial lands in the Town of Dunn. The Town Clerk of the Town of Dunn, upon approval by the Town Board of the Town of Dunn, shall certify the resolution and affix it to the plat or map.

Section 10: Transfer to Town

The Town Board of the Town of Dunn may, by resolution, accept, by transfer, the real estate and personal property of any cemetery association in the Town. The acquisition and price must be authorized by the Town meeting.

Section 11: Tax for Maintenance

The Dunn Cemetery Association or any other cemetery association in the Town of Dunn may seek a tax for maintenance of the cemetery when the cemetery association certifies to the Town Clerk of the Town of Dunn that it has insufficient maintenance funds. The cemetery association shall comply with Sec. 157.062(7), (1991-1992) Wis. Stats., in seeking these funds.