



OAKWOOD CEMETERY RULES AND REGULATIONS

CITY OF BERLIN, WI

Revised: September 11, 2018

SECTION 1

A. AUTHORITY TO ESTABLISH RULES AND REGULATIONS

The Oakwood Cemetery Board has authority to establish, review, and enforce Rules and Regulations for Oakwood Cemetery, in accordance with State Law, and City of Berlin Code of Ordinances, Chapter 2, Article IV, Sections 2-408(a)(b) and Chapter 22, Sections 22-1 to 22-21.

SECTION 2

A. HOURS OF OPERATION

1. The Cemetery shall be open daily from 8 A.M. to Dusk, except from December 1st to April 1st of each year, whereby the Cemetery will only be open at the discretion of the Sexton. It shall be the responsibility of the City of Berlin Police Department to unlock and lock the Cemetery gates in accordance with the listed schedule.

B. SALE OF BURIAL LOT EASEMENTS

1. The sale of all burial lot easements shall be in accordance with City of Berlin Code of Ordinances, #148-98 and Chapter 22, Section 22-19, and shall be administered and recorded by the City Clerk's office. All spaces must be paid in full at time of reservation. If a *Cemetery Space Reservation Request* form has been filed with the Sexton, those space or spaces will be placed on reserve status for up to 14 days. If payment is not made within 14 days of the reservation, the spaces will be placed back on unreserved status and will be available for sale.
2. When a burial lot easement is purchased, the name of the deed holder will be recorded by the City Clerk's office. (Note: At all times no person "owns" a grave. A person merely purchases an easement, which means they are entitled to

the right to be buried in the grave that has been clearly designated by them and the Sexton.)

C. PERPETUAL CARE SYSTEM

1. Perpetual Care shall be provided with all burial lots sold, and is included in the price of said lot. Perpetual care is defined as: Cutting of grass, trimming of surrounding trees and shrubs, and removal of leaves and debris from grave sites.
2. Additional Perpetual Care services may no longer be purchased by the owners of burial lots, as the offering of this service was officially discontinued, by action of the Board, on June 30, 1998. Therefore, the Cemetery is only required to perform this service if arranged prior to that date. The additional service is defined as: Planting of flowers in burial site urns and the sale of said urns.

D. OWNERSHIP

1. Burial lot and individual grave site ownership remains with the City of Berlin.
2. Members of the Cemetery Board, the Sexton, and those reasonably entitled thereto shall have perpetual right over all burial lots or graves, to pass to or from other lots or graves for which no other means of access is available. This is for the purpose of opening or closing graves.

E. TRANSFER OF TITLE TO GRAVES

1. Transfers of burial lot or individual grave site easements, outside the family, is allowed, but is to be administered by the easement owner, through the City Clerk's office, by quit claim deed and may be recorded with the Register of Deeds.
2. Repurchase of easements by the City of Berlin shall be at a cost in accordance with the Fee Schedule.

F. BURIAL PERMITS AND FEES

1. All burials, in and out of town, must be handled under the guidance of a funeral director.
2. Collection of all fees shall be by the City Clerk's office **prior to burial or storage**. No burials or storage will be permitted without fees being paid. The funeral director handling the specific burial is responsible for the payment of the appropriate fees.

3. All permit fees, burial site purchase and repurchase prices, burial and storage costs shall be in accordance with a Fee Schedule, as established by the Common Council by resolution, after recommendation by the Cemetery Board, and attached as part of these Rules and Regulations. The *Oakwood Cemetery Fee Schedule* shall be subject to annual review by the Cemetery Board.
4. Burials will only be allowed Monday – Saturday. Sunday and Holiday burial requests may be considered at the discretion of the Sexton. Additional fees will apply to Sunday and Holiday burials.

G. WINTER BURIALS

1. During the winter months, burials may take place at Oakwood Cemetery, at the prescribed fee as set forth in the *Oakwood Cemetery Fee Schedule*. Families of the deceased may also choose burial after the winter months, at the prescribed fees for storage and standard burial, as set forth in the fee schedule. In these cases, bodies of the deceased will rest in Griffiths Memorial Chapel in Oakwood Cemetery, and arrangements will be made through a local funeral director.

H. BURIAL CONTAINERS

1. The use of an outside burial container is required for all burials.
2. All burial vaults or other containers must be constructed of concrete, steel, or other composition approved by the Cemetery Board. Wooden boxes are not permitted. The requirement of such a container is for the purpose of protection from the environment, ensure against cave-in, and to provide Cemetery areas with safe ground for maintenance, and entrance and exit over burial sites.
 - a. For purpose of cremation: A cremation urn or container must be placed in a permanent outer container, commonly known as an “urn vault”, which is capable of withstanding the weight and pressures of the earth, and maintenance by Cemetery machinery.
 - b. Two (2) cremation urns, of closely related persons, may be buried in one grave.
 - c. One (1) casket and one (1) cremation urn, of closely related persons, may be buried in one grave.

I. FOUNDATIONS AND HEADSTONES

1. No person shall be permitted to place a foundation for a headstone without obtaining a permit from the City Clerk’s office. No grave headstone permit will be issued until it has been verified that the grave is paid for in full. In addition thereto, all permits must be validated by the Sexton, who shall instruct, inspect,

and approve the method of construction and installation thereof. Any deviation from this procedure shall constitute a violation of this Section.

2. The materials used shall be:
 - a. Five (5) shovels of ½” stone
 - b. Three (3) shovels concrete sand
 - c. Two (2) shovels cement
3. Slab for Headstone for Double Space. (*Approximate six (6) feet*)
 - a. 18” longer than headstone on each end
 - b. 6” wider than headstone on each side
 - c. Each slab 3’ long or longer must contain three (3) reinforcing rods of 3/8” diameter, equally spaced in width of slab, or concrete mesh
4. Headstone for Single Space for 2 cremations or 1 burial and 1 cremation (*Approximate size 3 feet by 6 inches wide*)
 - a. Slab (4 feet) 6” larger than headstone on 3 sides, and 10 inches on one end
 - b. Specifications for slab applies (Section 3(c) above)
 - c. If a veteran is involved, a ½” pipe to be imbedded in slab at that headstone for a flag marker. Pipe to be 5” long and flush on top.
5. Contact must be made with the Sexton before forms are set, and again when completed and before being poured, to receive approval to proceed.
6. No stones or slabs shall be put in on Sundays or holidays. Special arrangements must be made with the Sexton prior to any installation on Saturdays.
7. The Sexton shall prescribe to the installer the locations and graded backfill for installation of the slab. The installer shall furnish all material.
8. If a monument/headstone becomes unsafe or needs repair, the owner of the said lot or his/her heirs will be notified by letter. If there is no response within a reasonable period of time, the Cemetery Board will arrange to remove the said marker/monument/headstone, and replace it with a suitable plaque, containing the name, as well as date of birth and death. Said marker will be placed even with the ground. The Sexton shall use his judgement in repairing or straightening markers/headstones. Any unusual situation should be taken up with the Cemetery Board.
9. Mausoleums. Plans for any mausoleum, its base and subsequent landscaping, shall be submitted to Sexton, the Public Works Superintendent, and the Cemetery Board for approval, prior to the start of construction. Said construction shall not infringe upon or damage, in any way, the adjoining gravesites, and must conform to the surrounding landscape to present an overall pleasing appearance. Final decision on said construction shall be by the Cemetery Board.

J. PLANTINGS AND CONTAINERS REGULATED

1. The planting of trees, shrubs, or flowers on the grave is prohibited.
2. No person shall plant any shrubbery in the Cemetery without the express permission of the Cemetery Board. Shrubbery is limited to no more than three (3) feet in height. The planting of trees is strictly forbidden.
3. Any plantings which are permitted will be trimmed or removed if, in the judgement of Cemetery officials, this is warranted due to conditions or appearances of the Cemetery. The use of gravel or stones (crushed or pea type) around the monument/grave is expressly forbidden.
4. Any urns, statues, or metal posts for hanging flowers must be in line with the foundation of the grave marker/monument/headstone. Perennials must be planted in pots or containers in line with the marker/monument/headstone.
5. All plastic flowers, except in vases in line with the marker/monument/headstone, are forbidden.
6. A notice for removal of all decorations is posted on the permanent sign beside the entry road to the Cemetery.
7. All flower urns brought to the Cemetery must have a foundation under them, unless an adequate foundation exists.
8. Glass containers for flowers are prohibited in the Cemetery.