

## MEMORANDUM

### **Business Item C**

From: Administrator/Staff

To: Town Board

Re: Town Board review & discussion on proposed changes to Municipal Code 4.9 Cemetery and Burial Site Ordinance.

Staff is presenting several sections of the ordinance to the Board for consideration and discussion regarding the maintenance, administration of, and enforcement of the ordinance regarding the cemeteries in the care of the Town. There have been recent scenarios encountered by Staff that prompt these questions and discussion points for the Board to clarify how they would like to move forward.

- During the course of reviewing cemetery records for the current cemetery GIS project, records have been found that several plots contain or are expected to contain more than 2 cremation internments. Current ordinance (Section 10F) only allows 2 cremation internments in one plot. The records found so far range from 4 to 6 per plot. The review of current cemetery records is still in progress, so more records may exist.

The internments currently present were done decades ago, and monuments are already placed. There is indication primarily from the monuments, and also in cemetery record updates completed about 20 years ago, the intent was to have that larger range of internments per plot. If that is what ordinance allowed previously:

*Does the Board wish to honor those intentions? Does the Board wish to hold even historically purchased plots to the current ordinance?*

- All internments, including cremation internments, currently require a permanent outer container/vault (Section 10 B & F). The use of vaults for cremation internments is not mandated, but is left up to each cemetery to determine use (Wis. Stats. §152.62(5)(i)). The vault is designed to prevent the ground from sinking above the burial, historically a casket. As the shift away from traditional (casket) burials to cremation continues, there may not be as great a need for a vault on an urn. There is less of a disturbance to the grounds, less likelihood of sinkage over the burial site, and no risk of leakage of embalming chemicals into the ground. There is also no good way of monitoring the installation of urn vaults.

*Does the Board wish to continue requiring cremation vaults, or require vaulting only for traditional burials?*

- Current ordinance does not allow construction of any above-ground vaults, mausoleums, and columbaria unless approved in writing by the Board (Section 12). Staff has created a new policy of having the monument companies submit both dimensions and a rendering of any new monument being placed to ensure that they meet current ordinance requirements. Historically, despite being in the ordinance, this action was not followed, resulting in the placement of several columbaria which were not permitted by the written consent of the Board.

*Does the Board wish to continue to have all above-ground vaults, mausoleums, and columbaria brought forward for approval at a Town Meeting? Is this a function that the Board wishes to designate to a Staff position?*

- There are many references throughout the current ordinance requiring cemetery actions to happen at the Board level. The majority of the action at the cemetery is related to selling/deeding of plots and internments/burials, which already are designated to the staff. Some actions may be best taken at a Board level, such as purchase of new lands for cemetery purposes, construction/operation of a new cemetery, fixing prices for cemetery-related actions/items, etc. Others may offer more expedient attention at a staff level.

*Would the Board entertain designating staff more discretion to fulfill portions of the ordinance regarding regular and recurring cemetery management/maintenance?*

Staff is looking for thoughts and direction from the Board, as stipulated in the current ordinance, on how to proceed going forward. Some possible future actions could be (but not limited to) proposed amendments to the ordinance could be drafted and brought forth at a later meeting, the ordinance could remain as is, or the Board could make special exceptions for specific historical circumstances.

**DISCUSSION ITEM ONLY – NO ACTION TO BE TAKEN**

If you have any questions about this information, please call or email me.

Respectfully Submitted  
Kelsey