

# Oak Grove Cemetery Association

## Rules and Regulations *(Revised February 2022)*

### Section I: Purpose

These rules and regulations are designed for the protection of our lot owners. **Their enforcement will help protect our cemetery and preserve its beauty.** These rules and regulations are hereby adopted as rules and regulations of the cemetery, and all owners, visitors, and contractors performing work within the cemetery shall be subject to said rules and regulations, amendments or alterations as shall be adopted by the cemetery from time to time.

### Section II: Definitions

- **Cemetery** - (as herein used) Oak Grove Cemetery
- **Section** - a designated area within the cemetery appropriately numbered on the master plat of the cemetery containing within its bounds lots and grave sites
- **Lot** - a designated area within a section appropriately number on the master plat of the cemetery. The lot may consist of one or more grave sites
- **Gravesite** - a single grave space within a plotted cemetery lot (approx. 3½ feet by 10 feet)
- **Owner** - the person(s) or entity who purchased the right of burial in a lot, niche or crypt
- **Interment** - the permanent disposition of the remains of a deceased person, by niche inurnment, crypt entombment or ground burial
- **Niche** - a repository within the Historic Mausoleum, Columbaria, Garden Mausoleum, or Chapel for the inurnment of cremated remains
- **Crypt** - a repository within the Historic Mausoleum or Garden Mausoleum for entombment of human remains
- **Mausoleum** - a building which contains crypts and / or niches for the final disposition of human remains
- **Columbarium** - a structure with niches for urns for the final disposition of human remains
- **Monument** - any upright structure upon any lot placed thereupon for the purpose of identification or memorialization
- **Marker** - any flush, flat or beveled structure upon any lot placed thereupon for the purpose of identification or memorialization
- **Apron** - the portion of the foundation that extends beyond the marker or base of a monument
- **Base** - the bottom section of the 2-piece monument
- **Tablet** - the top section of the 2-piece monument
- **Die** - the thickness of the tablet
- **Perpetual Care** - the cutting of grass at reasonable intervals, the pruning of shrubs and trees and such work as maybe necessary to keep the cemetery in a good and neat condition. The Association shall not be obligated and does not assume to maintain, repair or replace any grave stones or monumental structures erected upon the lot or graves therein, nor to plant or care for flowers

(unless so contracted with Oak Grove Cemetery) or ornamental plants or shrubs, nor to do any special or unusual work, nor water the lawns or lots.

- **Special Care Flowers** - a contracted agreement with Oak Grove Cemetery to provide annual placement of summer flowers on a gravesite for an indefinite period of time
- **Contractor** - any person, firm or corporation or anyone engaged in, or performing any work on the cemetery grounds, other than an employee of the cemetery
- **Vault** - a container that surrounds a casket or urn in order to help prevent the ground from collapsing
- **Cemetery Deed** - the document that conveys rights of burial of the lot
- **Permission Form** - the document that approves burial of someone other than the original purchaser of the lot

### **Section III: Grounds**

1. Lot owners, their families and friends shall have access to the cemetery at such times as prescribed by the Board of Trustees.
2. No person while in the cemetery shall pick any flowers, either wild or cultivated; nor break, cut down or injure any tree, shrub or flower.
3. No person shall write upon, deface or injure any monument, fence or other structure in or belonging to the cemetery, nor disturb the quiet or good order of the cemetery by noise or other improper conduct. Cemetery management may remove any person from its grounds.
4. No person shall be permitted to enter or leave the Cemetery except through public gates, which will be open during such hours as are specified and posted by an authorized representative of the Cemetery. Entering the cemetery is at the risk of the individual and is considered trespassing dusk through dawn.
5. Sitting, standing on or performing any other disrespectful act to a monument, grave marker or private mausoleum erected for the purpose of the memory of a person(s) interred in the cemetery is prohibited.
6. No dogs shall be permitted within the cemetery, except dogs within a vehicle may enter the cemetery, but must remain within the vehicle so long as the vehicle is in the cemetery.
7. Vehicles in the cemetery shall travel at a slow rate of speed and travel shall be subject to the regulations made by Board of Trustees.
8. Recreational activities such as rollerblading, skateboarding, roller-skiing, etc. are prohibited in accordance with City Ordinance 44-198.

### **Section IV: Supervision of Cemetery**

1. The cemetery office shall be open during times designated by the cemetery board.
  - a. The office shall be closed New Year's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, the Friday after Thanksgiving, half-day Christmas Eve, Christmas Day and half-day New Year's Eve.

2. The cemetery shall maintain a fund, to be held by a trust company licensed by the State of Wisconsin, which is intended to provide funds for the care and maintenance of the cemetery grounds, buildings and features. The cemetery will contribute an amount equal to or greater than required by Wisconsin State law on sale of a burial lot, niche or crypt, the principal of which shall be kept invested. The income received from such fund shall be used in the general care and improvement of the grounds of the cemetery.
3. The cemetery shall take reasonable precaution to protect owners, and the property rights of owners within the cemetery from loss or damage; but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief-makers, explosions, unavoidable accidents, invasion, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than herein provided.
4. Although Oak Grove employees will make every effort to avoid damage, it is not possible in every case to avoid damage to adjacent monuments and markers during interment and disinterment. Any damage arising from such activity is the sole responsibility of owner to repair. Owner agrees to hold Oak Grove harmless from any damage incurred.
5. The cemetery reserves, and shall have, the right to correct any errors that may be made by it, including, but not limited to interments, disinterments, memorial inscriptions, transfers, or conveyances.
6. The right to enlarge, reduce, re-plat or change the boundaries or grading of the cemetery or of a section or sections, from time to time, including the right to modify or change the location of or any part thereof or remove or re-grade roads, drives, and walks, is hereby expressly reserved. The right to lay, maintain, and operate, or later change pipe lines or gutters for sprinkling systems, drainage, lakes, etc. is also expressly reserved, as well as is the right to use cemetery property, not sold to individual owners, for cemetery purposes. The cemetery reserves to itself and to those lawfully entitled thereto, a perpetual right of ingress and egress over all lots.
7. All grading, roadwork, landscape work, and improvements of any kinds, and all care of property and buildings, shall be done by the cemetery or its contractors. All trees, shrubs, and plants of any kind shall be planted, trimmed, cut or removed by the cemetery or its contractors. All interments and disinterments shall be made by the cemetery or its contractors.
8. If any tree, shrub, or plant standing upon any lot, by means of its roots, branches, or otherwise, be or become detrimental to adjacent lots or avenues, or if for any other reason its removal is deemed necessary, the cemetery shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the condition existing as in their judgment seems best. No tree shall be removed for the purpose of interment unless an official of the cemetery deems such removal in the best interest of the cemetery lot owners.
9. The cemetery may set and charge fees for any service it provides including, but not limited to researching lot owner records, providing interment site locations,

recording service request, and for providing services not included under normal care.

10. It is the duty of the owner to notify the cemetery of any changes due to marriage, divorce, change in heirs or change in mailing address. The cemetery shall be deemed to have fulfilled any and all legal obligations it may have to owners by mailing any legal notices to the last address of record provided to the cemetery by the owner.
11. Solicitation by outside vendors on cemetery property is strictly prohibited. No signs, notices or advertising may be placed on cemetery grounds or buildings without the express, written consent of authorized cemetery personnel. The cemetery may remove any unauthorized advertising without liability.
12. The chapel will be open during regular administrative hours. The cemetery reserves the right to charge for chapel use.
13. All service charges are payable prior to or at the time of any interment in accordance with the fee schedule in effect at the time the service is performed.
14. All deeds of conveyance of lots, niches and crypts shall be signed by the President and Secretary of the Association and a record thereof made. In no case shall a deed of conveyance be delivered until the price of the lot, niche, or crypt is fully paid.

#### **Section V: Rules for Markers and Monuments**

1. Due to regulations and restrictions pertaining to monuments and markers, all must receive prior written approval from the superintendent.
2. Only granite monuments and granite or bronze markers are permissible in the cemetery.
3. Monuments and markers must be at the head of a gravesite.
4. Single gravesite (approx. 3.5 feet x 10 feet):
  - Only one single marker per gravesite
    - a) Must be 24 inches in length by 12 inches in width and not exceed over 4 inches for flat or 6 inches for beveled in thickness
    - b) Can be placed in front of monuments, without an apron
5. Two gravesites (approx. 7 feet x 10 feet):
  - Can have one single marker on each individual gravesite
    - a) Must be 24 inches in length by 12 inches in width and not exceed over 4 inches for flat or 6 inches for beveled in thickness
  - OR, one double marker:
    - a) Must be 36 inches in length by 12 inches in width and not exceed over 4 inches for flat or 6 inches for beveled in thickness
    - b) Must be centered on the two gravesites
    - c) Not allowed in front of monuments
6. Three or more gravesites (approx. 10 feet x 10 feet), if in designated monument rows, may have a monument suitable to the size of the gravesites, not to exceed more than 50% of the width of the gravesites. (Example: a ten feet wide grave area can accommodate up to a 5-foot-wide monument base)
  - The gravesite area requirement used to place a monument (minimum of 100 square feet, 10 x 10) cannot be utilized in any part when determining if space

is available for a second monument, if the owner owns more than 3 gravesites. Therefore, each monument must individually meet the gravesite area requirements without encroaching on a current monument's gravesite area.

- Tablet and base must have a maximum combined height of 44 inches
  - Width of the monument base cannot exceed more than 50% of the width of the adjacent gravesites it is to be centered on
  - Minimum of 6-inch die (thickness of tablet)
7. Monument requirements for Section 102:
    - Requires two adjacent gravesites in designated monument row
    - Tablet and base must have a maximum combined height of 44 inches
    - Width of the monument cannot exceed 42 inches or 50% of the width of the adjacent gravesites it is to be centered on
    - Minimum of 6-inch die (thickness of tablet)
  8. Infant grave markers in "Babyland" have a maximum size of 16" x 8" and a minimum size of 12" x 8".
  9. Bronze and granite government markers are allowed in the cemetery. The Cemetery will not approve orders for government markers until a foundation agreement has been signed and paid for. The deceased's family is responsible for ordering the plaques or medallions through the Veterans Service Office. See current rules on government markers at [www.cem.va.gov](http://www.cem.va.gov).
  10. If any structure, display or inscription placed in or on any lot is determined by the Board Trustees to be offensive or improper or injurious to the appearance of the surrounding lots or grounds, the Board of Trustees, shall have the right to enter upon such lot and remove the offensive or improper object or objects. The cemetery will assess the lot owner for cost of removal.
  11. All foundations of any kind shall be installed or inspected and approved by authorized person(s) of the cemetery. The charges shall be uniform and reasonable and payable in advance. The Cemetery will charge to locate the proper placement of the foundation, for record keeping and for inspection when a foundation is installed by an outside vendor.
  12. No monuments or markers shall be delivered or installed by any vendor from November 1 – April 1. Vendors may call the Superintendent at Oak Grove Cemetery for consideration outside of these dates.
  13. It is the right of the cemetery to regulate the restrictions of each section as to the size and types of monuments and markers.

#### **Section VI: Rules for Flowers, Decorations and Trees/Shrubs:**

**NOTE: We limit the use of decorations for the safety of our grounds crew and visitors. Small and/or loose objects may get caught in or struck by the lawn equipment and cause injury.**

1. No planting of perennials on grave sites is permissible.
2. Planting on ground, not to exceed more than one foot in front of markers or monument and no wider than the marker or monument, is permissible.

3. Artificial flowers will be removed at the cemetery's discretion if unsightly or weathered. Artificial flowers will be allowed in a vase in stand, or tied on a monument.
4. No artificial "decorations" allowed on grave sites. (Does NOT include artificial flowers). Examples of decorations include, but are not limited to: Baskets, Bird feeders, Bird houses, Bouquet holders, Easels\*, Figurines, Glass containers, Plant hangers, Rods, Shepherd's hooks\*, Wind chimes. Any decorations or objects placed on or about a grave or lot shall be removed. \*See winter décor.
5. Winter décor (Nov. 1 – April 1). Winter décor may be tied to the monument, attached to the fork of the vase stand, attached to an easel\* or a shepherd's hook\*. Winter decorations, including easels and shepherd hooks remaining on the sites after April 1, will be removed and destroyed by Oak Grove Cemetery.
6. Potted plants are permitted only on Easter, Mother's Day, Father's Day and Memorial Day. They will remain on the graves until the next mowing cycle. Plants will not be held in storage, nor will the cemetery be held responsible.
7. A flower stand is recommended by the cemetery at the head of the grave or side of the monument or marker.
8. No yew trees or evergreens of any kind will be allowed on cemetery lots. If any existing yew trees or evergreens die, they cannot be replaced.
9. Any vase or vase stand that is not in use for one year or more may be removed by the cemetery association.
10. No tree growing within or beside any lot shall be cut down or disturbed, or any structure upon or around any lot be removed or disturbed without the consent of the Board of Trustees.
11. All vaults constructed, lots enclosed, monuments erected and other improvements made shall be under the supervision of the Board of Trustees.
12. Plans for vaults, tomb or mausoleum must be submitted to the Board of Trustees for approval.
13. Fences, hedges, curbs or enclosures of any type are not permitted on any burial plot, unless pre-existing. These items prevent proper maintenance of the gravesites and shall be removed by cemetery employees without notice.
14. All funeral floral pieces and containers shall be removed when wilted or unsightly. No glass containers allowed. Any person wishing to retain any or all-floral pieces or containers must do so within 48-hours after interment, inurnment or entombment. In no way shall the Oak Grove Cemetery be responsible for any type of adornment.
15. Flags may be placed on veteran's grave starting after May 15 and removed by July 5. The cemetery is not responsible for damaged or missing flags.
16. Lot owners, following contract provisions, may purchase Special Care Flowers for their lots, by depositing with the Association the required sum at time of purchase.
17. It is the right of the Cemetery to regulate the restrictions of each cemetery section as to planting privileges.

## **Section VII: Rules for Interment**

1. No interment or disinterment shall be made unless all charges, fees and assessments on the lot have been paid. Interment or disinterment charges are due and payable in advance of burial or removal.
2. The following conditions shall be complied with before interment:
  - Burial certificate
  - Final disposition
  - Cremation certificate (if applicable)
  - Payment in full of the fees in existence on the date of interment or inurnment.
3. The Cemetery may restrict who may be in attendance to witness an interment or disinterment. The Cemetery has the right to agree upon the party or parties who will represent the property owner or his/her/their representative in witnessing an interment or disinterment.
4. No grave will be dug or interment made except under the supervision of cemetery management.
5. Scattering cremated remains on private lots is not allowed.
6. An approved concrete outer burial container shall be required when a body is interred, except for infant burials that do not require a backhoe.
7. An approved concrete vault shall be required when cremated remains are interred.
8. No interment of any body or cremated remains of any body other than that of a human being will be permitted in the cemetery.
9. If a grave is purchased for the purpose of interment of cremations, 4 cremation burials in vaults are permitted, provided there are no other vault burials on the grave; however, only one marker with a maximum of 4 names is allowed on this site.
10. A maximum of 3 cremation burials in vaults may be placed on a gravesite, which contains a full body burial.
11. If a full burial follows a cremation burial on the same grave space, the cremated remains must be disinterred and re-interred. The customer will pay for all of the following: the disinterment fee for each cremated remains, opening and closing for the full burial, and half-priced cremated remains burial charge for each cremated remains. In addition, if the cremated remains are not in vault, the customer will need to purchase a vault.
12. If the family places cremated remains inside a vault or casket, the family must notify Oak Grove for recording purposes. The same is true for 2 cremations in one vault. See current price list for fees.
13. If the family has more than one inurnment on one grave space at the same time, a cremation burial charge will be charged for each vaulted urn.
14. All Saturday interments are subject to an additional charge.
15. All holiday interments are subject to an additional charge and special approval from the superintendent.
16. Ownership shall continue to vest with the original purchaser or purchasers. After the death of the original purchaser, their ownership shall pass to their spouse. Lineal descendants shall have equal rights of ownership. In case there are no lineal descendants, then the nearest relative of the purchaser shall have

ownership; except that by mutual consent of all parties with ownership, they may designate, by authorized forms in writing, who shall receive the permission to be buried.

17. Cemetery lots, single graves, crypts or niches are sold for the sole purpose of burial or inurnment of human remains. Relatives, heirs and/or assignees may be buried in the lot, grave, crypt or niche if a Burial Permission Form is completed and signed-off by all original owner(s). After death of all original owner(s), a Burial Permission Form must be completed and signed off by all appropriate family members determined by the cemetery.

### **Section VIII: Garden Mausoleum**

1. Crypt and niche owners will be given one key at the time of purchase for the Garden Mausoleum gates. There will be a charge for extra keys issued. The Mausoleum gates must be locked by visitors upon their departure.
2. All lettering will be completed by the cemetery consisting of first name, middle initial, last name, year of birth, year of death, and if applicable, the branch of the armed forces or the war in which the deceased served. If any owner adds unauthorized lettering such owner will incur any cost of front replacement. If room allows, the middle name area can reflect the maiden name. Oak Grove management maintains the right to approve or deny all lettering requests.
3. Only Government issued military medallions may be attached to crypt or niche.
4. Recreational activities such as rollerblading, skateboarding, roller-skiing, etc. will not be allowed in the Garden Mausoleum.
5. Only approved vases will be allowed on crypt or niche fronts, which are available for purchase at Oak Grove Cemetery. One vase insert is included with the vase purchase. Additional inserts available for purchase.
6. Only one vase is permitted per crypt or niche space. The cemetery will handle placement of vase.
7. Only artificial flowers or small flags are allowed in a crypt or niche vase. No other decorations will be allowed. The cemetery personnel have the right to remove any decoration.
8. Crypts and niches will be opened and closed only by cemetery employees.
9. One entombment is allowed per single crypt.
10. One inurnment is allowed per single niche.
11. Tandem crypts allow: 2 standard-sized caskets, 1 standard-sized casket and 1 urn, or 2 urns.
12. The maximum size of a casket permitted to be entombed in a crypt may not exceed in 86" deep x 29" wide x 26" high in the Garden Mausoleum. The Historic Mausoleum casket maximum size is 90" deep x 28" wide x 23" high.
13. No entombment in a crypt or inurnment in a niche is permitted until the crypt or niche to be used is paid in full.
14. All those to be entombed must be embalmed and in a rigid container.



### **Section IX. Garden Mausoleum – Veteran’s Area**

1. Crypts in Bay 104 - sold as head-to-toe companions. The companion does not have to be a military service person.
2. Crypts in Bay 103 C - sold as singles.
3. Niches in Bay 103 N – sold as side-by-side companion niches. The companion does not have to be a military service person.
4. Niches in Bay B - sold as side-by-side companion niches. The companion does not have to be a military service person.
5. Niches in Bay C - sold as singles.
6. The government issued veteran’s niche plaque will be placed on the Wall of Honor provided the individual is interred in one of the areas noted above. The deceased’s family is responsible for ordering the plaque through the Veterans Service Office.
7. All lettering will be completed by the cemetery consisting of first name, middle initial, last name, year of birth, year of death, and if applicable, the branch of the armed forces or the war in which the deceased served. If any owner adds unauthorized lettering such owner will incur any cost of front replacement. Oak Grove management maintains the right to approve or deny all lettering requests.
8. A single crypt can have up to 2 branches of service emblems and 1 vase.
9. A companion crypt can have up to 2 branches of service emblems for one person and up to 2 branches of service emblems for the second person, the option for a vase is with 0 or 1 emblem for the 2<sup>nd</sup> person only.
10. A single niche can have up to 2 branches of service emblems and 1 vase.
11. Only one war can be engraved on the crypt or niche front.

### **Section X: Rules for Designated Cremation Areas, 60A & 60B**

1. The row on the west end of both section 60A and 60B will be for cremation only burials, with a maximum of 3 cremation burials per gravesite.
2. The west end Section 60A is a monument row requiring a minimum of 3 gravesites to be purchased.
3. The west end of Section 60B is for single markers, flat or beveled, only.

### **Section XI: Modifications and Amendments**

1. The cemetery may, and it hereby expressly reserves the right, at any time, with or without notice to owners, to adopt new rules and regulations, to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these Rules and Regulations.
2. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The cemetery, therefore, reserves the right, without notice, to make exceptions or modifications in any of the Rules and Regulations when, in its judgment, the same appear advisable; and such temporary exceptions or modifications shall in no way be construed as affecting the general application of such.