

CITY OF NEW BERLIN CEMETERY RULES AND REGULATIONS

A. Introduction.

The following rules and regulations have been established by the Common Council of the City of New Berlin for the operation of cemeteries for which it is responsible.

B. Pricing.

The fee for graves shall be established from time to time by staff with the approval of the Mayor and shall include a 15% endowment care fee. The fees for the opening and closing of cemetery lots shall be the responsibility of the lot owner, which shall be performed by a contractor authorized by the City. The lot owner shall be responsible for making the arrangements for the lot opening and closing. Notwithstanding the foregoing, the lot owner shall be required to confirm ownership of the lot and the authorization for the opening by contacting the City, not less than three (3) working days prior to the opening of the grave.

C. Disclaimer of Warranties.

The City does not extend any warranties for products supplied by or services performed by any outside vendor.

D. General Care.

The City shall take reasonable precautions to protect the lot owners and their property rights within the cemetery from any loss or damage. However, it disclaims all responsibility for the loss or damage from causes beyond its reasonable control, especially damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief-makers, unavoidable accidents, insurrections, riots, or any other order of military or civil authority, whether the damage be direct or collateral. The City reserves the right to correct any errors that may be made by it regarding the confirmation of ownership of lots, including but not limited to authorizing internments, disinterments, and removals without incurring liability of any kind whatsoever. The City shall not be held liable for errors or damages arising from its reasonable reliance upon representations made by the lot owner, their representatives, or funeral directors acting on behalf of the lot owner, or his or her heirs. The City shall have the right to enlarge, reduce, re-plate, or change the boundaries or grading of the cemetery or sections therein from time to time.

If any memorial or inscription thereon shall be determined by the City to be offensive. They shall have the right to remove, change or correct the offensive object or objects. Should such actions be required, the City may charge the current lot owner the cost of restoration and removal. It is the duty of the property owner to notify the City of any changes due to marriage, divorce, changes in heirship, or changes in mailing address for the lot owner.

E. Cemetery Grounds.

1. No person shall be permitted or leave the City cemeteries except through the designated public access points. Decorations that become unsightly or are inappropriate by the judgment of the City may be removed and disposed of by the cemetery personnel at any time.
2. Cemetery Spring clean-up shall occur beginning March 1st of each year and run through April 14th. No decorations are allowed during that time. Summer decorations may be posted between April 15th and October 15th. All summer decorations or any other left-over decorations shall be disposed of by the City at the commencement of the Fall clean-up which shall run between October 15th and November 17th. Cemetery Fall clean-up shall commence on October 15th and will continue until November 17th, weather permitting, of each year. Items placed on graves or elsewhere on the grounds prior to this time will be collected and disposed of at that time.
3. Wreaths and/or evergreen crosses may be permitted as a grave decoration only during the non-growing season, November 17th through February 1st. All wreaths will need to be removed beginning in early February and disposed of. Any wreath or winter season plant placement that is in poor condition or is deteriorated may be removed at the discretion of the City at any time. Grave blankets are prohibited and will be removed by cemetery or City personnel at the lot owner's expense. Any planting, decoration or other object or objects placed on or above the grave shall be removed when, in the judgment of the City, such action is warranted. No enclosure of any kind, such as a fence, coping, hedge or ditch shall be permitted around any grave or lot. Grave mounds are not allowed and no lot shall be raised above the established grade.
4. The City is not responsible for the theft or damage to anything placed on a grave.
5. Dogs and other domestic animals will not be allowed in the cemetery unless leashed and properly restrained. Animal handlers and/or owners are required to clean up after their pets.
6. The consumption of alcoholic beverages, as well as rollerblading, hunting, fishing, trapping, or participation in a sporting event or activity will be prohibited within the cemetery grounds.

F. Memorials and Foundations.

1. Only one stone or marker is allowed to be placed on each grave space. In those instances where a second or multiple internments occurred on a grave, mid-grave flush memorials will be permitted, space permitting. In the event a family monument is placed at the head of a lot, an individual marker may be placed at the foot of a grave or individual graves. Said installation or placement shall be at the sole discretion of the City.
2. The City is not responsible for the preservation or care of any memorials installed in the cemetery or for grave markers or foundations.

3. Any contractors performing work in the cemetery must provide evidence to the City of worker's compensation and comprehensive general liability coverage with limits acceptable to the City.
4. The City reserves the right to stop all work of any nature within the cemetery whenever, in its opinion, proper preparations have not been made, or when tools or equipment are insufficient or defective when work is being executed in such a manner to threaten life or property, or when the contractor has been guilty of misrepresentation, or when any reasonable request on the part of the City has been disregarded, or when the work violates any rules of the cemetery or the City Cemetery Ordinance.
5. Public cemetery access shall be permitted from sunrise to sunset each day.