RULES & REGULATIONS

Evergreen Cemetery – City of Manitowoc

Office: 2655 South 35th Street
Grounds: 2221 Michigan Avenue
Manitowoc, WI 54220
Phone: (920) 686-3570
Fax: (920) 686-6525
E-mail: evergreen@manitowoc.org
Website: www.manitowoc.org

MANITOWOC
CITY OF MANITOWOC
WISCONSIN, USA

EFFECTIVE APRIL 20, 2015

EVERGREEN
CEMETERY

TABLE OF CONTENTS

PAGE

CHAPTER 1

HOURS 1

CHAPTER 2

SALE OF LOTS, SPACES AND NICHES 1

(A) Definitions 1
(B) Sale of Lots, Spaces and Niches 1
(C) Size of Burial Space-Number of Burials/Space 2
(D) Exchange of Lots, Spaces or Niches 2
(E) Payment Terms 3
(F) Quit Claims 3

CHAPTER 3

INTERMENTS OR INURNMENTS 4

(A) Compliance with Laws 4
(B) Notice to Cemetery Foreman 4
(C) Human Death Certificate Required 4
(D) Control of Funerals 4
(E) No Funerals on Specified Days 4
(F) Grave Digging and Placing of Bodies 4
(G) Delivery 4
(H) Interments & Inurnments Restricted 5
(I) Interment of Two Bodies in One Grave 5
(J) Funeral Director as Agent 5
(K) Indigency 5
(L) Interment or Inurnment Ceremonies 5
(M) Lowering Device 6
(N) Outer Burial Vaults 6
(O) Burial Equipment 6
(P) Veteran's Graves 6
(Q) Pet Burials or Inurnments 6
(R) Fees 6

CHAPTER 4

MONUMENTS AND MARKERS 7

(A) Definitions 7
(B) Limitations on Markers 7
(C) Monuments 8
(D) Chairs and Benches 9
(E) Flowers and Decorations 9

(F) Flower Urns 10
(G) Trees and Shrubs 10
(H) Spring and Fall Clean-Up 10

CHAPTER 5

PERPETUAL CARE AND ANNUAL CARE 11
(A) Perpetual Care 11
(B) Annual Care 11

CHAPTER 6

REMOVAL OF BODIES 11
(A) Who May Request Disinterment or Removal 11
(B) Manner of Disinterment or Removal 11
(C) Payment 11

CHAPTER 7

LIABILITY LIMITATION 11

CHAPTER 8

MISCELLANEOUS 12
(A) Offenses 12
(B) Tree or Plant Removal 12
(C) Donations 12
(D) Harm to Birds or Animals 12
(E) Live Pets Prohibited 12
(F) Vigil Lights 12
(G) Admission of Children 12
(H) Loitering on Cemetery Grounds 13
(I) Crossing of Lots.. 13
(J) Niche Regulations..... 13
(K) Vehicular & Recreational Traffic 13
(L) Fires Prohibited 13
(M) Volunteer Work 13

EVERGREEN CEMETERY
RULES AND REGULATIONS

CHAPTER 1
HOURS

The Evergreen Cemetery office is located in the Public Infrastructure building at 2655 South 35th Street, Manitowoc. The office hours are 7:00 a.m. to 4:00 p.m. Monday through Friday.

Operations hours on the cemetery grounds at 2221 Michigan Avenue are 7:00 a.m. to 3:00 p.m. Monday through Friday. Saturday service is provided only for scheduled burials. Hours are subject to change without notice. Admittance to the Cemetery is allowed during daylight hours only.

CHAPTER 2
SALE OF LOTS, SPACES AND NICHES

(A) *Definitions.*

(1) *Grave Space.* The term "grave" or "grave space" as used herein shall be construed as the in-ground burial space. Grave space dimensions may vary at the discretion of the Cemetery Team Leader.

(2) *Lot.* The term "lot" or "standard lot" shall refer to an in-ground burial lot with dimensions of 10 feet long by 20 feet wide, except for cremation-only lots which will be 20 feet long by 5 feet wide. Variations from the standard are permitted.

(3) *Niche.* The term "niche" shall mean a recess in a columbarium to hold a cremation urn.

(4) *Columbarium.* The term "columbarium" shall mean a structure of vaults lined with recesses for cremation urns.

(5) *Cemetery Team Leader.* The term "Cemetery Team Leader" as used throughout these rules shall mean the Cemetery Team Leader for the City of Manitowoc or his/her designee.

(6) *Outer Burial Vault.* The term "outer burial vault" shall be defined as set forth in Wis. Stats. §157.061(11g) as may be amended from time to time.

(B) *Sale of Lots, Spaces and Niches.* Cemetery lots, spaces and niches shall be sold as provided for in Manitowoc Municipal Code (MMC) §8.090. All Cemetery lots, spaces and niches

sold shall include a charge for perpetual care. "Perpetual care" shall be defined as provided for in MMC §8.070(1). The term "perpetual care" shall mean the cutting of grass on cemetery lots at reasonable intervals, the raking and cleaning of lots, the pruning of shrubs and trees and other such work as may be necessary to keep the lot in presentable condition. "Perpetual care" does not include maintenance or repair of any gravestones or monument structures erected upon cemetery lots nor the planting or care for any flowers or ornamental plants.

(C) *Sizes of Grave Spaces & Number of Burials/Space.* For grave spaces sold after 1/1/2006, an adult grave space (10' long by 40" wide) may accommodate one burial in a casket and vault plus one additional cremation, if the cremation urn is not placed in an outer burial vault OR two cremation urns placed in an outer burial vault or placed without an outer burial vault. Grave spaces for children under 10 years of age may be purchased in Section L for a reduced rate provided the outermost burial vault does not exceed 29" x 48". Grave spaces for fetuses are provided free of charge in Section L provided the outer burial vault does not exceed 12" x 12". Cremation-only grave spaces (40" wide by a minimum of 5'long) may accommodate a maximum of two cremations. Columbarium niches may accommodate two standard cremation urns per the columbarium manufacturer's specifications. See the attached Fee Schedule for current rates.

(D) *Exchange of Lots, Spaces or Niches.*

Traditional to traditional

Individuals are allowed to exchange unoccupied paid in-ground traditional-size burial spaces purchased in Evergreen Cemetery for different available in-ground burial traditional-size spaces within Evergreen Cemetery, but the exchange of spaces will be subject to an administrative fee. The administrative fee for exchanging lots, spaces or niches will be charged per transaction.

Cremation to cremation

Similarly, individuals are allowed to exchange unoccupied paid in-ground cremation-only burial spaces purchased in Evergreen Cemetery for different available in-ground cremation-only burial spaces within Evergreen Cemetery, but the exchange of spaces will be subject to an administrative fee per transaction.

Cremation to traditional

Exchanging an unoccupied in-ground cremation-only burial space for an available in-ground traditional-size burial space will be allowed. Purchasers will be charged an administrative fee per transaction and will receive a credit towards the cost of the traditional-size space(s) for the paid portion of the in-ground cremation-only lot(s) or burial space(s) previously purchased.

Traditional to cremation

Exchanging an unoccupied in-ground traditional-size burial space for an in-ground cremation-only space will not be allowed; however, unoccupied in-ground traditional-size

spaces could be quit claimed to the City at the established rates in Chapter 2, F and the funds used to purchase an available in-ground cremation-only burial space.

Niche to Niche
Unoccupied paid columbarium niches in Evergreen Cemetery may be exchanged for other unoccupied columbarium niches in Evergreen Cemetery subject to an administrative fee.

Traditional or Cremation to Niche
Exchanging an unoccupied in-ground traditional-size or cremation-only burial space for an available columbarium niche will be allowed. Purchasers will be charged an administrative fee per transaction and will receive a credit towards the cost of the columbarium niche(s) for the paid portion of the in-ground lot(s) or burial space(s) previously purchased.

Niche to Traditional or Cremation
Exchanging a columbarium niche for an in-ground burial space (traditional-size or cremation-only) will not be allowed; however, unoccupied columbarium niches could be quit claimed to the City at the established rates in Chapter 2, F and the funds used to purchase an available in-ground burial space.

(E) *Payment Terms.* All lots, spaces and niches must be paid for within 30 days from the date the Purchase Agreement is signed. Interest free monthly payment plans may be approved by the Director of Public Infrastructure or his/her designee. Payment plans will be subject to a set-up fee, and the first month's payment will be due at the time of set-up. During the payment plan period, the space or niche will be reserved for the purchaser but the City will retain ownership until it is paid in full. In the event of non-payment for two consecutive months, the purchaser will be considered to be defaulting on the payment plan, and all monies minus a cancellation fee will be returned to the purchaser, and the purchaser shall have no claim to the lot, space, or niche. (See the Fee Schedule for payment plan charges.) Payment plans are not available for opening and closing fees or any other type of goods or services. Burials or inurnments are not permitted until the entire purchase price has been paid. After the lot, space or niche is fully paid, the City Clerk's Office will provide the purchaser with a deed and a perpetual care certificate.

(F) *Quit Claims.* As provided for in MMC §8.090(4), in the event the purchaser of cemetery property wishes to sell the same, the property may only be sold to the City of Manitowoc. For property purchased prior to January 1, 2006, the City's purchase price shall be 75% of the current sales price for the parcel involved plus 75% of the perpetual care, which was paid by the lot or space owner at the time the lot or space was purchased, minus the cost to remove any existing in-ground marker foundations. For property purchased after January 1, 2006, the City's purchase price shall be 50% of the original sales price for the lot, space or niche involved including 50% of the amount designated for inscriptions on a niche panel, if nothing has been adhered to or engraved onto the panel, minus the cost to remove any existing in-ground marker foundations. In the event the City repurchases a niche that has been previously engraved, the seller shall have deducted from the price paid the cost to

replace and re-engrave the entire niche plate (One plate covers two or four niche openings). The City shall be obligated to repurchase any lots, space or niches, which it determines to be usable on these terms. However, the City, in its sole discretion, may refuse to repurchase any cemetery property which it determines is unusable.

CHAPTER 3
INTERMENTS OR INURNMENTS

(A) *Compliance with Laws*. No burial or inurnment will be permitted in any lot or niche in the Cemetery until all laws and rules regarding burials or inurnments in force and applicable to the City of Manitowoc have been complied with. Scattering of cremated human or animal remains shall not be allowed in the cemetery.

(B) *Notice to Cemetery Office or Team Leader*. No person shall inter or place any bodily remains or cremains in any lot, space or niche without first notifying the Cemetery Office or Team Leader with the necessary information to complete a burial record. Required information shall include name of the deceased, age, sex, place of death and the date of death. Any person requesting a burial or inurnment is required to notify the Cemetery Office or Team Leader at least eight working hours prior to any interment or inurnment in Evergreen Cemetery.

(C) *Human Death Certificate Required.* No human burial will be made without a proper Death or Cremation Certificate, Report for Final Disposition from the State of Wisconsin or Burial Transit Permit from another state or country.

(D) *Control of Funerals*. Funerals while within the grounds will be under the control of the Cemetery Team Leader, who is required to be in attendance at every interment.

(E) *No Funerals on Specified Days*. No funerals will be allowed on Sundays, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day. Burials will be allowed on the Friday before Easter, the Friday after Thanksgiving, Christmas Eve, and New Year's Eve; however, additional holiday fees will apply.

(F) *Grave Digging and Placing of Bodies*. All graves in Evergreen Cemetery shall be dug to a sufficient depth as determined by the Cemetery Team Leader. No mounds will be allowed in the Cemetery and all graves will be filled so as to be level with the ground. The Cemetery Team Leader shall oversee the digging of all graves in the Cemetery to assure that all graves are properly made before burial.

(G) *Delivery*. When in-ground interments are to be made, adult-size vaults to be used for burials must be delivered at a reasonable time prior to the burial service as determined by the Cemetery Team Leader. Outer burial vaults are not required for cremation burials. The location of the grave, if on a lot, must be designated if it has not been previously designated.

(H) *Interments & Inurnments Restricted.* All interments and inurnments on lots, spaces or in niches shall be restricted to members of the family of the owner. If an interment or inurnment is requested for a person not a member of the immediate family, permission in writing for the burial or inurnment from the lot, space or niche owner(s) or his/her heirs must be filed with the Cemetery Office. Individuals with permission to be buried on a lot or space may relinquish their right to the same, to allow the owner(s) or heirs to give someone else permission to be buried at the location. Burial on or permission to be buried on a space, lot or in a niche does not transfer ownership of the lot. Ownership remains with the original owner(s).

(I) *Interment of Two Bodies in One Grave.* The interment of two bodies in one adult grave (that is one above the other) will not be allowed, except in case of an infant child or cremation buried on top of a vault or child's casket. Two interments of cremated remains may be allowed in the same grave. Should two cremated remains be buried in one grave at the same time, the fee shall be the opening and closing fee for the first cremation plus the surcharge for a second burial on the lot. (See the Fee Schedule.) The same formula shall apply to a cremation or baby buried in or on top of an in-ground burial in one grave at the same time.

(J) *Funeral Director as Agent.* Orders for burial or inurnment given by a Funeral Director having charge of the burial or inurnment of any person will be construed by the Cemetery Team Leader as orders from the lot, space or niche owner, and after interment or inurnment no changes in the location of graves or niches will be made except at the expense of the lot, space or niche owner(s). Funeral Directors making arrangements for a burial or inurnment will be held responsible for all charges of such burial or inurnment if not otherwise paid.

(K) *Indigency.* Where a human burial is requested but cannot be paid for because of indigency, fees for the grave space and the burial on a weekday before 2:30 p.m. which total more than the maximum possible cemetery reimbursement amount for individuals qualifying for the Wisconsin Funeral & Cemetery Aids Program will be waived. Additional fees for late charges and burials on Saturdays or holidays will not be waived. Application must be made to the Cemetery Office by the Funeral Director or the Department of Human Services for the lot sale and burial. When the Cemetery Office determines that the burial cannot be paid for because of indigency, the Cemetery Team Leader shall assign a place in the Cemetery where the burial can be made for the lowest possible cost. Cremation burials will be assigned to a cremation-only space.

(L) *Interment or Inurnment Ceremonies.* Families of the deceased shall have the right to private burial or inurnment ceremonies. Persons who do not have the consent of the deceased's immediate family may not intrude or approach the grave or niche during the burial or inurnment ceremonies.

(M) *Lowering Device*. No person shall be allowed to use the lowering devices owned by the City. Only cemetery employees shall be allowed to use or operate the City owned lowering devices.

(N) *Outer Burial Vaults*. All adult-size outer burial vaults used for in-ground burial purposes shall be constructed of reinforced concrete or stainless steel.

(O) *Burial Equipment*. The Cemetery Team Leader may inspect any interment equipment used at the gravesite and may prohibit the use of any equipment which appears inadequate.

(P) *Veteran's Graves*. In order to be buried in a veteran's gravesite owned by the Veteran's Service Office, a signed request form from the Manitowoc County Veteran's Service Office must be furnished to the Cemetery Office. To be eligible for such burial, the veteran must have been a resident of the City and also must meet indigency requirements for burial.

(Q) *Pet Burials or Inurnments*. No burial of pets, cremated or otherwise, shall be allowed in any part of the cemetery.

(R) *Fees*.

(1) *Amount*.

The fees for opening and closing a grave or niche can be found on the attached Fee Schedule. The fee for opening and closing a grave and making an interment therein includes directing the procession to the correct location in the cemetery, traffic control, decorating the gravesite with greens, limited assistance with carrying the casket if necessary, use of a stand to place a cremation urn/vault on during services, sodding the grave, and maintaining burial records. The fee for opening and closing a niche and making an inurnment therein includes directing the procession to the correct location in the cemetery, traffic control, use of a stand to place a cremation urn/vault on during services, placing the urn in the niche, sealing the niche and maintaining inurnment records. An additional fee, plus costs shall be charged for any adornment, memorial or decoration placed on any columbarium or niche. Permission for placement is required as set forth in Chapter 4, Section E.

(2) *Payment*. All required fees shall be paid to the Cemetery Office or Team Leader at or before the time of the burial or inurnment. The Cemetery Office shall account for all such fees and pay the same to the City Treasurer at the close of each calendar month.

CHAPTER 4

MONUMENTS AND MARKERS

(A) *Definitions.*

(1) *Marker.* A "marker" shall be defined as a structure of any kind erected upon a lot or space to mark a gravesite subject to the limitations in Chapter 4, Sec. (B) (2) below.

(2) *Monument.* A "monument" is defined as a marker which exceeds one or more of the size limitations specified in Sec. (B) (2) of this chapter.

(B) *Limitations on Markers.*

(1) *One Marker per Space.* Only one marker is allowed per grave space, except in the case of a monument centered over combined lots which are not less than 20' by 20' in which case an additional headstone or footstone would be allowed on the spaces over which the monument is centered. Foundations for the head or footstones might not be poured until after the burial is interred.

(2) *Marker Placement.* If the placement of a marker or an additional inscription is requested for a person not a member of the immediate family of the lot, space, or niche owner, permission in writing for the marker or inscription from the lot, space, or niche owner(s) or his/her heirs must be filed with the Cemetery Office.

(3) *Size Limitations.* The maximum size of a marker for a single grave space is 24" wide by 12" deep by 18" high. The maximum size of a double marker for two or more grave spaces is 42" wide by 12" deep by 18" high. The maximum size of a marker for an infant space (Section L) is 20" wide by 12" deep by 18" high. Granite or marble markers must be a minimum of 4" thick. No marker shall cover more than 10% of the area of the space or lot upon which it is to be erected, except on cremation-only spaces. No individual markers are allowed in the Fetus Section; however, there is a common marker in the section, which is dedicated to the memory of the unborn. A common vase is also provided in which to place cut flowers.

(4) *Prepayment Required.* No marker may be erected upon any lot or space, which has not been paid in full.

(5) *Foundations Required.*

A. *Construction Requirements.* Every foundation must be at least as wide and as long as the marker, which it will rest upon and shall not project above the surface of the ground. Foundations shall be built at the expense of the lot or space owner(s) or contractor. All markers shall be true and level on the foundation thereof.

B. *Foundations Installed or Removed by City.* All foundations must be installed or removed by the City. The City shall determine when foundations are installed (generally after Memorial Day and prior to Labor Day). The cost to install a foundation shall be as set forth in the attached fee schedule. This amount must be paid prior to commencement of construction.

(6) *Markers*. Only granite or bronze markers may be used. Bronze markers, such as those provided by the U.S. government for veterans, must be set in a cement foundation or attached to a granite or existing marble marker. Marble markers will be allowed as replacements for existing marble markers in the cemetery. **Temporary** markers provided by the funeral homes shall be allowed.

(7) *One Piece Markers*. Each marker, other than monuments meeting the above requirements, shall consist of one piece only. No markers are allowed to be set in a socket or with dowels.

(8) *Installation*. The setting of all markers shall be subject to the supervision and control of the Cemetery Team Leader. Except by special permission, all such work shall be completed and refuse removed during the operating hours of the Cemetery as set forth in Chapter 1.

Employees installing markers are prohibited from attaching rope to trees, shrubs or other objects except by permission of the Cemetery Team Leader. Materials shall not be scattered on adjoining lots and the work shall be completed as promptly as possible. The lot and all surroundings must be restored to their original condition. Any clean up or repair work deemed necessary by the Cemetery Team Leader shall be performed by Cemetery employees at the expense of the lot or space owner(s) or contractor installing the marker.

All stonework must have the surface next to the foundation true and level to allow every part to have a full bearing on the foundation. No sprawls or chips will be allowed for unpinning.

No heavy traffic will be allowed to enter the Cemetery in wet weather or, when in the opinion of the Cemetery Team Leader, the roads are in danger of being damaged. Planks shall be laid on paths or grass over which any heavy material is to be moved in order to protect the same from injury.

(9) *Cremated remains*. Placement of cremated remains inside of a marker, bench, or flower urn shall not be allowed.

(C) *Monuments*.

(1) *Permit Required*. No monument shall be erected or moved with a crane or other heavy equipment in Evergreen Cemetery without permission granted by the Director of Public

Infrastructure or his/her designee. Application for such shall be made to the Cemetery Office or Team Leader with plans and specifications as to size, materials, and location of the proposed monument.

(2) *Marker Requirements Applicable.* All monuments shall be subject to the requirements of (B) (3), (4), (5), (7) and (8) above and must be approved by the Cemetery Team Leader. Monuments will not be allowed if placement of the monument prevents the use of heavy duty construction equipment, such as a backhoe, to open and close graves.

(3) *Location.* Monuments shall not be allowed except on combined lots, which are not less than 20 feet on any side, except in section X. Monuments in section X shall not be allowed, except on lots which are not less than 10' on any side. The monuments may not exceed 50" wide by 12" deep by 36" high, with a maximum base 50" wide by 12" deep by 12" high and a second piece above the base no more than 50" wide by 12" deep by 24" high. Additional head or footstones would not be allowed on such areas in section X where monuments are located. All monuments shall be erected as near to the center of the lot as possible. Where it is not possible, any monument shall be erected at the west side of the lot and at least 12 inches from the adjoining lot line.

(4) *Size Limitations.* No monument shall be over five feet in height, nor shall the base cover more than 10% of the area of the lot upon which the monument is to be erected.

(D) *Chairs and Benches Prohibited.* No person shall place any chair, bench or settee on any individual gravesite in the cemetery. The City shall be allowed to place chairs or benches along the public areas of the cemetery. Granite monuments shaped as a bench will be allowed as long as the requirements for monuments are met.

(E) *Flowers and Decorations.*
If flowers and decorations do not comply with all of the cemetery rules or are broken or otherwise damaged, they will be removed and disposed of at the discretion of the Cemetery Team Leader.

<u>For markers/headstones that face east</u>, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the front of the marker. Flowers are not permitted behind grave markers.

<u>For markers/headstones that face west</u>, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the back of the marker. Flowers are not permitted in front of grave markers.

<u>For footmarkers that face east</u>, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the back of the marker. Flowers are not permitted in front of grave markers.

For footmarkers that face west, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the front of the marker. Flowers are not permitted behind grave markers.

No perennials or plants which have thorns, thistles, burs, etc. are allowed. Any perennials or other such plants found during spring or fall clean-up shall be cut down.

No fences, above-ground edging, gravel, lava stone, shredded bark, or similar materials may be placed on gravesites. Dirt mounds in the flowerbed or by the marker are not allowed.

Permanent receptacles for cut flowers shall be level with the ground. No glass (vases, bottles, etc.) or other material that shatters easily shall be allowed. Other than solar lights, one artificial decoration is allowed per grave space. Up to two solar lights are permitted by each marker. If a flag is placed in the ground, the bottom portion of the cloth or other material must be a minimum of 12" above ground level to accommodate lawn care equipment.

No person shall place an adornment, memorial or decoration on any columbarium or niche without the permission of the Cemetery Team Leader.

(F) *Flower Urns*. Newly placed flower urns shall be in line with the marker on the lot. Flower urns are not allowed on cremation-only spaces. Flower urns shall not be used as markers unless they meet all of the requirements for a marker. Any flower urns, which are not part of a permanent marker, will be removed and disposed of if they are not planted for three consecutive years.

(G) *Trees and Shrubs*. No trees or shrubs may be planted by lot or space owners. The City of Manitowoc accepts no responsibility for any trees or shrubs, which have been placed previously and reserves the right to remove any and all trees or shrubs at the discretion of the Cemetery Team Leader.

(H) *Spring and Fall Clean-Up*.

Spring clean-up: All winter decorations (artificial and live) shall be removed before April 15. Summer decorations may not be placed on the grave before May 15.

Fall clean-up: All summer decorations (artificial and live) shall be removed before October 15. Winter decorations may not be placed on the grave before November 15. Winter decorations should be placed near the marker. Decorations which are short enough to potentially be completely covered with snow in the winter should be placed in the designated flowerbed area to allow access for snow removal equipment for nearby burial sites.

Any decorations left on graves during the spring cleanup or fall cleanup will be disposed of at the discretion of the Cemetery Team Leader.

CHAPTER 5
PERPETUAL CARE AND ANNUAL CARE

(A) *Perpetual Care.* The term "perpetual care" shall be defined as provided for in MMC §8.070(1). The charge for perpetual care on the sale of a new lot, space or niche shall be as set forth in Chapter 2 of these rules. Lot, space or niche owners delinquent on their annual care may pay a fee to convert over to perpetual care. (See the attached Fee Schedule)

(B) *Annual Care.* See the attached Fee Schedule for the annual assessment for lots and spaces, which do not have perpetual care, and which is referred to in MMC §8.070(4).

CHAPTER 6
REMOVAL OF BODIES OR CREMAINS

(A) *Who May Request Disinterment or Removal.* No disinterment and removal of a body or cremains shall be made without the written consent of the owner or owners of the lot, spaces or niches and that of any surviving spouse, children, or parents of the deceased. A Disinterment Permit shall be obtained from the County Coroner by the person requesting the disinterment of a human body or the disinterment of cremains in a gravesite where a body or casket is also present.

(B) *Manner of Disinterment or Removal.* Disinterments or removals from niches shall be made by cemetery employees at the cost of the person(s) requesting the disinterment. Removal of bodies or cremains will only be made when weather conditions and time permit, in the judgment of the Cemetery Team Leader. The person requesting the disinterment must make satisfactory arrangements for transportation of the body or cremains prior to any disinterment or removal.

(C) *Payment.* A deposit of an amount estimated by the Cemetery Team Leader to meet the expenses of the disinterment and/or removal shall be made at the time of application thereof. Should the actual cost exceed this estimate, the applicant shall immediately pay the difference.

CHAPTER 7
LIABILITY LIMITATION

As a condition of purchasing property in Evergreen Cemetery, every owner agrees to accept responsibility for loss or damage to property including, but not limited to, acts of thieves, vandals, rioters and malicious mischief as well as from all acts of nature including wind,

tornadoes, cyclones, hail, snow and frost, whether the damage be direct or indirect, and specifically agrees to hold the City harmless from any such liability. In addition, if a grave is opened adjacent to a previous interment and it is not possible to protect the adjacent grave from damage, liability for any such damage will be at the sole expense of the owner of the lot or space of which the new grave is opened and the City shall not be responsible for any such damage. The City shall also not be held responsible for any damage of edging, pavers, etc. which are flush with the ground, should they get damaged or require removal due to the opening of a lot owner's grave or a nearby gravesite. Lot owners agree that the City is held harmless from any property damage occurring at the site.

CHAPTER 8
MISCELLANEOUS

(A) *Offenses.* As provided for in MMC §8.110(1), all persons are prohibited from writing upon, defacing or injuring any monument, fence or other structure in, or belonging to, the cemetery. In addition, all persons are strictly prohibited from littering.

(B) *Tree or Plant Removal.* No trees or bushes shall be removed from the Cemetery without the consent of the Cemetery Team Leader. Picking of flowers or other vegetation without the consent of the lot or space owner(s) or Cemetery Team Leader is prohibited.

(C) *Donations.* Trees or benches may be donated in memory of a loved one or as a gift to the City of Manitowoc in accordance with Evergreen Cemetery's Memorial Tree and Bench Programs. Placement of the tree or bench shall be in a location mutually agreed upon by the Cemetery Team Leader and the individual(s) donating the tree or bench. The type of tree or bench must be approved by the Cemetery Office or Team Leader.

(D) *Harm to Birds or Animals.* As provided for in MMC §8.110(3), no person shall be allowed to destroy bird nests, shoot or throw stones at birds, or catch or kill any animal on the cemetery grounds.

(E) *Live Pets Prohibited.* No person shall bring any live pet or animal on the Cemetery grounds at any time without prior permission of the Cemetery Office or Team Leader. Horseback riding is also prohibited per MMC §8.230(2). This prohibition does not apply to service animals.

(F) *Vigil Lights.* The use of vigil lights in the Cemetery is strictly prohibited.

(G) *Admission of Children.* As provided in MMC §8.110(4) , persons under the age of 18 years are not permitted on cemetery grounds unless accompanied by a parent, guardian or relative over the age of 18 years. Tour groups with minors will be allowed with the consent of the Cemetery Office or Team Leader.

(H) *Loitering on Cemetery Grounds.* As provided in MMC §14.810, it is unlawful for any person or persons to loiter or be found in any cemetery in the City of Manitowoc between the hours of 9:00 p.m. and 5:00 a.m. Any person found loitering in any cemetery in the City of Manitowoc between these hours will be issued a municipal citation.

(I) *Crossing of Lots.* As provided for in MMC §8.110(2) and §14.820, driving, bicycling, skiing, golfing, or running over lots and graves is strictly prohibited.

(J) *Niche Regulations.* A 3" veteran medallion provided by the Department of Veterans Affairs or a niche vase may be placed on the wide gray granite portion of the columbarium adjacent to the panel for the deceased individual. Niche vases may only be placed on the columbarium when a veteran's medallion is not present. Niche vases and their inserts are not to exceed a total of eight inches (8") in height and shall not cover up, impinge or interfere with any portion of another niche.

(K) *Vehicular and Recreational Traffic.* Skateboards and toy vehicles shall not be allowed or used on cemetery grounds at any time. Motorcycles, mopeds, bicycles, roller blades and roller skates are permitted in the cemetery during daylight hours as long as their use is restricted to roadways and is not disruptive or does not interfere with funeral processions and/or cemetery operations.

Manually or mechanically propelled wheelchairs and other low-powered mechanically propelled vehicles designed specifically for use by physically disabled persons are permitted during daylight hours.

(L) *Fires Prohibited.* No fires shall be permitted in the cemetery, unless permission has been granted by the Cemetery Office or Team Leader.

(M) *Volunteer Work.* Individuals or groups interested in doing volunteer work for the cemetery should contact the Cemetery Office or Team Leader to have their project approved. All volunteers must complete a "Hold Harmless, Waiver of Liability, Assumption of Risk & Indemnification of the City of Manitowoc" form prior to performing any work.

Sign up to receive spring & fall cleanup notices and other important information about Evergreen Cemetery by text or e-mail!

Go to www.manitowoc.org. Click on the **Notify Me** button in the lower left hand portion of the page. Follow the directions at the top of the page and under the News Flash category, choose **Evergreen Cemetery.** You will receive a reminder about the spring & fall cleanup two or three weeks prior to the deadline for removing items from the gravesites.

Evergreen Cemetery Fee Schedule

Effective March 19, 2013

IN-GROUND LOT FEES

Traditional adult space* $800.00
Traditional child/baby ** space in Section L* $410.00
Cremation only (Section X – north of Dow Memorial Chapel)* $600.00
Cremation only (not in Section X) * $600.00
Fetus area in Section L (no marker allowed on 1'x1' space)..... Free
Administrative fee to exchange space for space (per transaction).... $100.00
Conversion from annual to perpetual care (per sq. ft.)..... $ 1.20
Annual care of lot on delinquent lots only (per sq. ft.) ..... $ 0.12

IN-GROUND BURIAL/SERVICE FEES

Traditional/full casket: adult - weekday $825.00
child - weekday** $500.00
Cremation or amputation – weekday $500.00
Saturday surcharge $300.00
Surcharge for 2 or more interments on one space (per interment) .. $500.00
Surcharge to disinter/rebury cremains during a full grave opening .. $ 50.00
Late arrival surcharge (arrive between 2:30 and 4:30)..... $250.00
Winter surcharge for burials between Dec. 1st & Mar. 31st: adult..... $150.00
baby/cremation ..... $ 75.00
Holiday surcharge for burial on an employee holiday (if permitted) . $350.00
Set up for service with no burial $125.00
Unauthorized scatterings/cremation burials..... $500.00
Fetus in Fetus Section of Section L with no service - weekday only.. Free

COLUMBARIUM NICHE/SERVICE FEES

Top row & bottom 2 rows***.....$1,999.00
Middle 4 rows*** $2,199.00
Additional adornment (bronze emblem, vase, etc.).....Varies
Administrative fee to exchange niche for niche (per transaction)...$100.00
Opening & closing fee - weekday $425.00
Saturday surcharge $300.00
Late arrival surcharge (arrive between 2:30 and 4:30).....$250.00
Holiday surcharge for inurnment on employee holiday(if permitted) $250.00

No interment services will be allowed after 4:30 PM or on Sundays, Memorial Day, July 4th, Labor Day, Thanksgiving Day, the Friday after Thanksgiving, Christmas Day or New Year's Day.

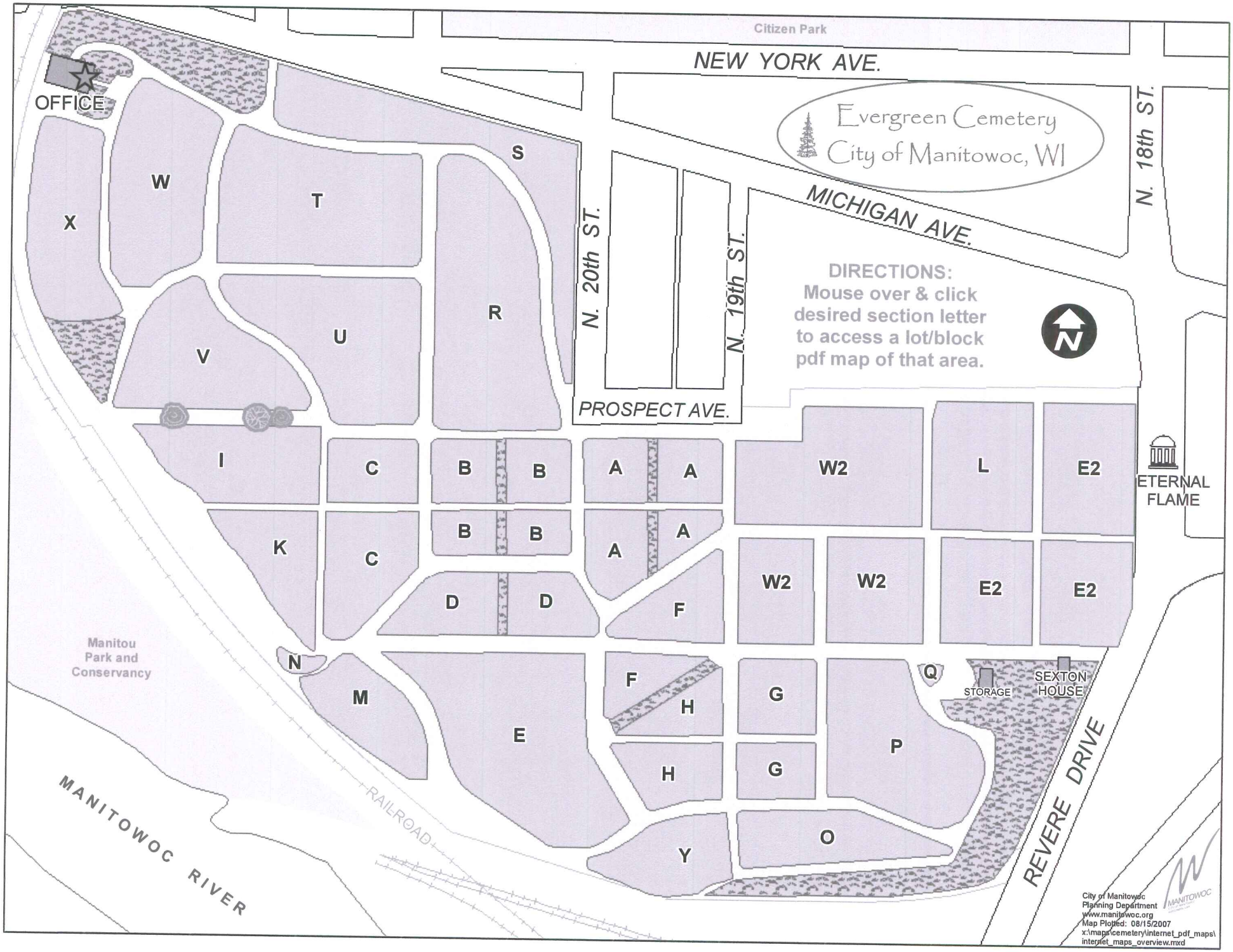
DISINTERMENT FEES

All disinterments will be conducted on weekdays when weather & time permit. Disinterment fees will be the same as the corresponding burial or inurnment fee, except for in-ground fetuses or in the case of frost.

FOUNDATION FEES *(required & must be installed/removed by City)*

Layout & pour foundation–single (up to 24 x 12)..... $120.00
-double (over 24 x 12 and up to 42 x 12) $190.00
-monument (per sq. in.)..... $ 0.40
Pour foundation cap (per square inch)..... $ 0.18
Removals-single (up to 24 x 12)..... $ 50.00
-single bronze government marker set in concrete..... $ 75.00
-double (over 24 x 12 and up to 42 x 12)..... $ 75.00
-monument over 42 x 12 (per sq. in.) ..... $ 0.15

* *Includes perpetual care and sales tax on care in price*
** *Under the age of 10 & occupying a grave space that does not exceed 29" x 48"*
****Includes niche for two, perpetual care, sales tax on care, & inscriptions for two*


Citizen Park
NEW YORK AVE.
Evergreen Cemetery
City of Manitowoc, WI
N. 18th ST.
MICHIGAN AVE.
N. 20th ST.
N. 19th ST.
PROSPECT AVE.
DIRECTIONS:
Mouse over & click desired section letter to access a lot/block pdf map of that area.
OFFICE
ETERNAL FLAME
STORAGE
SEXTON HOUSE
REVERE DRIVE
RAILROAD
MANITOWOC RIVER
Manitou Park and Conservancy
X
W
T
S
R
V
U
I
C
B
B
A
A
W2
L
E2
K
C
B
B
A
A
W2
W2
E2
E2
D
D
F
N
M
E
F
H
G
Q
P
H
G
Y
O
City of Manitowoc
Planning Department
www.manitowoc.org
Map Plotted: 08/15/2007
x:\maps\cemetery\internet_pdf_maps\
internet_maps_overview.mxd