

TOWN OF HARRIS

AMENDMENT TO CEMETERY ORDINANCE NO. 2010 (#2026-08 CEMETERY)

The Town of Harris Board of Supervisors, Marquette County, WI. Ordains that the Town of Harris Code 96-2 be amended as follows:

SEC. 4-5-1 Town Cemeteries.

- (a) The Town owns and is responsible for three cemeteries: Hallman, Harris and Sheldon.
- (b) The Town Board may, by resolution, authorize the conveyances of all or any part of any town cemetery, or may alter or vacate a cemetery plot of any part thereof.
- (c) An appointed official (currently Michael Rozek) is hereby designated as the Sexton for purposes of this ordinance. Sec. 157.50 WI Stat.

SEC. 4-5-2 Sale of Lots and Application.

- (a) Application, procedure: All applications for the purchase of lots in the cemeteries shall be made to the Sexton.
- (b) Sales to be recorded: Upon obtaining a receipt for the payment of the sum of money stated in the Sexton's certificate by the purchaser, the Town Treasurer shall file a copy the paid receipt and record said purchase on the official cemetery map. It shall then be the duty of the Treasurer to issue a paid receipt, in the name of the Town of Harris, showing the owner's name, lot description and total sale price. The Sexton shall file all burial permits.
- (c) Assignment of Lots. Should an owner assign or transfer a cemetery lot, said assignment shall be filed with the Sexton.

(See SEC 157.10 for alienation ad use of cemetery lots.) WI STATS.

SEC. 4-5-3 Deleted from the previous 96-2 Ordinance (Resident and Non-resident Defined)

SEC. 4-5-4 Price of Lots.

- (a) The price of lots shall be determined by the number of adult grave spaces the lot will accommodate. (a grave space shall be 4' x 11')
- (b) The price of an adult grave space shall be \$200.00. A plot of four graves shall be \$800.00. (A plot is 16' x 11') SEE "e" BELOW
- (c) The interment of **two cremains** may be allowed in one adult grave space. Up to four cremains may be permitted in one adult grave space if lot was purchased prior to Nov. 15, 2021.
- (d) Upon purchase and receiving of a paid receipt by the Town Treasurer, permanent, initialed corner markers and/or headstones **must** be established within 6 months to identify ownership.

(e) Non-residents and Non-resident taxpayers will pay an additional \$200.00 per grave site (\$400.00). A plot of four will cost \$1,600.00.

(f) A fee of \$50.00 will be paid to the Town of Harris to mark each grave at the time of burial.

SEC. 4-5-5 Perpetual Care Defined:

Perpetual care shall mean the cutting of the grass upon the lot or grave at reasonable intervals, the raking and cleaning of the lot or grave, and the pruning of shrubs and trees. It does not include maintenance or repair of any gravestone or monumental structures erected upon lots or graves therein.

SEC. 4-5-6 Conveyance of Lots Limited.

Not more than one plot consisting of four grave spaces in any Town of Harris Cemetery shall be sold to any one person. If more than one plot needs to be purchased, the purchaser must come before the Town Board for approval.

SEC. 4-5-7 Permanent Vaults Required.

- (a) The use of wooden grave boxes will not be allowed in any cemetery. All caskets must be enclosed in an outside container made of concrete, steel, or polymer, except for baby caskets. (see next paragraph)
- (b) For infants less than one year of age, a polystyrene sealer-type casket is to be used for burial and is considered a permanent vault.

SEC. 4-5-8 Monuments, Markers, Urns, Plantings, Fences, Regulations:

(a) Definitions

- (1) Monument: A stone containing the family name and/or an inspirational message only.
 - (2) Marker: A stone containing information specific to an individual or individuals (e.g., name, date of birth, date of death, etc.)
 - (3) Flush marker: A marker installed so that its top surface is flush with the surrounding ground, including Veteran Markers, unless it is the sole marker and used as a headstone.
 - (4) All stones must have a foundation with a 6" minimum border (wash) on the North and South ends (width) and a 4" minimum thickness (depth).
- (b) The planting or placing of any article in front of any grave marker is prohibited. This includes any plant, tree, bush, or hedge, placed at either end of any grave marker or monument.
 - (c) All grading, landscaping and improvements of any kind on cemetery plots shall be performed by cemetery maintenance personnel. The Town reserves the right to remove any alterations or plantings at the owner's expense, which have not been approved by the Town Sexton. Notice will be given to the owner (if contact information is available), with a reasonable removal period, dependent upon the time of year, prior to the Town

commencing any removal. Restoration of a recently opened and closed grave is **the responsibility of the person who excavated the grave.**

- (d) No fences or hedges shall be erected around the plots. All cornerstones or other stones or copings shall be placed at the ground level so a lawn mover can be operated over them. Grave mounds shall not be raised above the level of the lot. Monuments and grave markers shall be permitted only upon lots which have been fully paid for and when they do not conflict with the restrictions contained herein.
- (e) The Town Sexton shall approve the location of any monument or marker before it is placed on the lot.
- (f) There is no maximum height of single, double or triple markers.
- (g) Grave markers shall be placed at the head of a grave, except for lots that are defined as having a maximum width of 24" for a single marker and a maximum width of 42" for a double or triple marker. Grave markers shall not be more than 12" thick.
- (h) The use of **vigil lights, including solar lights**, in the town cemeteries **is prohibited**.
Floral receptacles shall be of metal, clay, cement or plastic, and not larger than 12" in diameter and shall be removed by the owner or the cemetery maintenance personnel as soon as they become unsightly. The Town shall not be liable for floral pieces, baskets, shrubs, trees, or frames which may be lost or stolen.
- (i) Any tree, shrub, plant, bush, or artificial flowers situated anywhere within a cemetery that, in the opinion of the cemetery maintenance personnel, becomes detrimental to burial plots, is a hindrance to the maintenance personnel, or is prejudicial to the general appearance of the cemetery may be trimmed, cut, or removed at the direction of the Town Sexton.
- (j) The placing of boxes, shells, toys, lawn ornaments, chairs, settees, glass vases, metal, glass or wood objects, iron cases, or similar articles is not permitted unless specifically permitted by other sections of this code.
- (k) Urns may be placed on either side of a monument. The maximum height of metal, wood, cement or stone urns shall not exceed 26". The base of the top of which shall not exceed 18" square or in diameter. "Urn" means a vase-like container used only for planting of live plants. Only **two urns** shall be permitted per lot. Removal or inversion of the urn bowl to prevent winter frost damage is recommended.
- (l) Wire basket-type plant holders, whether for live, cut or artificial flowers shall not exceed 48" in height, 18" in diameter of top or base, and shall be light enough to be moved by one person. There is a limit of one such planter per owner lot.
- (m) Statuary shall not exceed 22" in height and can be placed only directly behind a head stone so as not to interfere with, or set wholly or partially on, another persons lot. When statuary is of monumental structural size to be used in lieu of a monument, it shall meet the requirements of this Section and Section 4-5-9.
- (n) No marble, sandstone, or man-made stone, except Portland cement concrete, shall be

used for foundations in all of the town cemeteries. No columnar or pillar-type headstones or monuments shall be placed in any town cemetery. One grave marker shall be permitted per single grave. In case of more than one burial per grave, additional names may be used on the same stone.

- (o) A cleanup time from April 1 to April 15 each year will occur. All flowers, decorations, and other items will be removed during this time by maintenance personnel.

SEC. 4-5-9 Maintenance and Repair of gravestones and Monuments.

The cemetery maintenance personnel may, by written order of the Town Sexton, provided that when a monument, gravestone or ornamental structure is broken beyond repair, or is in such condition so as to constitute a hazard to the public or to cemetery workers, the debris may be removed. The Town Sexton, prior to ordering the removal of such debris, shall give six months notice to the general public and owners of faulty stones and order the person(s) with an interest in the grave(s) to remove the stones and/or to replace them with a marker of a size and material that meets the requirements of this ordinance.

SEC. 4-5-10 Defacing Cemeteries Prohibited.

Except by authority, no person shall dig up, pull up, break down, or in any manner injure, remove, or deface any shrubbery, flowers, plants, grass plot or turf growing or being in and upon any part of the grounds of any town cemetery, or injure or deface any building, monument, marker or other structure on a cemetery.

SEC. 4-5-11 Interment Regulations.

- (a) Sexton's Records: No person shall inter any body or cremains in any lot or part of a cemetery **without first notifying the Sexton** on or before the day of such interment and furnishing him/her with the **necessary information** to enable him/her to complete his/her records. No burial will be made without a proper burial transit permit, in compliance with **69.42 WI STATS**.
- (b) Severe Weather: During severe weather conditions, the Town Sexton shall decide, upon consultation with the funeral director responsible for burial, to postpone burial, until suitable conditions exist. The funeral director shall provide care and storage for the remains until proper burial can be made.
- (c) Interment of two bodies in one grave:
 - (1) The interment of two adult bodies in one grave (i.e., one above the other) is not allowed, except in the cases of an adult and an infant child, or two infant children buried at the same time. However, one cremain placed at the head or foot of an adult body is permitted.
 - (2) The interment of **two cremains may be allowed in one adult grave**. If graves were purchased before Nov. 15, 2021 the internment of up to four cremains may be allowed in one adult grave. The minimum container requirements for cremated remains shall be according to current state statutes.
- (d) After interment no changes in location of graves will be made except at the expense of the lot owner. A funeral director making arrangements for the interment of a body will be held responsible for the charges.

- (e) Pallbearers: It is the funeral director's responsibility to provide the necessary pallbearers to adequately carry the casket to the grave site for burial. Except for postponed burials due to severe weather conditions when pallbearers are not available, other personnel may assist.

SEC. 4-5-12 Exhumation of Bodies.

Exhumations must be made in compliance with the statutes and public authorities of the State of Wisconsin and the Town of Harris.

SEC. 4-5-13 Responsibility of Town of Harris Limited.

- (a) Disclaimer. The Town of Harris will take every reasonable precaution to protect all private property in the cemetery from loss or damage. However, the Town distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control and especially from the acts of thieves, vandals, rioters, malicious mischief makers, and from all acts of nature which include unusual wind, tornadoes, cyclones, hail, snow and frost, whether the damage be indirect or proximate.
- (b) Limits of Town Maintenance Responsibility. The Town's responsibility with regard to the maintenance of the cemeteries is limited to:
 - (1) Correction of acts performed by others in violation of this code.
 - (2) Mowing and trimming of weeds and grass.
 - (3) Reconstruction of any marble, granite, bronze, or concrete work on any Section of plot for damage caused by vandals, the elements, or an act of God.
 - (4) Performing any special or unusual work for which permission has been received from the cemetery personnel.

SEC. 4-5-15 Restrictions on Cemetery Use.

- (a) All cemeteries are to be closed to the public after dark. Violators of this provision are subject to the penalties prescribed in the Town of Harris Code of Ordinances 83-1.
- (b) Walking, driving or running over lots and graves is prohibited, except as is necessary for maintenance.
- (c) Domestic animals which includes farm animals, are not permitted in the cemeteries, nor are they allowed to be buried there for any reason.
- (d) No person shall destroy bird nests, shoot or throw any missile at birds, or catch or kill any wild animal on the cemetery grounds.
- (e) With the exception of ceremonial functions, such as Memorial Day observances and graveside military services, all persons are prohibited from carrying or discharging weapons including spring and air guns, sling shots, archery equipment or other weapons in the Town cemeteries.
- (f) Planks are required to be laid on cemetery paths or grass over which heavy material or

equipment is to be moved.

SEC. 4-5-16 Applicability.

The provisions of this ordinance apply to all property owners and persons using a cemetery (and to others as specified) and to all plots sold. **A copy of this ordinance shall be given to each plot owner at time of purchase** after the effective date of this ordinance.

In the above ordinance Sec. 4-5-8 (b), 4-5-8 (c), Sec. 4-5-8 (i), and Sec. 4-5-8 (j), have been amended in this current version.

The above and foregoing ordinance was amended and passed on August 17, 2026 at the regular Town of Harris Board of Supervisors Meeting.

Town Chairman

Glenn L. Thalacker

Supervisor I

D. a. Dug

Supervisor II

Dennis Nelson

Attest: Darlene A. Wulf, Clerk

Darlene Wulf

POSTED: August 17, 2026 on the front door of the Harris Town Hall
and on the town website at <https://townofharriswi.com/>