

# THE DIVINE SAVIOR PARISH CEMETERY ASSOCIATION

## Rules and By Laws

TO INSURE THE SACRED CHARACTER OF ALL CEMETERIES AFFILIATED WITH THE NEWLY FORMED DIVINE SAVIOR CONGREGATION, NAMELY HOLY CROSS CEMETERY (Town of Belgium, Ozaukee County), ST. MARY MOTHER OF SORROWS CEMETERY (Town of Fredonia, Ozaukee County), ST. ROSE OF LIMA CEMETERY (Village of Fredonia, Ozaukee County), ST. MARY CEMETERY (Town of Belgium, Ozaukee County), ST. JOHN THE BAPTIST CEMETERY (Town of Fredonia, Ozaukee County) AND \*FIRST ST. JOHN THE BAPTIST CEMETERY (Town of Fredonia, Ozaukee County) IN ACCORD WITH THE MIND AND TRADITIONAL PRACTICE OF THE CATHOLIC CHURCH, AND TO ESTABLISH AND MAINTAIN GOOD ORDER: THE FOLLOWING RULES AND REGULATIONS ARE IN EFFECT.

\*NOTE: FIRST ST. JOHN THE BAPTIST CEMETERY (Town of Fredonia, Ozaukee County) DOES NOT HAVE ANY FUNDS HELD SEPARATELY. EXPENSES ARE ABSORBED BY ST. JOHN THE BAPTIST CEMETERY (Town of Fredonia, Ozaukee County) FUNDS AND SHALL BE CONSIDERED PART OF ST. JOHN THE BAPTIST CEMETERY THROUGHOUT THIS DOCUMENT.

### Section I: GENERAL RULES

THE DIVINE SAVIOR CEMETERY ASSOCIATION IS A RELIGIOUS CORPORATION ORGANIZED UNDER THE EXISTING LAWS OF THE STATE OF WISCONSIN AND THE RULES AND DISCIPLINE OF THE ARCH-DIOCESE OF MILWAUKEE. IT RESERVES THE RIGHT TO REFUSE THE USE OF ANY OF THE ASSOCIATED CEMETERY'S FACILITIES AT ANY TIME TO ANY PERSON OR PERSONS WHOM THE ASSOCIATION MAY DEEM OBJECTIONABLE TO THE BEST INTEREST OF THE CEMETERY.

1. NO INTERMENT SHALL TAKE PLACE WITHOUT VERIFICATION FROM HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH CEMETERY ASSOCIATIONS SHOWING OWNERSHIP OF A GRAVESITE OR GRAVESITES. NO INTERMENT (except cremains) SHALL BE WITHOUT A VAULT. A STAKING FEE OF \$75.00 IS CHARGED FOR EACH INTERMENT.
2. THE COST PER GRAVESITE TO A REGISTERED PARISHIONER AND MEMBERS OF THE IMMEDIATE FAMILY SHALL BE \$500, OF WHICH 20% IS ALLOTTED PERPETUAL CARE. THE COST OF OPENING AND CLOSING THE GRAVESITE AT THE TIME OF BURIAL IS NOT INCLUDED. THE COST OF AN ADDITIONAL ABOVE-GRADE CREMAINS BURIAL RITE IS \$500 EACH.
3. THE COST PER GRAVESITE TO A NON-MEMBER SHALL BE \$1,000, OF WHICH 20% IS ALLOTTED PERPETUAL CARE. THE COST OF OPENING AND CLOSING THE GRAVESITE AT THE TIME OF BURIAL IS NOT INCLUDED. THE COST OF AN ADDITIONAL ABOVE-GRADE CREMAINS BURIAL RITE IS \$1,000 EACH.
4. NO TREES, SHRUBS OR BUSHES ARE ALLOWED TO BE PLANTED ON THE CEMETERY GRAVESITE. EVERYTHING ELSE MUST BE FLUSH WITH THE GROUND.
5. A. SUITABLE ANNUAL FLOWERS MAY BE PLANTED IN A CULTIVATED BED ON THE GRAVESITE OF MONUMENTS EXTENDING NO FARTHER THAN TWELVE INCHES FROM, AND NOT WIDER THAN, THE MONUMENT. CULTIVATION AND WEEDING MUST BE DONE BY THE OWNERS. IF FLOWER BEDS BECOME UNSIGHTLY, THE ASSOCIATION HAS THE RIGHT TO REMOVE THEM. NO PLANTINGS ARE PERMITTED AT GRAVE MARKERS (Foot of Grave).  
  
B. ARTIFICIAL FLOWERS ARE PERMITTED BUT MUST BE MOUNTED TO THE MONUMENT OR STAKED IMMEDIATELY NEXT TO THE MONUMENT. CONTAINERS AND FLOWERS WHICH BECOME UNSIGHTLY WILL BE REMOVED AND DISCARDED WITHOUT NOTICE.  
  
C. WINTER WREATHS, STYROFOAM CROSSES, AND WINTER FLOWERS MAY BE PLACED STARTING NOVEMBER 15 AND MUST BE REMOVED BY MARCH 15.

D. FLAGS ON GRAVES OF VETERANS AND LODGE MEMBERS ARE PERMITTED AND WILL BE REMOVED WHEN THE FLAGS BECOME UNSIGHTLY. THE FLAGS MUST BE PLACED IMMEDIATELY NEXT TO THE BASE OF MARKERS ON THE GRAVES.

E. FLOWERS AND BASKETS LEFT AT A GRAVESITE AFTER A FUNERAL WILL BE REMOVED A WEEK AFTER BURIAL.

6. THE ASSOCIATION IS NOT RESPONSIBLE FOR THEFT OR DAMAGE TO ANYTHING PLACED ON GRAVES OR LOTS INCLUDING MONUMENTS.
7. THE GRADE OF ALL LOTS AND GRAVESITES SHALL BE IN CONFORMITY WITH THE GRADE ESTABLISHED BY EACH INDIVIDUAL CEMETERY (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) MAKING UP THE MEMBERSHIP OF THE DIVINE SAVIOR CEMETERY ASSOCIATION.
8. NO FOUNDATIONS OR MONUMENTS SHALL BE PLACED ON GRAVESITE UNTIL A "PERMIT FOR INSTALLING FOUNDATIONS," ALONG WITH A \$25.00 FEE, IS FILED WITH THE CEMETERY ASSOCIATION. FOUNDATIONS FOR THE MONUMENT OR MARKER MUST BE SET IN LINE AT THE HEAD OF THE GRAVE. THE SEXTON, FOR EASE OF PLACING THE FOUNDATIONS, WILL STAKE OUT THE SITE. HOWEVER, THIS DOES NOT IN ANY WAY ALLEVIATE THE CONTRACTOR'S RESPONSIBILITY FOR PROPER PLACEMENT OF THE FOUNDATION. A BLANK "PERMIT FOR INSTALLING FOUNDATIONS," ALONG WITH THESE RULES AND BYLAWS, WILL BE GIVEN TO THE PURCHASER OF THE GRAVESITE(S) AT THE TIME THEY RECEIVE THEIR COMPLETED CEMETERY CERTIFICATE.
9. MONUMENTS SHOULD DISPLAY A CHRISTIAN SIGN OR EMBLEM. ONLY ONE MONUMENT ON EACH GRAVESITE WILL BE ALLOWED. THE FOUNDATION FOR MONUMENTS MUST BE SOLID STONE OR CONCRETE, AND BE OF A DEPTH AND SIZE DEEMED PROPER BY THE SEXTON. WHERE THERE IS NO STONE OR MONUMENT, A DECENT METAL CROSS SHOULD BE PUT UP BEARING THE FAMILY NAME. WOODEN CROSSES ARE PROHIBITED. CORNERSTONES OF LOTS SHALL BE SET FLUSH WITH THE SURFACE OF THE LOT.
10. DESCENT OF TITLES: A CERTIFICATE FOR A GRAVESITE DOES NOT CONVEY OWNERSHIP, BUT ONLY THE RIGHT OF EXCLUSIVE USE OF GRAVESITES FOR BURIAL PURPOSES: IT DOES NOT GRANT ANY PRIVILEGES FURTHER THAN HEREIN SPECIFIED. WHILE ANY PERSON IS BURIED IN A GRAVESITE, THE GRAVESITE SHALL BE INALIENABLE WITHOUT THE CONSENT OF THE DIVINE SAVIOR CEMETERY ASSOCIATION.

ON THE DEATH OF THE CERTIFICATE HOLDER, THE RIGHT OF BURIAL SHALL DESCEND TO THE CERTIFICATE HOLDER'S HEIR ACCORDING TO WISCONSIN STATUTE 157.10. NO HUMAN REMAINS MAY BE BURIED IN A GRAVESITE, EXCEPT BY THE CONSENT OF ALL LEGAL HEIRS AS STATED IN WISCONSIN STATUTE 157.10.

WHEN OWNERS OF A GRAVESITE ARE DESIROUS OF SELLING THE SAME, THE OPTION OF PURCHASE (AT THE ORIGINAL PURCHASE PRICE), SHALL FIRST BE TENDERED TO THE INDIVIDUAL CHAPEL (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) CEMETERY ASSOCIATION, NOR CAN THE GRAVESITE BE TRANSFERRED WITHOUT THE PERMISSION OF HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH CEMETERY ASSOCIATION. IN THE EVENT OF DISPUTE, THE CEMETERY ASSOCIATION HAS THE RIGHT TO PURCHASE BACK THE GRAVESITE AT THE ORIGINAL COST.

THE LAWS OF THE STATE OF WISCONSIN GOVERN THE DESCENT OF TITLE TO CEMETERY LOTS AND GRAVESITES AS WELL AS OTHER MATTERS PERTAINING TO ASSIGNMENTS, CONVEYANCES, DEVISES, TRUST DEEDS AND INALIENABILITY. (WISCONSIN STATUTES 2023-2024, CHAPTER 157)

11. CREMAINS: A FULL-SIZE GRAVESITE MUST BE PURCHASED FOR THE BURIAL OF CREMAINS. CREMAINS OF TWO RELATED INDIVIDUALS MAY BE BURIED IN A GRAVESITE OR ONE BURIAL AND ONE CREMAINS. OPENING AND CLOSING OF A CREMAINS GRAVESITE IS DONE BY THE DIVINE SAVIOR CEMETERY ASSOCIATION. A FEE IS CHARGED FOR OPENING AND CLOSING THE

GRAVESITE. MEMBER CREMAINS OPENING: \$150, NON-MEMBER CREMAINS OPENING: \$350. NO CREMAINS BURIALS WILL BE DONE IN THE WINTER. MAXIMUM OF FOUR ABOVE-GRADE CREMAINS BURIAL RITES PER LOT. A FEE OF \$200 IS CHARGED FOR RECONFIGURATION OF EXISTING CREMAINS WITHIN A GRAVESITE.

12. BABY BURIALS: ONE GRAVESITE MAY BE USED FOR TWO BABY BURIALS PROVIDING VAULT DOES NOT EXCEED 18 INCHES BY 36 INCHES. ONE ABOVE GROUND HEADSTONE IS PERMITTED.
13. IN THE EVENT OF A DISPUTE ON AFFAIRS CONCERNING ANY OF THE CEMETERIES (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) GOVERNED BY THIS DOCUMENT, THE MATTER WILL BE DECIDED BY THE DIVINE SAVIOR CEMETERY ASSOCIATION. EVERYTHING POSSIBLE WILL BE DONE TO KEEP HOLY CROSS CEMETERY (Town of Belgium, Ozaukee County), ST. MARY MOTHER OF SORROWS CEMETERY (Town of Fredonia, Ozaukee County), ST. ROSE OF LIMA CEMETERY (Village of Fredonia, Ozaukee County), ST. JOHN THE BAPTIST (Town of Fredonia, Ozaukee County) AND ST. MARY CEMETERY (Town of Belgium, Ozaukee County) IN GOOD ORDER. BUT ALL WORK WILL BE IN VAIN IF THE HOLDERS OF GRAVESITES AND LOTS DO NOT ASSIST BY STRICTLY ADHERING TO THE ABOVE REGULATIONS.
14. IF A VARIANCE TO THE RULES AND REGULATIONS IS REQUESTED, IN THE INTEREST OF SWIFT EXPEDITION OF THE MATTER, IN LIEU OF CALLING A MEETING IT IS PERMISSIBLE TO POLL EACH CHAPEL'S (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) CEMETERY ASSOCIATION MEMBERS BY MEANS OF TELEPHONE OR EMAIL USING THE FOLLOWING PROCEDURE:
  - A. SEXTON RECEIVES REQUEST FROM GRAVESITE OWNER OR HIS REPRESENTATIVE
  - B. MESSAGE IS REFERRED TO THE SECRETARY OF THE INDIVIDUAL CEMETERY (HOLY CROSS, ST. MARYS MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) ASSOCIATION.
  - C. THE SECRETARY IS TO CONTACT EACH ASSOCIATION MEMBER.
  - D. ASSOCIATION MEMBER VOTES ARE CALCULATED.
  - E. THE SECRETARY NOTIFIES THE GRAVESITE OWNER OR HIS REPRESENTATIVE AND THE SEXTON OF THE CEMETERY ASSOCIATION DECISION.

## SECTION II: COLUMBARIUM RULES

1. ABSOLUTELY NOTHING MAY BE ATTACHED TO THE COLUMBARIUM (EXCEPT A SMALL CAMEO).
2. ALL ENGRAVINGS ARE THE RESPONSIBILITY OF THE PURCHASER OF THE NICHE.
3. WE RECOMMEND USING HILGENDORF MEMORIALS FOR ENGRAVING. IF YOU USE A DIFFERENT ENGRAVER, ST. MARY CEMETERY BOARD MUST APPROVE THEM. YOU ARE RESPONSIBLE FOR DAMAGE DONE BY THE ENGRAVER.
4. FLOWERS MAY NOT BE PLACED ON TOP OF THE COLUMBARIUM. THERE WILL BE AN AREA THAT FLOWERS CAN BE PLANTED.
5. ALL URNS MUST BE LABELED BEFORE ENTERING NICHE.
6. COST PER NICHE: \$2,000 FOR A REGISTERED PARISHIONER; \$2,500 FOR A NON-MEMBER. (2) CREMATED REMAINS PER NICHE.

## SECTION III: FISCAL YEAR

THE FISCAL YEAR SHALL BE FROM JULY 1 TO JUNE 30 TO COINCIDE WITH THE FISCAL YEAR OF THE PARISH.

## SECTION IV: FUNDS

EACH CEMETERY (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) ASSOCIATION SHALL HAVE AT LEAST TWO SEPARATE FUNDS;

1. PERPETUAL CARE FUND – ALL MONEY COLLECTED FOR PERPETUAL CARE SHALL BE INVESTED IN SAVINGS, BONDS, OR QUALITY SECURITIES AND HELD IN TRUST. ONLY THE INTEREST MAY BE USED TO OPERATE THE CEMETERIES.
2. GENERAL FUND – INTEREST RECEIVED FROM THE PERPETUAL CARE FUND, AND ALL OTHER MONEY COLLECTED, GOES TO THE GENERAL FUND WITH ALL EXPENSES BEING PAID FROM THIS FUND BY CHECK. COLLECTED MONEY SHALL BE INVESTED IN

SAVINGS, BONDS, OR QUALITY SECURITIES AND HELD IN TRUST. TWO SIGNATURES ARE REQUIRED ON CHECKS ISSUED: ONE BEING THE SECRETARY AND THE OTHER ANY OFFICER OF THE CEMETERY (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) ASSOCIATION OR RESIDING PASTOR OF DIVINE SAVIOR PARISH.

#### SECTION V: SALARIES

1. SEXTONS SHALL BE PAID AN ANNUAL SALARY OF \$150, AS DETERMINED BY THE DIVINE SAVIOR CEMETERY ASSOCIATION AT THEIR ANNUAL MEETING. IN THE EVENT OF CO-SEXTONS, THE AMOUNT SHALL BE PAID THE SEXTON IN THE HOPES OF HIS OR HER SHARING WITH THE OTHERS.
2. OTHER OFFICERS OF EACH CEMETERY ASSOCIATION (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) MAY BE COMPENSATED AS DEEMED BY EACH ASSOCIATION.

#### SECTION VI: OFFICERS AND THEIR DUTIES OF THE DIVINE SAVIOR PARISH CEMETERY ASSOCIATION

THE DIVINE SAVIOR PARISH CEMETERY ASSOCIATION IS REQUIRED TO HAVE AN ANNUAL MEETING.

**PRESIDENT:** THE PRESIDENT SHALL PRESIDE AT ALL JOINT MEETINGS OF THE DIVINE SAVIOR PARISH CEMETERY ASSOCIATION CONSISTING OF THE HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH CEMETERY ASSOCIATIONS. THE PRESIDENT SHALL BE RESPONSIBLE TO REVIEW AND AUDIT EACH INDIVIDUAL CEMETERY ASSOCIATION (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) FUNDS.

**VICE-PRESIDENT:** THE VICE-PRESIDENT SHALL PRESIDE IN THE ABSENCE OF THE PRESIDENT.

**SECRETARY:** THE SECRETARY SHALL KEEP MINUTES OF ALL MEETINGS OF THE DIVINE SAVIOR PARISH JOINT CEMETERY ASSOCIATION.

#### SECTION VII: ELECTIONS AND TERMS OF OFFICE

**BOARD OF TRUSTEES:** THE BOARD OF TRUSTEES SHALL CONSIST OF NO LESS THAN FIVE (5) AND NO MORE THAN SEVEN (7) MEMBERS FROM THE CEMETERY (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) ASSOCIATION.

TERMS OF OFFICE FOR TRUSTEES CHOSEN AFTER THE FIRST ELECTION SHALL BE FOR THREE (3) YEARS. THEY SHALL HOLD OFFICE UNTIL A SUCCESSOR IS ELECTED. TRUSTEES SHALL ELECT A PRESIDENT, VICE PRESIDENT AND SECRETARY FROM THE BOARD OF TRUSTEES AT THE ANNUAL MEETING, AS THEIR THREE-YEAR TERMS EXPIRE.

ELECTIONS ARE TO BE HELD AT THE ANNUAL MEETING AND SHALL BE BY BALLOT. A PLURALITY SHALL ELECT. EACH CEMTERY (HOLY CROSS, ST. MARY MOTHER OF SOROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST AND ST. MARY LAKE CHURCH) ASSOCIATION DELEGATES TO THE DIVINE SAVIOR PARISH CEMETARY ASSOCIATION WILL HAVE VOTING RIGHTS.

ALL RULES AND BY-LAWS ARE SUBJECT TO CHANGE AND ARE TO BE APPROVED AT A MEETING CALLED BY THE PRESIDENT BY VOTE OF THE OFFICERS AND TRUSTEES OF THE DIVINE SAVIOR PARISH CEMETERY ASSOCIATION.

COSTS ARE SUBJECT TO CHANGE PER THE DIVINE SAVIOR PARISH CEMETERY ASSOCIATION AS DEEMED NECESSARY.

1. THE SEXTONS OF THE INDIVIDUAL CEMETERIES (HOLY CROSS, ST. MARY MOTHER OF SORROWS, ST. ROSE OF LIMA, ST. JOHN THE BAPTIST or ST. MARY LAKE CHURCH) AFFILIATED WITH THE NEWLY FORMED DIVINE SAVIOR CONGREGATION SHALL BE RESPONSIBLE FOR THE CEMETERY'S OPERATIONS WHICH THEY REPRESENTED PRIOR TO THE CREATION OF THE DIVINE SAVIOR CEMETERY ASSOCIATION.

This original document was drawn up and approved by members of the Holy Cross, St. Mary Mother of Sorrows, St. Rose of Lima, St. John the Baptist and St. Mary Lake Church cemetery associations along with Father Todd Budde on 07/01/2012. Revised 04/27/2016. Revised 06/02/2019. Revised 11/04/2021. Revised 6/3/2024. Revised 3/10/2025. Approved on 04/28/2025 by the Divine Savior Finance Council.