

No. 666, S.

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CHAPTER 505

AN ACT to amend 157.06 (1) of the statutes, relating to adding grounds to cemeteries within villages.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

157.06 (1) of the statutes is amended to read:

157.06 (1) No cemetery shall be laid out or used for burial purposes, except such as are now in use, and except those which * * * are hereafter * * * organized, maintained and operated by towns, villages and cities, by churches, by fraternal and benevolent societies, by incorporated colleges of religious orders and by cemetery associations incorporated under * * * this chapter. No such cemetery shall be established or located * * * (a) within recorded plat of a city or village, or recorded addition thereto, and within a mile of a building in any such plat, * * * (b) outside such a plat and within 200 rods of an inhabited dwelling in such a plat, without the consent of the municipal authorities * * * (c) within 15 rods of a habitable dwelling, public building, watering place, or schoolhouse, but this clause shall not apply to the use for cemetery purposes of lands already owned for an extension to an existing cemetery and included within the same description, nor * * * (d) within 200 rods of the institutions for the deaf and dumb, for the blind, the hospitals for the insane, the Wisconsin school for boys, the colonies for the feeble-minded, the Wisconsin child center * * * or the state reformatory, without the consent of the state agency having jurisdiction over such institutions; except that * * * (a) an existing cemetery in a village may be extended * * * or enlarged within or beyond the village limits with the consent of the village board and the owners of any building within 15 rods of the addition; * * * (b) an existing cemetery in a city of the third or fourth class may be extended and enlarged with the consent of the state board of health and of the council; provided, that damages may also be allowed to owners of land adjoining that taken for cemetery pur-

poses; * * * (c) an incorporated college of a religious order in a city of the fourth class may, with the consent of the council, establish a private cemetery on land owned by the college for the interment of members of the order in such city, but not within 50 rods of a private dwelling or building without the consent of the owner; * * * (d) a cemetery established within an incorporated village before April 30, 1887, within 100 feet of the outer lines of the plat of such village, may be extended to the outer boundary of such plat with the consent of the village board, and * * * (e) a cemetery established before said date may be enlarged subject only to the conditions of s. 157.05. Violation of this section creates a nuisance which may be enjoined at the suit of anyone.

Approved April 29, 1964.
