

***CURRENT***

**BY-LAWS  
RULES AND  
REGULATIONS  
OF  
RIVERSIDE CEMETERY  
ASSOCIATION  
Peshtigo, Wisconsin  
Incorporated April 28, 1928**

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**OFFICERS AND TRUSTEES OF  
RIVERSIDE CEMETERY ASSOCIATION**

**President  
Vice President  
Secretary  
Treasurer  
Perpetual Care Treasurer**

***PROPOSED***

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**President  
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**RIVERSIDE CEMETERY  
ASSOCIATION  
Peshtigo, Wisconsin  
Incorporated April 28, 1926**

**AMENDED BY-LAWS OF RIVERSIDE  
CEMETERY ASSOCIATION**

We, the people of the City of Peshtigo, in order to more effectively serve the people of this community and pursuant to the statutes in such cases made and provided, formed a corporation known as "Riverside Cemetery Association" of Peshtigo, Wisconsin. The purpose of this association is to give proper care to Riverside Cemetery, administer and govern its operation and to improve said cemetery whenever and wherever possible.

**ARTICLE I**

**SECTION 1. ANNUAL MEETING.** The annual meeting of this Association shall be held in January or February of each year in the City of Peshtigo, Wisconsin, at such day, time and place as shall be designated in the call by the President of the Association.

**SECTION 2. TRUSTEES.**

- (a) The Board of Trustees of the Riverside Cemetery Association of Peshtigo, Wisconsin, shall consist of not less than five or more than nine members.
- (b) POWERS AND DUTIES. The trustees of this Association shall constitute a board, and a majority shall be a quorum thereof for the transaction of business. This board shall have power to fill, by appointment for the residue of the term only, any vacancy in said board occurring during the term for which any trustee shall have been elected.
- (c) Trustees shall exercise the powers and duties conferred upon them by the laws of this state hereto.

**SECTION 3.** The Board of Trustees shall have the right and power to elect or appoint a superintendent or sexton, prescribe their duties and fix their compensation.

**SECTION 4.** The Board of Trustees shall have power to expend money for improvements and maintenance and to adopt and enforce all proper rules and regulations for the government and use of the cemetery.

**RIVERSIDE CEMETERY  
ASSOCIATION  
Peshtigo, Wisconsin  
Incorporated April 28, 1926**

**AMENDED BY-LAWS OF RIVERSIDE  
CEMETERY ASSOCIATION**

We, the people of the City of Peshtigo, in order to more effectively serve the people of this community and pursuant to Chapter 157 of the State Statutes in such cases made and provided, formed a corporation known as "Riverside Cemetery Association" of Peshtigo, Wisconsin. The purpose of this association is to give proper care to Riverside Cemetery, administer and govern its operation and to improve said cemetery whenever and wherever possible.

**ARTICLE I**

**SECTION 1. ANNUAL MEETING.** The annual meeting of this Association shall be held in January or February of each year in the City of Peshtigo, Wisconsin, at such day, time and place as designated by the call of the President of the Association.

**SECTION 2. TRUSTEES.**

- (a) The Board of Trustees of the Riverside Cemetery Association of Peshtigo, Wisconsin, shall consist of not less than five or more than nine members.
- (b) ??Discuss procedure to fill vacancy. Also if less than five remain. POWERS AND DUTIES. The trustees of this Association shall constitute a board, and a majority shall be a quorum thereof for the transaction of business. This board shall have power to fill, by appointment for the residue of the term only, any vacancy in said board occurring during the term for which any trustee shall have been elected.
- (c) Trustees shall exercise the powers and duties conferred upon them by the laws of this state hereto.

**SECTION 3.** The Board of Trustees shall have the right and power to retain a superintendent or sexton and/or other employees, prescribe their duties and fix their compensation. Can sexton/employees be on Board of Trustees??

**SECTION 4.** The Board of Trustees shall have power to expend money for improvements and maintenance and to adopt and enforce all proper rules and regulations for the government and use of the cemetery.

**SECTION 5.** Up to three trustees shall be elected each year for the term of three years to hold said office for the term of three years, and until their successors are duly elected and qualified, beginning the second Monday of February, AD 1997 and each year thereafter. No member shall be eligible for the office of trustee who is not a lot owner or who has no deceased relatives buried in the cemetery.

**SECTION 6. ELECTION.** All trustees shall be elected by nomination vote at the regular annual meeting of this Association, except in case of vacancy, which shall be filled by the Board of Trustees as provided by these by-laws.

## ARTICLE II

**SECTION 1. OFFICERS.** The general officers of this Association shall be a President, Vice President, Secretary, Treasurer, and Perpetual Care Treasurer.

**SECTION 2. DUTIES.** The principal duty of the President shall be to preside at the meetings of the Board of Trustees, and the members of the Association, and have general supervision of the affairs of the Association.

**SECTION 3.** The principal duties of the Vice President shall be to discharge the duties of the President in the absence, disability or removal of the latter.

**SECTION 4.** The principal duties of the Secretary shall be to keep a record of the proceedings of the Board of Trustees, and meeting of the members of the Association; to send out or publish in a local paper all notices for annual and special meetings of the members of the Association or the Board of Trustees; to safely and systematically keep all books, records, and documents belonging to the Association; attend to all correspondence, notices for publication, and printing; and to notify members regarding assessments and delinquencies.

**SECTION 5.** The principal duties of the Treasurer shall be to receive and take charge of all moneys, credits, and property of whatever nature that shall come into his or her hands and belongings to the Association; to keep accurate account of all moneys received and dispose of and of the money and property on hand as shall be required by the Board of Trustees. All funds and securities of the Association shall be deposited in a depository designated by the Trustees.

**SECTION 6.** The Board of Trustees may provide by appointment of such additional officers as they deem for the best interest of the Association. Said officers shall perform such additional duties as may be imposed by any law, or provided by the by-laws, or required by the Board of Trustees.

**SECTION 7. COMPENSATION.** The Secretary, Perpetual Care Treasurer, and Treasurer shall receive a salary such as the Trustees at any time may vote, or at any time Trustees may vote any additional officers a salary.

**SECTION 5.** Up to three trustees shall be elected each year for a term of three years to hold said office, and until their successors are duly elected and qualified, beginning at the conclusion of the annual meeting. No member shall be eligible for the office of trustee who is not a lot owner or who has no deceased relatives buried in the cemetery.

**SECTION 6. ELECTION.** All trustees shall be elected by nomination and ballot vote at the regular annual meeting of this Association, except in case of vacancy, which shall be filled by the Board of Trustees as provided by these by-laws.

## ARTICLE II

**SECTION 1. OFFICERS.** The general officers of this Association shall be a President, Vice President, Secretary, Treasurer/Perpetual Care Treasurer.

**SECTION 2. DUTIES.** The principal duty of the President shall be to preside at the meetings of the Board of Trustees, and of the Association, and have general supervision of the affairs of the Association.

**SECTION 3.** The principal duties of the Vice President shall be to discharge the duties of the President in the absence, disability or removal of the latter.

**SECTION 4.** The principal duties of the Secretary shall be to keep a record of the proceedings of the Board of Trustees, and meeting of the members of the Association; to send out or publish in a local paper all notices for annual and special meetings of the members of the Association or the Board of Trustees; to safely and systematically keep all books, records, and documents belonging to the Association; attend to all correspondence, notices for publication, and printing; and to notify members regarding assessments and delinquencies, if any.

**SECTION 5.** The principal duties of the Treasurer shall be to receive and take charge of all moneys, credits, and property of whatever nature that shall come into his or her hands and belonging to the Association; to keep accurate account of all moneys received and dispose of and of the money and property on hand as shall be required by the Board of Trustees. All funds and securities of the Association shall be deposited in a depository designated by the Trustees.

**SECTION 6.** The Board of Trustees may provide by appointment of such additional officers as they deem for the best interest of the Association. Said officers shall perform such additional duties as may be imposed by any law, or provided by the by-laws, or required by the Board of Trustees.

**SECTION 7.** Standing committees and Ad Hoc committees shall be appointed by the Executive Board. Each committee shall consist of a minimum of three Trustees who shall serve at the pleasure of the Executive Board. The standing committees

**SECTION 8 BONDS.** The Treasurer, Secretary, and Perpetual Care Treasurer of the Association within ten (10) days after notice of his or her election, and before entering upon his or her duties shall be provided a good and sufficient bond by said Association in such form as the Board of Trustees shall deem necessary, to be approved by the Board of Trustees, which bond shall be filed with the Secretary of the Association. Any other bonds which may be required pursuant to Chapter 157, Revised Statutes of Wisconsin, relating to testator's gifts, shall be complied with.

**SECTION 9 ORDER OF BUSINESS.** The order of business at any regular or special meeting of the Board of Trustees shall be:

1. Roll call.
2. Reading and disposal of unapproved minutes.
3. Reports of officers and committees.
4. Unfinished business.
5. New business.
6. Adjournment.

### ARTICLE III

**SECTION 1. MEMBERSHIP AND MEETINGS.** Any person owning one or more lots or having deceased relatives buried in Riverside Cemetery is a member of this Association.

**SECTION 2. VOTE AND PROXY.** At all meetings of the members of the Association, each member shall be entitled to cast one vote. He or she may vote in person or by proxy appointment made in writing and duly filed with the Secretary, and by him or her entered upon the record of the proceedings of the meeting.

**SECTION 3. QUORUM.** A quorum for an Association meeting shall constitute the members present.

**SECTION 4. PRESIDING OFFICERS.** The President and Secretary of the Association shall act as President and Secretary of each meeting of the members of the Association, unless meeting shall otherwise decide.

**SECTION 5. ORDER OF BUSINESS FOR THE ANNUAL MEETING.** The order of business at the annual meetings, special and regular meetings, and as far as practicable at all other meetings of the members shall be as follows:

1. Proof of due notice of meeting.
2. Roll call.
3. Reading and disposal of unapproved minutes.
4. Annual reports of officers and committees.
5. Annual reports of trustees.
6. Election of trustees as herein provided.
7. Unfinished business.
8. New business
9. Adjournments.

shall be: Finance, Facility Operations and/or others as deemed necessary.

**SECTION 8 COMPENSATION.** The Secretary and Treasurer may receive a salary such as the Trustees at any time may vote, or at any time Trustees may vote any additional officers a salary.

**SECTION 9 BONDS.** The Treasurer of the Association within ten (10) days after notice of his or her election, and before entering upon his or her duties shall be provided a good and sufficient bond by said Association in such form as the Board of Trustees shall deem necessary, to be approved by the Board of Trustees, which bond shall be filed with the Secretary of the Association. Any other bonds which may be required pursuant to Chapter 157, Revised Statutes of Wisconsin, relating to testator's gifts, shall be complied with.

**SECTION 10 ORDER OF BUSINESS.** The order of business at any regular or special meeting of the Board of Trustees shall be:

1. Roll call.
2. Approval of minutes.
3. Public comments
4. Reports of officers and committees.
5. Old business.
6. New business.
7. Future agenda items.
8. Any other business allowed by law.
9. Adjournment.

### ARTICLE III

**SECTION 1. MEMBERSHIP AND MEETINGS.** Any person owning one or more lots or having deceased relatives buried in Riverside Cemetery is a member of this Association.

**SECTION 2. VOTE.** At all meetings of the members of the Association, each member physically present shall be entitled to cast one vote.

**SECTION 3. QUORUM.** A quorum for an Association meeting shall constitute the members present.

**SECTION 4. PRESIDING OFFICERS.** The President and Secretary of the Association shall act as President and Secretary of each meeting of the members of the Association, unless meeting shall otherwise decide.

**SECTION 5. ORDER OF BUSINESS FOR THE ANNUAL MEETING.** The order of business at the annual meetings, special and regular meetings, and as far as practicable at all other meetings of the members shall be as follows:

1. Proof of due notice of meeting.

## ARTICLE IV

**SECTION 1. ELECTION OF OFFICERS.** The officers of this Association shall be elected by the Board of Trustees of this Association immediately after the annual meeting for a term of one year and until their successors are elected and qualified.

**SECTION 2. ELIGIBILITY.** No member of the Association shall be eligible for any office of the Association unless he or she is a member of the Board of Trustees.

## ARTICLE V

**SECTION 1. FINANCES.** All moneys shall be paid to the Treasurer of the Associations and the Treasurer shall give a receipt therefore and shall deposit the same within one week after the receipt of said money.

**SECTION 2. RESTRICTION.** The Treasurer shall not pay out any money in his or her hands as such Treasurer in excess of the amount designated by the board.

**SECTION 3. ACCOUNTABILITY.** The Treasurer shall keep a record of all moneys received and funds expended and shall keep a record of all proceedings and other actions, which records shall be available for inspection at all times.

**SECTION 4. CONTRACTS, ETC.** The President and Secretary shall sign all deeds for lots and perpetual care contracts; shall sign, when required by the Board of Trustees, all bills, notes, deeds, contracts and other instruments as may pertain to the ordinary course of the Association's business; and sign, when duly authorized by the Board of Trustees, all contracts, orders, deeds, options and other instruments.

**SECTION 5. DEPOSITORY.** The Treasurer of this Association shall deposit in the name of the Association all money that may come into his or her hands for the Association account, in one or more of the hands for the Association account, in one or more of the banks doing business in the City of Peshtigo, as designated by the Board of Trustees.

## ARTICLE VI

**SECTION 1. LOTS.** The Board of Trustees shall have general supervision of the survey of the grounds, provide for the proper platting, recording of plats, and maintaining of an accurate record of the same.

2. Roll call.
3. Reading of unapproved minutes.
4. Annual reports of officers, committees, and/or trustees.
5. Election of trustees as herein provided.
6. Unfinished business.
7. New business
8. Adjournments.

## ARTICLE IV

**SECTION 1. ELECTION OF OFFICERS.** The officers of this Association shall be elected by the Board of Trustees of this Association immediately after the annual meeting for a term of one year and until their successors are elected.

**SECTION 2. ELIGIBILITY.** No member of the Association shall be eligible for any office of the Association unless he or she is a member of the Board of Trustees.

## ARTICLE V

**SECTION 1. FINANCES.** All moneys shall be paid to the Treasurer of the Association who shall write a receipt and deposit the funds within one week.

**SECTION 2. RESTRICTION.** The Treasurer shall not pay out any unbudgeted money in excess of the amount designated by the board.

**SECTION 3. ACCOUNTABILITY.** The Treasurer shall keep a record of all moneys received and funds expended these records shall be available for inspection at all times.

**SECTION 4. CONTRACTS, ETC.** The President and Secretary, or in their absence their designee, shall sign all deeds for lots and perpetual care contracts and sign, when authorized by the Board of Trustees, all contracts, orders, deeds, options and other instruments.

**SECTION 5. DEPOSITORY.** The Treasurer of this Association shall deposit all money that may come into his or her hands for the Association in one or more of the financial institutions doing business in the City of Peshtigo, as designated by the Board of Trustees.

## ARTICLE VI

**SECTION 1. LOTS.** The Board of Trustees shall have general supervision of the survey of the grounds, provide for the proper platting,

**SECTION 2.** Lots shall be sold in Riverside Cemetery for no other purpose than for the burial of human bodies and subject always to the rules and regulations adopted by the Association.

**SECTION 3.** The Board of Trustees shall fix the price of lots in the cemetery and the President and Secretary shall execute and deliver to any person a deed for said lot upon receipt of the price fixed.

**SECTION 4.** The Secretary of the Association shall keep a record of all the lots in the cemetery and shall enter the name of the purchaser of a lot; date of deed issued and keeps record of all transfers.

## ARTICLE VII

**SECTION 1.** Any lot owner or his heirs, assigns or personal representatives, in any public cemetery in which uniform care has been given for two consecutive years or more, on which assessments have not been paid, shall, providing notice has been given as provided by law, forfeit all right to interment in such lot shall have been given uniform care for five consecutive years or more and the assessments thereon have not been paid, under the procedure provided by law, the title to all unoccupied parts of such lot and all right thereto shall pass to the Association and may be sold and the proceeds thereof shall be transferred to the general fund.

**SECTION 2. PERPETUAL CARE.** The President and Secretary shall and are hereby authorized to make and execute contracts with any person in the name of the Association for the perpetual care of any cemetery lot. Said person shall pay to the Association a sum prescribed by the Board of Trustees for each grave or group of graves and which shall include perpetual care. This sum is to be held in trust by the Association pursuant to statute and the income therefrom used for the care of said person's lot. All income derived from perpetual care funds, in excess of what shall be necessary to maintain the lots under perpetual care shall be transferred to the general fund for the general use, improvement and maintenance of the cemetery or such excess may, in the discretion of the Board of Trustees, be reinvested in the perpetual care fund.

recording of plats, and maintaining of an accurate record of the same.

**SECTION 2.** Lots shall be sold in Riverside Cemetery for no other purpose than for the burial of human bodies, subject to the rules and regulations adopted by the Association.

**SECTION 3.** The Board of Trustees shall set the price of lots in the cemetery and the President and Secretary, or in their absence their designee, shall sign and provide a deed for the lot upon receipt of payment.

**SECTION 4.** The Board of Trustees of the Association shall keep a record of all the lots in the cemetery and shall enter the name of the purchaser of a lot, date deed issued and keep records of all transfers.

## ARTICLE VII

**SECTION 1. PERPETUAL CARE.** The President and Secretary, or in their absence their designee, shall execute contracts for the perpetual care of any cemetery lot. The purchaser shall pay to the Association a perpetual care sum prescribed by the Board of Trustees for each grave or group of graves. This sum is to be held in trust by the Association pursuant to state statute and the income generated used for the care of said person's lot. All income derived from perpetual care funds, in excess of what shall be necessary to maintain the lots under perpetual care, shall be transferred to the general fund for improvement and maintenance of the cemetery or such excess may, at the discretion of the Board of Trustees, be reinvested in the perpetual care fund.

## SECTION 2. INVESTMENT OF PERPETUAL CARE FUNDS

The purpose of this statement is to establish guidelines for the prudent investment of Association assets. Assets of the Association shall be invested in a manner consistent with the exercise of ordinary care and prudence under the facts and circumstances prevailing at the time of the investment action as required by Wisconsin Law. The goal of the Association is to seek as much income as possible consistent with preservation of capital while considering the potential for some capital appreciation.

## ARTICLE VIII

**SECTION 3.** The trustees shall annually select a Perpetual Care Board, said Board to consist of the President, the Secretary and one member of the Board of Trustees. It shall be the immediate duty of the Perpetual Care Treasurer to arrange for and supervise all investments or perpetual care funds and said Treasurer of the Association shall at all times comply with the orders of said Perpetual Care Board relative to administering and safeguarding said fund. The Perpetual Care Board will also serve as the auditing committee.

**SECTION 4.** The Mayor of the City of Peshtigo, at the first council meeting in May of each year, shall appoint three citizens, and they shall be lot owners in Riverside Cemetery. They shall, in company with the Perpetual Care Board of the Riverside Cemetery Association, inspect each lot subject to perpetual care in said cemetery and shall determine whether or not said lots are receiving the degree of care agreed upon under the perpetual care contract.

## ARTICLE VIII

**SECTION 1. AMENDMENTS.** These by-laws may be amended at any annual, regular, or special meeting of the Association call for that purpose, by a two thirds vote of all the members present, or represented by proxy, notice of the intended change having been given at a previous meeting, or fully set forth in the notice for the special meeting.

**SECTION 1. AMENDMENTS.** These by-laws may be amended at any annual or special meeting of the Association by a two thirds vote of all the members present. Notice of the intended changes shall be given in the notice for the annual or special meeting.

