

NOTICE

A meeting of the City of Municipal Services Committee will be held on the date and time stated below. Notice is further given that members of the City Council, Park & Recreation Board, or Plan Commission may be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall at (608)-882-2266 with as much notice as possible.

City of Evansville **Municipal Services Committee**
Regular Meeting
City Hall, 31 S Madison St., Evansville, WI 53536
Tuesday, June 27 2023, 5:00 pm

AGENDA

1. Call to Order
2. Roll Call
3. Motion to Approve Agenda
4. Motion to waive the reading of the minutes from the May 31, 2023 meeting and approve them as printed.
5. Civility Reminder
6. Citizen appearances other than agenda items listed
7. New Business
 - A. Quarterly review and discussion of staff approved sanitary sewer billing adjustments (Jan, Apr, Jul, and Oct).
 - B. Disconnection Update
 - C. Electric Rate Case Update
 - D. Discussion and motion to recommend to Council Wisconsin Help for Homeowners Vender Agreement.
 - E. Discussion on Application for Preliminary Land Division-Staff Report
 - F. Discussion and possible motion to recommend to Common Council for Ordinance 2023-07, Amending Chapter 26, Cemeteries in the Evansville Municipal Code.
 - G. Discussion on Cemetery Fees.
8. Administrative Staff Report
 - A. Parks & Recreation Report
 - B. Power Outage/Blips Update
 - C. USIC Updates

-James Brooks, Committee Chair

- D. Update on Department / Director
- E. Update on 2023 Underground Project
- F. AMI
 - 1. AMI Updates Current AMI count remaining Elec: 0 Water: 2 meters (1 Commercial and 1 Residential)
- 9. City Engineer Report
 - A. Subdivision and Development Updates
 - B. Roadway Construction Updates
 - C. Lake Leota Dam Project Updates (Placeholder)
- 10. WPPI Report
 - A. Update from Energy Services Manager
 - 1. CTC Funds Discussion (placeholder)
 - 2. NorthStar Update
 - B. Update on WPPI Orientation June 8th
- 11. Old Business
 - A. Electric Rate Case Update.
 - B. Aquatic Center, Splash pad, and Park Improvement Updates (Placeholder)
- 12. Upcoming Meetings
 - A. Tuesday, July 25, 2023 at 5:00pm
- 13. Motion to Adjourn

-James Brooks, Committee Chair

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City of Evansville **Municipal Services Committee**
Regular Meeting
City Hall, 31 S Madison St., Evansville, WI 53536
Tuesday, May 30, 2023, 5:00 pm

MINTUES

1. **Call to Order:** 5:00 PM
2. **Roll Call:** Alder Joy Morrison, Alder Ben Ladick, Committee Chair Jim Brooks, in at 5:15 pm

Also in Attendance: Donna Hammett, Dale Roberts, Darren Jacobson, Dianne Duggan, and Nick Bubolz.
3. **Motion to Approve Agenda:** Morrison/Ladick 2-0 Motion Carries
4. **Motion to waive the reading of the minutes from the April 25, 2023 meeting and approve them as printed.** Morrison/Ladick 2-0 Motion Carries
5. **Civility Reminder**
6. **Citizen appearances other than agenda items listed**
7. **New Business:**
 - A. **Quarterly review and discussion of staff approved sanitary sewer billing adjustments (Jan, Apr, Jul, and Oct).** Review of credits
 - B. **Disconnection Update:** Hammett reviewed disconnection numbers: 193 notices sent on May 8, 2023 for disconnection on May 31, 2023. 65 Residential Door Knockers hung today along with 3 Commercial Door Knockers. As of today there are still 4 services off from April, 2 are occupied and 2 not occupied. Hammett stated that there was one PSC complaint that has been resolved.
 - C. **Utility Policy & Procedure Manual:** Hammett wanted to let the committee know that she was revising the Utility Policy and Procedure Manual. Possibly adding policy about inserts. Will be working with Sergeant and Miller on this.
8. **Administrative Staff Report**
 - A. **Parks & Recreation Report:** Mowing has slowed due to lack of rain. Have been watering smaller tree. Got complaint that we didn't spray 240 (broad leaf) last year, so we stayed for it this year, it got warmer faster than normal, so it vaporized, but it shouldn't hurt anything.

-James Brooks, Committee Chair

B. Lake Leota Dam Project Updates: None

C. CMAR Annual Report Discussion: Roberts reviewed the report, there was only one issue with the nitrate grade, there was a big slug load disrupted the plant last year, but this has been fixed.

D. USIC Updates: Lindroth was not in attendance, Hammett read his report. Things are going ok, there has been some errors that the W&L crew has had to pick up, and USIC is behind on hotlines. As this point it is Lindroth opinion that we think about hiring an in-house locator for Municipal Services. Committee would like to know what the contract says about error and time disruptions.

E. Update on Department / Director: Sergeant and Crans are still working on Job Description.

F. Discussion and Possible action on Cemetery Decorations Ordinance: Brooks received a complaint about putting out decorations before Memorial Day. The complaint wanted to put real flowers before mother's day, but was told no. There was some discussion but no action taken, will need to talk to the cemetery sexton it find out what was said. Roberts will talk to Fischer.

G. Update on APPA Cyber Security Summit: None

H. Update on 2023 Underground Project: Lindroth Report-Project should start soon, letters to go out to residents and businesses. Enclosed was copy of letter and project map.

I. AMI Updates

1. Current AMI count remaining Elec: 0 Water: 1 meter (2 appointment left)

Brooks asked about Northstar, Jacobson stated that they are finishing up Brodhead, than another small utility, than us.

9. City Engineer Report

A. Subdivision and Development Updates: Not much to update, there is a punch list to be finished for Westfield Meadows. There is a Settlers Grove Amendment coming soon for the committee to look at.

B. Roadway Construction Updates: The final Assessment Roll should be coming out soon. There is still work needing to be finished, mill work, paving, bricks and sidewalks. The second lift is to be paved on Liberty St, no date yet as to when this will be finished. As far terrace work, they contractor should have notified residents about watering the seeding that they did. Hammett noted that there have been complaints and inquiries about the landscaping. Bubolz stated that he has been trying to contact the contractor, they have been dragging their feet. Most complaints have been about the restoration.

10. WPPI Report

A. Update from Energy Services Manager

-James Brooks, Committee Chair

Last meeting we touched on what to spend the WPPI money. Jacobson went over what was spent and where it was spent last year, to give the Committee ideas where to spend it. No need for action at this time, just something to think about.

B. WPPI Orientation June 8th: Would like to have at least 2 people go, Hammett with talk to office crew and W&L crew, Roberts will also attend.

11. Old Business

A. Aquatic Center, Splash pad, and Park Improvement Updates (Placeholder) None

12. Upcoming Meetings

A. Tuesday, June 27, 2023 at 5:00pm

13. Motion to Adjourn: 5:50pm, Ladick/Morrison 3-0 Motion Carries.

-James Brooks, Committee Chair



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Susan Brown, Division Administrator

**WISCONSIN HELP FOR HOMEOWNERS (WHH) HOMEOWNER ASSISTANCE FUND (HAF)
PARTICIPATION AGREEMENT
BETWEEN THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION DIVISION OF ENERGY,
HOUSING AND COMMUNITY RESOURCES
AND**

VENDOR NAME

Through funding provided under Section 3206 of the American Rescue Plan Act of 2021, the State of Wisconsin has developed a plan to assist income eligible homeowners within the State of Wisconsin who have experienced a financial hardship as of January 21, 2020 due to the coronavirus. The program is expected to last until 9/30/2026.

The State of Wisconsin through its third-party partners will accept and process applications from homeowners within the State of Wisconsin. Applicant eligibility and expense eligibility will be determined in accordance with the Wisconsin Homeowner Assistance Fund and Need Assessment Plan [WHH Plan](#).

This Participation Agreement is required for the program and entered into by and between the State of Wisconsin, Department of Administration, Division of Energy, Housing and Community Resources hereinafter the "Division" and the above-named vendor, under the following terms:

1. Definitions

- a) Division means the Division of Energy, Housing and Community Resources.
- b) WHH means the Wisconsin Help for Homeowners Program.
- c) WHH payment includes public and/or private utilities, internet/broadband, reverse mortgage payments, property taxes, insurance, lot rent, mobile/manufactured mobile home lender payments, land contracts, property/flood insurance, and HOA and/or maintenance fees. WHH payment does not include payments for mortgages (excluding reverse mortgage).
- d) Vendor means any private or public entity providing and or supplying the service listed under 1(c).

2. The Division agrees to do the following:

- a) Provide funds for WHH HAF.
- b) Assign a supplier number/business code to each Vendor after this agreement is signed.
- c) Issue to the vendor a check or Automated Clearing House (ACH) payment that includes benefits for all WHH eligible households.

3. The Vendor agrees to the following:

- a) WHH payments may not be applied to outstanding debts that were due prior to January 21, 2020.
- b) To post all payments to customer accounts within 3-5 business days.
- c) Should the Vendor receive more funds than needed from the WHH Program on the account of any particular customer, or if the Vendor receives a WHH payment in error, Vendor shall remit the surplus funds back to the Division within thirty (30) days of receiving the funds.
- d) Funds may not be used to pay any expenses that are being paid in full by any other source for the same period. Vendor agrees to return any funds to the Division that are considered a duplication of benefit within 30 days of becoming aware of the duplication.

4. Length of Agreement

- a) This agreement is in effect from the date both parties have executed it as indicated by their respective Designated Official's signature until terminated as described in the 'Termination' section or at the earlier of the following: expiration of the HAF program 9/30/2026 or when all WHH HAF program funds are exhausted.

5. Termination

Either the Division or the Vendor may terminate this contract by giving the other party at least ten days written notice.

Revised 5-2-22

Division of Energy, Housing and Community Resources, PO Box 7970, Madison, WI 53707-7970
DOA.WI.GOV

6. Participation Agreement

- a) It is understood and agreed that the entire agreement between the parties is contained herein.
- b) This participation agreement applies to all WHH participating homeowners who purchase, subscribe, and/or lease services or benefits provided by the Vendor.
- c) This agreement supersedes all previous commitments, promises, representations either oral or written, between the parties relating to the subject matter hereof.
- d) The person signing this Agreement, on behalf of the Vendor, certifies and attests that they have full and complete authority to bind the Vendor, on whose behalf they are executing this document.

By typing my name in the provided field, I indicate that I am the person named, and this entry is the legal equivalent of a manual/handwritten signature. I further understand that I may print the document and sign by hand. Only one agreement per Vendor is required.

Vendor Name: _____

Name and Title

Signature

Date

DEHCR Designated Official

Name and Title

Signature

Date

Wisconsin Help for Homeowners Program (WHH)

Vendor Payment Return Policy

1. Vendor Payments – All WHH payments made to a Vendor shall be applied to unpaid amounts not due prior to January 21, 2020. WHH payments that are incorrectly paid, exceed unpaid amounts, or are duplicative in nature, shall be returned to the Division within 30 days of receipt. Credit balances shall be returned to the Division.
2. Vendors shall notify the Division Representative Tamra Fabian at 608-261-7747 or tamra.fabian@wisconsin.gov prior to the return of payment.
3. Return of funds shall be payable to the Department of Administration and mailed to the following address and must include the borrower's name, property address, reason for the return, and reference the WHH program.

State of Wisconsin
DEHCR- Fiscal
101 East Wilson Street
PO Box 7970
Madison, WI 53707

**WISCONSIN HELP FOR HOMEOWNERS
HOMEOWNER ASSISTANCE FUND PROGRAM**

Vendor Name (payment is issued in this name)

Primary Contact (Individual signing this agreement)	Primary Contact Phone	Customer Service Phone*	
Primary Fax	Primary Contact E-mail		
Primary Contact Address	City	State	Zip
Payment/Check Contact	Payment/Check Contact Phone		
Payment/Check Fax	Payment/Check Contact E-mail		
Payment/Check Contact Address	City	State	Zip

*Appears on customer notices

All payments to Vendor will be disbursed using the Automated Clearing House (ACH)* or paper check. Vendor agrees to provide ACH instructions (DOA-6456) that are true, accurate and complete and we may rely on them as such. Servicer acknowledges that any incorrect, incomplete or missing information in Vendor's instructions may cause delays in disbursing funds. Additionally, it is Vendor's responsibility to communicate to the Division, in writing, of any changes to the ACH information whenever necessary.

Required Documents:

1. Completed and signed Participation Agreement (attached).
2. Completed DOA-6460 New Supplier Form (attached).
3. Completed DOA-6456 Authorization for Electronic Deposit form (attached).
4. Completed W-9 Request for Taxpayer Identification Number (TIN) Certification.

Upon receipt of the above documents, the Participation Agreement will be signed electronically by the State's identified contact and a fully executed copy of the agreement shall be sent to the Vendor. **No payments will be issued without the required documents.**



Authorization for Direct Deposit

Section 1: Identifying Information

Tax Identification Number:

EIN
 -OR-
 SSN

Pursuant to Section 6109 of the Internal Revenue Service Code, we are **required** to obtain your Tax Identification Number (TIN) to properly report income to the IRS as required by law. **Forms without a TIN will not be accepted.**

Legal Name _____
 Doing Business As Name: _____
 Address: _____
 City: _____ County: _____ State: _____ ZIP: _____

Section 2: Additional Identifying Information

Supplier ID: _____ UEI# _____ DUNS# _____
 Recent payment number/amount received from the State: _____

Section 3: Current Financial Information				Section 4: Prior Financial Information			
<i>Bank Verification Must be Attached</i>				<i>Must be Provided to Change/Update Account</i>			
Bank Name				Bank Name			
Type	Checking <input type="checkbox"/>	Savings <input type="checkbox"/>		Type	Checking <input type="checkbox"/>	Savings <input type="checkbox"/>	
Account Number				Account Number			
<i>Account number supplied must match attached bank verification</i>				<i>Account number supplied must match previous account number on file</i>			
Routing Number				Routing Number			
<i>Routing number supplied must match attached bank verification</i>				<i>Routing number supplied must match previous account number on file</i>			
New/Additional Email Address for Remittance Instructions:				Previous Email Address for Remittance Instructions:			

Section 5: International ACH Transaction Information

Will the entire amount of this electronic payment ultimately be deposited into a financial institution outside of the United States, and therefore fall under the regulation of IAT? Yes
No

Section 6: Municipalities Only

Local Gov Investment Pool _____ Sub Account Number _____

Section 7: Contact Information

Primary Contact Name:
 Title: _____ Email: _____
 Phone: _____ Fax: _____
Secondary Contact Name:
 Title: _____ Email: _____
 Phone: _____ Fax: _____

Section 8: Read the Agreement, Sign & Date

The State will establish authentication information requirements for communications between the Supplier and the State, through online systems or paper forms. If the State receives a Communication containing proper authentication information, it shall be entitled to act on the Communication, and shall not be obligated to verify the content of such Communication, establish the identity of the person providing it, or await any confirmation thereof, and the State shall not be liable for acting on any Communication sent in the name of the Supplier. The Supplier shall be solely responsible for the safekeeping of the authentication information (i.e. passwords, Taxpayer Identification Numbers, bank account numbers, etc.) and assumes all risk of accidental disclosure or inadvertent use of such authentication information by any party whatsoever, whether such disclosure or use is on account of the Supplier's negligence or deliberate acts or otherwise. The State shall not be liable for any loss or damage resulting from fraudulent, unauthorized or otherwise improper use of any authentication information by the Supplier. **Account changes must be reported to the State Controller's Office 30 days prior to the effective date of the change. Account changes will take effect within five business days of receipt of properly completed documentation in the DOA office. Failure to report account changes may result in delayed payments. All bank accounts are tied to an address in our system. A separate form is required for each address.** The entity listed hereby authorizes the State of Wisconsin to initiate credit entries to its bank account at the financial institution identified above. Additionally, this form provides the State of Wisconsin the authority to reverse (withdraw) any erroneous credits (deposits) to the account. The authority shall remain in effect until the State of Wisconsin receives written notification of revocation, and has a reasonable opportunity to act on it.

Only Authorized individuals may complete and submit this form. By completing this form, you are certifying that you are a duly authorized representative of your organization and are lawfully able to initiate changes to banking information. Fraudulent conveyances are punishable offenses.

I have attached a copy of a current voided check or included a bank letter on bank letterhead, signed by a bank representative. Either option must include the individual/company name, routing and account numbers pre-printed by the financial institution

Print Name: _____ Date: _____
 Signature: _____ Phone: _____

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
<input type="checkbox"/> Individual/sole proprietor or single-member LLC	<input type="checkbox"/> C Corporation
<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____	<input type="checkbox"/> S Corporation
<input type="checkbox"/> Other (see instructions) ▶ _____	<input type="checkbox"/> Partnership
<input type="checkbox"/> Trust/estate	<input type="checkbox"/> Trust/estate
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.	Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 40%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-		-	
	-		-		
OR					
Employer identification number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 85%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-			
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Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLÉ accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



New Supplier Form

Section 1: Identifying Information

Tax Identification Number:

--	--	--	--	--	--	--	--	--	--	--	--

EIN
-OR-
SSN

Pursuant to Section 6109 of the Internal Revenue Service Code, we are **required** to obtain your Tax Identification Number (TIN) to properly report income to the IRS as required by law. **Forms without a TIN will not be accepted.**

Name (as shown on your income tax return). Name is required on this line; do not leave this line blank:

Business Name/disregarded entity name, if different from above:

Address: _____
 City: _____ State: _____ ZIP: _____
 DUNS# _____ UEI# _____

Section 2: Order Address (For Purchase Orders)

Address: _____
 City: _____ State: _____ ZIP: _____
 DUNS# _____ UEI# _____

Section 3: Payment Direct Deposit/ACH Information

Bank Name:		Account Type:	Checking <input type="checkbox"/>	Savings <input type="checkbox"/>
Account Number:		Routing Number:		
<i>Account number supplied must match attached bank verification</i>		<i>Routing number supplied must match attached bank verification</i>		
Email for Remit Info		To opt out of Direct Deposit, Check This Box		
<i>Attach a copy of a current voided check or include a bank letter on bank letterhead, signed by a bank representative. Either option must include the individual/company name, routing and account numbers pre-printed by the financial institution</i>				

Section 4: International ACH Transaction Information

Will the entire amount of this electronic payment ultimately be deposited into a financial institution outside of the United States, and therefore fall under the regulation of IAT?	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>

Section 5: Contact Information

Primary Contact Name:	
Title:	Email:
Phone:	Fax:
Secondary Contact Name:	
Title:	Email:
Phone:	Fax:

Section 6: Read the Agreement, Sign & Date

Wisconsin law provides that State agencies or authorities cannot purchase any materials, supplies, equipment, or contractual services from suppliers (vendors), if the supplier and its affiliates are not registered, collecting, and remitting Wisconsin sales or use tax on sales of tangible personal property and taxable services in Wisconsin to the Wisconsin Department of Revenue. If the supplier or its affiliates only make exempt sales in Wisconsin, an Affidavit of Exempt Sales can be signed in lieu of registering. Exempt sales do not include sales of tangible personal property or taxable services not taxed solely because the supplier or affiliate does not have activity in Wisconsin that requires them to collect and remit sales and use tax (Nexus). This law does not change the federal constitutional limitations on who must be licensed to conduct business in Wisconsin. Additionally, A foreign corporation (any corporation other than a Wisconsin corporation) which becomes a party to this Agreement is required to conform to all the requirements of Chapter 180, Wis. Stats., relating to a foreign corporation and must possess a certificate of authority from the Wisconsin Department of Financial Institutions, unless the corporation is transacting business in interstate commerce or is otherwise exempt from the requirement of obtaining a certificate of authority.

The State will establish authentication information requirements for communications between the Supplier and the State, through online systems or paper forms. If the State receives a Communication containing proper authentication information, it shall be entitled to act on the Communication, and shall not be obligated to verify the content of such Communication, establish the identity of the person providing it, or await any confirmation thereof, and the State shall not be liable for acting on any Communication sent in the name of the Supplier. The Supplier shall be solely responsible for the safekeeping of the authentication information (i.e. passwords, Taxpayer Identification Numbers, bank account numbers, etc.) and assumes all risk of accidental disclosure or inadvertent use of such authentication information by any party whatsoever, whether such disclosure or use is on account of the Supplier's negligence or deliberate acts or otherwise. The State shall not be liable for any loss or damage resulting from fraudulent, unauthorized or otherwise improper use of any authentication information by the Supplier. **Only Authorized individuals may complete and submit this form. By completing this form, you are certifying that you are a duly authorized representative of your organization and are lawfully able to initiate changes to banking information. Fraudulent conveyances are punishable offenses.** The entity listed hereby authorizes the State of Wisconsin to initiate credit entries to its bank account at the financial institution identified above. Additionally, this form provides the State of Wisconsin the authority to reverse (withdraw) any erroneous credits (deposits) to the account. The authority shall remain in effect until the State of Wisconsin receives written notification of revocation and has a reasonable opportunity to act on it.

Print Name:	Date:
Signature:	Phone:



APPLICATION FOR PRELIMINARY LAND DIVISION – STAFF REPORT

Application No.: LD-2023-0099 **Applicant:** RM Berg Construction

Parcel: 6-27- 930

Location: 265 N Fourth Street

June 23, 2023

Prepared by: Colette Spranger Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



Description of request: An application for a preliminary land division to create a subdivision on parcels 6-27-930 has been submitted for consideration by Plan Commission. The request is to create a subdivision (Historic Standpipe Point) on land between the northern ends of Fifth and Fourth Street. A public hearing was held in May 2023. Plan Commission offered their recommended approval of the preliminary plat on June 6th, 2023. Common Council will review the preliminary plat at its July meeting. After

the preliminary plat is approved, a final plat application will be made and a development agreement finalized.

A copy of the Preliminary Plat with adjusted lot lines is attached to this staff report.

Existing and Proposed Uses: The existing parcel is undeveloped. The residence at 265 N Fourth Street has been razed.

The proposed plat shows six single family residential lots along Fifth Street. These can remain in the current R-1 zoning. All the lots as presented comply with the bulk requirements of the R-1 zoning district.

Along Fourth Street there is one lot with a proposed zoning of B-1. This is a very versatile zoning district, which allows single-family homes by right and duplex, townhouse, multifamily, and other residential uses by conditional use. It is staff's understanding that the intention of this lot is for some sort of multifamily (non-single family) land use. Benefits of this zoning district include a prohibition on parking areas in the front setback areas for all principal buildings as well as architectural and landscaping design standards for residential buildings.

As a note – the Evansville Standpipe, the historic water tower that is listed on both the State and National Register of Historic Places – is located on City property and is outside this propose preliminary plat. It will not be affected by this development.

General Comments:

1. **Park land dedication.** Park land dedication is a required improvement for any new subdivision. Sec. 110-192 of the City's subdivision ordinance states that such a dedicate area must be at least 2 acres in size. When this amount of land is not available, the developer will pay a fee in lieu of dedication for each single family lot and anticipated dwelling unit. This amount will be finalized in the development agreement.
2. **Sidewalks.** Sidewalks will be required along Fourth and Fifth Streets. Timing of sidewalk construction will be outlined in the development agreement.
3. **Stormwater management.** On-site stormwater will be handled by an outlot that will be dedicated to the public and managed by the City.
4. **Developer obligations:** The applicant is RM Berg Construction. The owner of that company has received approvals in last five years for four subdivision plats in the City, but has done so under separate LLCs. Three of these projects are in various states of completion and the City holds valid letters of credit for those. Another plat has received approvals but has not yet been recorded and the City has not yet received a letter of credit to cover the improvements outlined in the developer's agreement.

5. **Environmental checklist.** The applicant has submitted an environmental assessment checklist as required. There is nothing to indicate that additional information is required or that a more in-depth review is warranted.
6. **Traffic Circulation.** Primary access to the lot will be off existing City streets. No new public roads will be required to access these sites.
7. **Shared lot access.** The parcel adjacent to Fourth Street, with a suggested zoning of B-1, could be subdivided at a later date or developed all at once. City staff feel shared driveway access would be ideal along Fourth Street in this location.

Questions for Municipal Services:

- There appears to be sufficient fire hydrants in place to serve the development. Does this committee anticipate need for another? (see inset map of hydrant locations near site)
- Most utilities and improvements are already installed at this site. Is there anything else that should be addressed as the site develops?



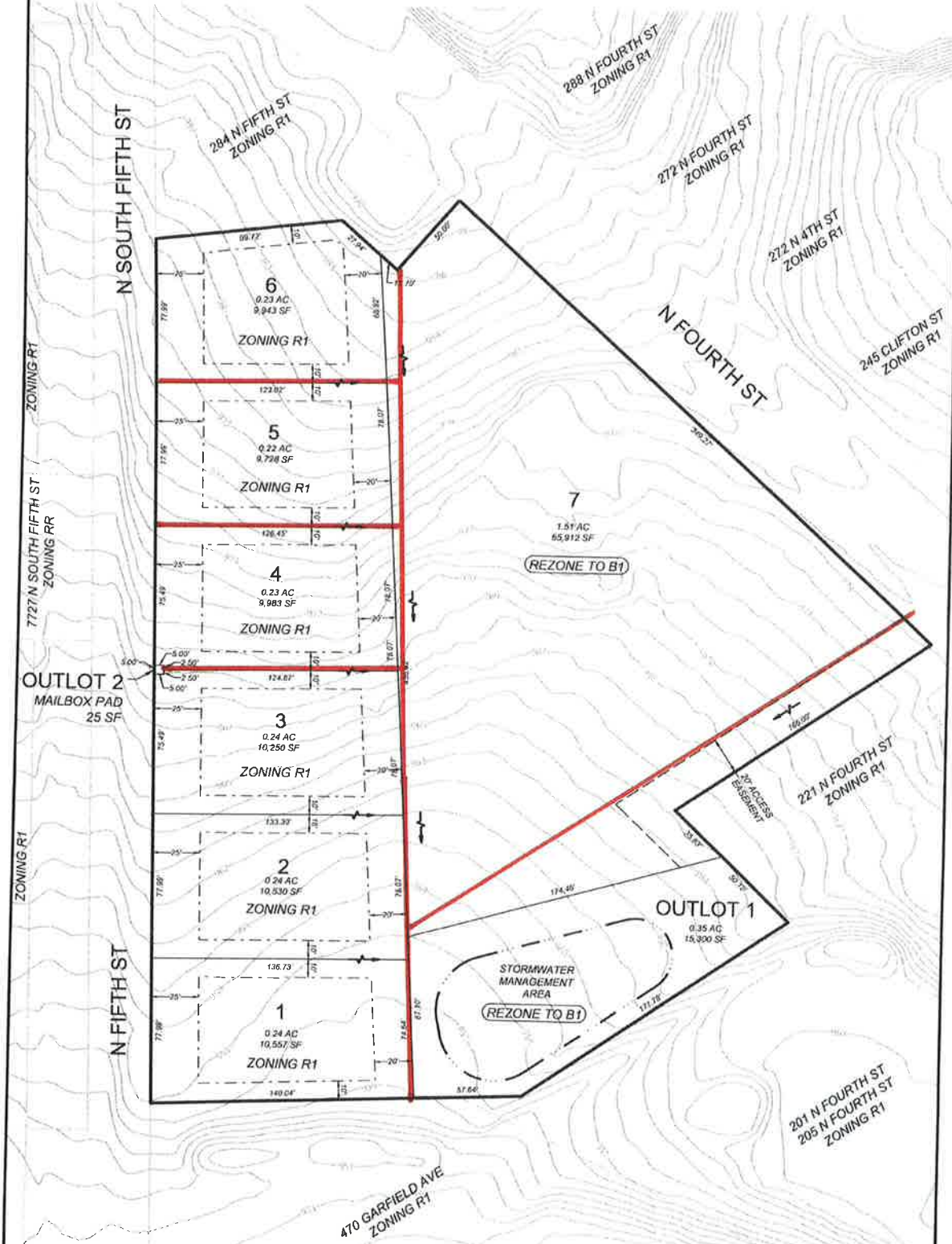
Consistency with the City of Evansville Comprehensive Plan and Municipal Code: The proposed land division is consistent with the Future Land Use Map of the Comprehensive Plan. The proposal also complies substantially with the design standards and environmental considerations as set forth in the Land Division Ordinance.

Staff Recommended Motion:

Recommend that Common Council approve land division application 2023-0099 for a preliminary plat for Historic Standpipe Point, subject to conditions set by Plan Commission and Common Council.

PRELIMINARY SUBDIVISION PLAT HISTORIC STANDPIPE POINT

PART OF THE NE 1/4 OF SECTION 28, T.4N., R.10E.,
CITY OF EVANSVILLE, ROCK COUNTY, WISCONSIN.



CLIENT: RM BERG GEN CONTRACTOR, INC
5 MAPLE STREET
EVANSVILLE, WI 53536

	• LAND SURVEYING	DATE: 05/18/73
	• LAND PLANNING	BY: RMK
	• CAPE ENGINEERING	PROJECT NO: 123-055
		DRAWN BY: RM BERG

**CITY OF EVANSVILLE
ORDINANCE #2023-07**

AMENDING CHAPTER 26, CEMETERIES

The Common Council of the City of Evansville, Rock County, Wisconsin, amend Evansville Municipal Code Chapter 130 as follows:

Chapter 26

CEMETERIES¹

Article I. In General

- Sec. 26-1. Plantings.
- Sec. 26-2. Animals in cemetery.
- Sec. 26-3. Decorations.
- Sec. 26-4. Duties of municipal services committee.
- Sec. 26-5. Finances and accounts.
- Sec. 26-6. Records.
- Sec. 26-7. Maps and plats.
- Sec. 26-8. -Entry.
- Sec. 26-9. Firearms.
- Sec. 26-10. Vehicles.
- Sec. 26-11. Disturbing property.
- Sec. 26-12. Alcohol beverages or refreshments.
- Sec. 26-13. Maintenance of order.
- Sec. 26-14. Appeals.
- Sec. 26-15. Penalty.
- Secs. 26-16--26-40. Reserved.

Article II. Sales and Fees

- Sec. 26-41. Issuance of deeds and agreements.
- Sec. 26-42. Transfer of internment and inurnment rights.
- Sec. 26-43. Establishment of lot, space, and niche prices and fees.
- Sec. 26-44. Amount of fees.
- Sec. 26-45. Annual assessments for care of graves.
- Secs. 26-46--26-60. Reserved.

Article III. Perpetual Care

¹ Cross references: Streets, sidewalks and public places, ch. 106.

- Sec. 26-61. Required.
- Sec. 26-62. Establishment of charges.
- Secs. 26-63--26-80. Reserved.

Article IV. Interments and Disinterment

- Sec. 26-81. Payment of charges required prior to interment or inurnment.
- Sec. 26-82. Burial or cremation permit.
- Sec. 26-83. Notice and supervision of interment or inurnment.
- Sec. 26-84. Depth of graves.
- Sec. 26-85. Number of interments or inurnments.
- Sec. 26-86. Approved outer burial container required.
- Secs. 26-87--26-110. Reserved.

Article V. Improvement of Lots

- Sec. 26-111. Gradient of lots.
- Sec. 26-112. ~~Superintendent of~~ Municipal Services Director; powers.
- Sec. 26-113. Memorials.
- Sec. 26-114. Fences or other enclosures.
- Sec. 26-115. Level of graves.
- Sec. 26-116. Definitions.

ARTICLE I. IN GENERAL

Sec. 26-1. Plantings.

(a) The landscaping of the entire cemetery is under the direction of the ~~superintendent of municipal services~~ director and the cemetery sexton. Any planting may be done only with approval from the public works director and the cemetery sexton.

(b) No ledges, trees, or brushes may be planted on any lot which will eventually grow past the boundaries of the lot.

(c) If any tree or shrub, by means of its roots and growth, become dangerous or inconvenient to safe and practical passageway, which shall include vehicles, the ~~superintendent of municipal services~~ director or cemetery sexton may enter upon the lot containing the growth and remove what ~~he~~ deems necessary for the benefit of the cemetery.

(d) The cemetery reserves the right to trim and/or remove any planting deemed necessary.

(e) Annual flowers may be planted in either urns or beds, but must be located so as not to interfere with the maintenance and operations of the cemetery.

(f) All plantings, urns and flowerbeds must be approved by the cemetery sexton or the public works director.

(g) Chairs, settees, receptacles for cut flowers, vases, glass jars, shells, or toys which are deemed inconsistent with the proper keeping of the cemetery are prohibited. The cemetery sexton or ~~superintendent of municipal services~~ director may remove from any lot without notice any of the above articles and any artificial or natural flowers which may be objectionable or become unsightly.

(h) The cemetery assumes no liability for damage to the property of lot owners.

(i) The cemetery assumes no responsibility for any damage to any live plants. The cemetery staff shall in turn exercise due regard and make all attempts to prevent damage to any plantings, provided they have been placed in accordance with the above rules.

(Ord. No. 2000-11, § 12(21.37), 5-9-2000, Ord. 2014-02)

Sec. 26-2. Animals in cemetery.

~~Dogs and other pets are prohibited in the cemetery; service animals shall be allowed. Domestic animals, including animals of any species, and horses, are prohibited in the cemetery. This section does not apply to a service dog as defined in Wis. Stats. § 951.01(5), and its successor statutes.~~

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(Ord. No. 2000-11, § 10(21.35), 5-9-2000, Ord. 2014-08)

Sec. 26-3. Decorations.

- (a) No more than two decorations on any marker or monument are permitted
- (b) All decorations, including solar lights, must be in a pot, vase, or placed on an approved upright support and placed within six inches of the memorial.
- (c) All summer decorations must be removed by November 11 and no winter decorations may be installed until the Monday before Thanksgiving.
- (d) All winter decorations must be on an approved upright support.
- (e) All decorations must be removed by April 15.
- (f) No decorations, other than fresh cut flowers may be placed on any grave until ~~four days prior to Memorial Day~~ April 15. Any decorations placed prior to this date may be removed without notice.
- (g) No decorations shall be allowed on the panel of a niche or on the columbarium

(Ord. No. 2000-11, § 11(21.36), 5-9-2000, Ord. 2014-08, Ord. 2016-14)

Sec. 26-4. Duties of municipal services committee.

The municipal services committee shall supervise the management and operation of the city cemetery, and may expend for the use, maintenance, protection, development and improvement of the cemetery such sums as are necessary within the budget established by the council and in conformity with all ordinances, resolutions and orders enacted by the council. As far as possible, the services of existing city officials and employees shall be utilized.

(Code 1986, § 21.01; Ord. No. 2000-11, § 1(21.01(2)), 5-9-2000, Ord. 2014-02)

Sec. 26-5. Finances and accounts.

(a) **Allocation of lot sales receipts, interment fees and perpetual care receipts.** All city cemetery lot, space, and niche sales receipts shall go to perpetual care, as well as all annual assessments received pursuant to section 26-45. All lot, space, and niche sales receipts, interment and inurnment fees and assessments shall go into the cemetery trust fund for the maintenance and operation of the city cemetery to be held by the city clerk-~~treasurer~~ as trustee and shall be invested as provided in Wis. Stats. § 66.04(2).

(b) **Budget approval by council.** The council shall approve the budget in such an amount as is deemed necessary to maintain and operate the city cemetery for the next calendar year. The money in the account shall be expended under the direction of the ~~superintendent of municipal services~~ director for the development, improvement, upkeep and care of the cemetery. Unless previously authorized by the council, no debt or deficit shall be incurred which cannot be fully paid by money in the cemetery account.

(c) **Duties of clerk-treasurer.** The city clerk-treasurer shall serve as trustee to receive and hold money in trust according to the terms of any gift or bequest, the income of which is to be used for the improvement, maintenance, repair, preservation or ornamentation of the cemetery or any lot, niche or structure thereon. Such money shall be invested pursuant to Wis. Stats. § 66.04(2), in the same manner as money in the perpetual care fund, but separately accounted for. No additional compensation shall be paid the clerk-treasurer for such duties, and the bond of the clerk-treasurer shall also cover the performance of all such duties.

(Code 1986, § 21.02, Ord. 2013-11, Ord. 2014-08)

Sec. 26-6. Records.

(a) The city clerk-treasurer shall keep records relating to city cemeteries consisting of:

- (1) Lot, space, and niche maps.
- (2) An index of lot, space, and niche owners.
- (3) An interment register.
- (4) A burial record.
- (5) A lot, space, or niche ownership record.
- (6) A file of burial permits.

(b) The lot, space, and niche maps shall identify each lot, space, or niche by number.

(Code 1986, § 21.03, Ord. 2013-11)

Sec. 26-7. Maps and plats.

(a) *Official maps and plats.*

- (1) The official maps or plats of Maple Hill Cemetery, as amended, filed in the office of the city clerk-treasurer, and sections, lots, divisions, streets, alleys and paths as designated and shown on such maps, are fixed and determined beyond alteration, except by ordinance of the city council, and then only so as not to interfere with private rights, subject nevertheless to the lotting, subdividing and numbering of such portions of such grounds as have not already been lotted and numbered.
- (2) The official map or plat of Maple Hill Cemetery is amended by the laying out of lots along the roadway heretofore running east and west from the tool house across the entire width of such cemetery in accordance with the plat prepared by the city engineer dated September 15, 1964.
- (3) A copy of such map or replat shall be recorded as provided by law.

(b) *Platting and recording of new blocks.* Before any new block of the cemetery is opened for the sale of lots, the council shall cause it to be platted and recorded in the office of the register of deeds. Six copies of the plat shall be deposited with the superintendent of municipal services director and six copies with the city clerk-treasurer.

The plat shall be so designed as to provide direct access to each lot from either a road or walk.

(Code 1986, § 21.04, Ord. 2014-08)

Sec. 26-8. Entry.

No person shall enter or leave a city cemetery except through the gates. No persons other than cemetery employees or police officers shall be within the cemetery except during the daylight hours.

(Code 1986, § 21.30)

Sec. 26-9. Firearms.

No person shall carry any firearms in a city cemetery, except for any law enforcement officer, or except in the case of military funerals and on Memorial or Veterans Day, without the written permission of the ~~superintendent of municipal services~~ director.

(Code 1986, § 21.31, Ord. 2014-08)

Sec. 26-10. Vehicles.²

(a) No vehicle shall be driven in a city cemetery except on roads designated for that purpose. No vehicle shall be driven in a reckless manner.

(b) Snowmobiles or all terrain vehicles are prohibited in the cemetery.

(Code 1986, § 21.32; Ord. No. 2000-11, § 8(21.32), 5-9-2000)

Sec. 26-11. Disturbing property.

No person, except the owner of the lot or a cemetery employee, shall cut, remove, injure or carry away any flowers, trees, shrubs, plants or vines from any lot or property in a city cemetery, or deface, injure or mark upon any markers, headstones, monuments, fences or structures, nor shall any person other than the owner injure, carry away or destroy any vases, flowerpots, urns or other objects which have been placed on any lot.

(Code 1986, § 21.33)

Sec. 26-12. Alcohol beverages or refreshments.³

No person shall possess or consume any intoxicating liquor or fermented malt beverage or refreshments in the cemetery.

(Code 1986, § 21.34; Ord. No. 2000-11, § 9(21.34), 5-9-2000)

Sec. 26-13. Maintenance of order.

The ~~superintendent of municipal services~~ director and/or cemetery sexton shall maintain order and shall eject any person whose conduct is objectionable or who violates this chapter.

² Cross references: Traffic and vehicles, ch. 122.

³ Cross references: Alcohol beverages, ch. 6.

(Ord. No. 2000-11, § 13(21.38), 5-9-2000, Ord. 2014-08)

Sec. 26-14. Appeals.

Appeals of any decision by the cemetery sexton or the ~~superintendent of municipal services~~ director may be presented to the municipal services committee.

(Ord. No. 2000-11, § 14(21.39), 5-9-2000, Ord. 2014-08)

Sec. 26-15. Penalty.

Any person who shall violate any provisions of this chapter shall be subject to a penalty as provided in section 1-11.

(Ord. No. 2000-11, § 15(21.40), 5-9-2000)

Secs. 26-16--26-40. Reserved.

ARTICLE II. SALES AND FEES

Sec. 26-41. Issuance of deeds and agreements.

The sale of lots, spaces, and niches in the city cemetery shall be under the control of the clerk-~~treasurer~~, subject to the rules, regulations and general supervision of the council. Any applicant shall apply to the clerk-~~treasurer~~ and, upon payment for the lot, space, or niche selected, the clerk-~~treasurer~~ shall issue a deed to the lot or space or agreement for the niche in the form prescribed by the city attorney. The deed or agreement shall be signed by the clerk-~~treasurer~~ and mayor, sealed with the corporate seal and acknowledged so as to entitle it to be recorded. The purchaser may record a deed with the register of deeds.

(Code 1986, § 21.06, Ord. 2013-11)

Sec. 26-42. Transfer of internment and inurnment rights.

(a) The transfer, in accordance with the applicable state statutes, of lots or spaces in a city cemetery previously sold may be registered with the clerk-~~treasurer~~ by presentation of the original deed, on the back of which is written "I hereby transfer to (name of owner) (spaces(s) or portion of the lot)," and the endorsement of the original lot or space owner, or by presenting a court order evidencing transfer. This shall be acknowledged and witnessed if it is desired to record the transfer with the register of deeds.

(b) The transfer, in accordance with the applicable state statutes, of niches in a city cemetery previously sold may be registered with the clerk-~~treasurer~~ by presentation of the original niche reservation agreement, on the back of which is written "I hereby transfer to (name of owner) (the niche)," and the endorsement of the original niche owner, or by presenting a court order evidencing transfer. This shall be acknowledged and witnessed if it is desired to record the transfer with the register of deeds.

(Code 1986, § 21.07, Ord. 2013-11)

Sec. 26-43. Establishment of lot, space, and niche prices and fees.

On or before August 1 annually, the ~~superintendent of municipal services~~ director shall present to the municipal services committee ~~his- their~~ recommendations for revision in the schedule of prices for all lots, spaces, and niches sold in any cemetery under the city's jurisdiction and for all work done for private parties by the ~~superintendent of municipal services~~ director or his-assistants designees. The municipal services committee shall review such recommendations and incorporate any approved changes in the budget submitted to the city council under section 26-5(b).

(Code 1986, § 21.05, Ord. 2013-11, Ord. 2014-08)

Sec. 26-44. Amount of fees.

(a) Fees for interment and inurnment in a city cemetery shall be as established by the council from time to time by resolution and as set forth in appendix A.

(b) Fees for cemetery lots, spaces, and niches and perpetual care charges shall be as established by the council from time to time by resolution and as set forth in appendix A.

(Code 1986, § 21.08; Ord. No. 1998-11, § 1, 8-11-1998; Ord. No. 200-11, § 2(21.08), 5-9-2000, Ord. 2013-11)

Sec. 26-45. Annual assessments for care of graves.

The municipal services committee may make annual assessments for the maintenance and care of grave spaces in city cemeteries for which perpetual care is not provided, such annual assessment to be subject to the limitations of Wis. Stats. § 157.11. When uniform care of a lot has been given for two consecutive years or more for which assessments are unpaid under Wis. Stats. § 157.11(7), the right to interment is forfeited until delinquent assessments are paid. When uniform care has been given for five consecutive years or more and the assessments are unpaid upon like notice, title to all unoccupied parts of the lot shall pass to the city and may be sold, the proceeds to be a fund for perpetual care of the occupied portion.

(Code 1986, § 21.13, Ord. 2014-08)

Secs. 26-46--26-60. Reserved.

ARTICLE III. PERPETUAL CARE

Sec. 26-61. Required.

(a) **Expense to be included in lot price.** All lots, spaces, and niches hereafter sold in the city cemetery shall be provided with perpetual care services, the expense to be included in the price of the lot, space, or niche.

(b) **Lots and spaces previously sold without perpetual care.** Owners of lots or spaces previously sold without perpetual care must secure the benefits of perpetual care by paying to the city clerk-treasurer a sum pursuant to the schedule which shall be set by the council as a reasonable amount for the care of such lots or spaces in perpetuity. All amounts so received shall be deposited in the city general fund.

(c) **Burial prohibited without perpetual care.** No burial shall be permitted in any grave space until the person requesting the burial, or the person interested in the lot of which the grave space is a part, provides perpetual care for the entire lot of which the grave space is a part.

(Code 1986, § 21.10, Ord. 2013-11)

Sec. 26-62. Establishment of charges.

On or before August 1 each year, the ~~superintendent of municipal services~~ director shall submit to the municipal services committee a schedule or amendments to the schedule of perpetual care charges for all lots, grave spaces, and niches in any cemetery under the city's jurisdiction. The municipal services committee shall review such scheduled amendments and include its recommendations in the budget submitted to the city council under section 26-5(b).

(Code 1986, § 21.11; Ord. No. 1998-11, § 2, 8-11-1998, Ord. 2013-11, Ord. 2014-08)

Secs. 26-63--26-80. Reserved.

ARTICLE IV. INTERMENTS AND DISINTERMENTS

Sec. 26-81. Payment of charges required prior to interment or inurnment.

No interment or inurnment shall be allowed in any city cemetery lot, space, or niche which has not been fully paid for or where annual assessments for care of the lot are delinquent.

(Code 1986, § 21.15, Ord. 2013-11)

Sec. 26-82. Burial or cremation permit.

No interment or inurnment shall be permitted or body or cremated remains received in a city cemetery without a burial permit, cremation permit, or removal certificate issued by the register of deeds, city health officer or clerk-treasurer of the place where the death occurred. Such permit or certificate shall be retained by the clerk-treasurer as part of his the record. All interments, disinterments and other matters relating to the disposal of bodies shall be pursuant to the state statutes and the orders of the state department of health and family services.

(Code 1986, § 21.16, Ord. 2013-11)

Sec. 26-83. Notice and supervision of interment or inurnment.

(a) Notice of interment or inurnment shall be given to the city clerk/~~treasurer~~ on a regular work day at least 2 full working days in advance of burial. The ~~superintendent of~~ municipal services ~~director~~ or cemetery sexton must be present at all interments and inurnments and shall have full charge of the opening, closing and seeding of all graves and opening and closing of all niches.

(b) When the instructions for opening a grave are not definite, the cemetery sexton or ~~superintendent of~~ municipal services ~~director~~ will use ~~his~~their best judgment in deciding when and if a grave is to be opened.

(Code 1986, § 21.17; Ord. No. 2000-11, § 3(21.17), 5-9-2000, Ord. 2013-11, Ord. 2014-08, Ord. 2018-10)

Sec. 26-84. Depth of graves.

The minimum depth of graves in a city cemetery shall be five feet.

(Code 1986, § 21.18)

Sec. 26-85. Number of interments or inurnments.

~~(a)(a) Each grave space may be occupied by the remains of only one individual with the following exceptions: Not more than one interment in one grave shall be permitted in a city cemetery;~~

~~(i) except i]n the case of infants/cherubs~~

~~(ii) and/or uUrns of ashes, where two interments, single or companion, per grave will be permitted, except~~

~~that for good cause the municipal services committee may grant an exception, but in this case the committee must report such action to the council at its next meeting.~~

~~(c) (b) Niches shall be used only for the inurnment of cremated human remains in an urn. The ashes of only one person shall be permitted in an urn. One urn shall be permitted to be inurned in a single niche; two urns or one companion urn shall be permitted to be inurned in a double niche.~~

~~(d) For good cause the municipal services committee may grant an exception, but in this case the committee must report such action to the council at its next meeting.~~

(Code 1986, § 21.19, Ord. 2013-11, Ord. 2014-08)

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Sec. 26-86. Approved outer burial container required.

No interment shall be permitted or body received unless it is contained in a cement, metal or other permanent type of container or vault approved by the ~~superintendent of~~ municipal services ~~director~~ or cemetery sexton.

(Code 1986, § 21.20; Ord. No. 2000-11, § 4(21.20), 5-9-2000, Ord. 2014-08)

Secs. 26-87--26-110. Reserved.

ARTICLE V. IMPROVEMENT OF LOTS

Sec. 26-111. Gradient of lots.

No person shall change the grade of any lot nor interfere in any way with the general plan of the landscaping in the cemetery.

(Ord. No. 2000-11, § 5(21.25), 5-9-2000)

Sec. 26-112. ~~Superintendent of m~~Municipal ~~S~~Services ~~D~~irector; powers.

The ~~superintendent of municipal services~~ director or cemetery sexton may enter upon any lot or space and remove any shrub or tree which is deemed detrimental to the cemetery or adjoining lots or spaces or is unsightly or inconvenient to the public. ~~He~~ They may also enter upon any lot or space and make any improvements deemed for the advantage of the grounds.

(Ord. No. 2000-11, § 6(21.26), 5-9-2000, Ord. 2013-11, Ord. 2014-08)

Sec. 26-113. Memorials.

(a) Only one marker shall be allowed per grave, set in accordance with the rules of the cemetery. A double marker covering two spaces constitutes two markers.

(b) Only one monument shall be allowed per lot, set in accordance with the rules of the cemetery.

(c) Every memorial of any type will require an adequate concrete foundation.

(d) All monuments and markers shall be of bronze or granite and no vertical joints therein shall be permitted. No monument or marker constrained of any other materials may be erected in the cemetery.

(e) All foundations for monuments and markers and other structure must be of sufficient depth and stability to support the proposed structure. The foundations shall be flush with the ground matching the grade of the gravesite.

(f) No monument or marker may be erected until the foundation therefore has been approved by the cemetery sexton or the ~~superintendent of municipal services~~ director and a written permit granting such approval has been issued by the city clerk/~~treasurer~~. If a monument or marker is placed before the city clerk/~~treasurer~~ issues a foundation approval permit for the monument or marker, the city may, at its sole discretion, remove the monument or marker at the expense of the owner of the cemetery lot on which it was placed.

(g) Foundation work in the cemetery shall be done by approved monument salespersons under the supervision of the cemetery sexton or the ~~superintendent of~~ municipal services director.

(h) Monuments or markers shall be of a size no larger than 16 inches high by 36 inches long and 12 inches wide/depth for a single marker and 16 inches high by 48 inches long and 12 inches wide/depth for a double marker.

(i) No monuments, markers, or burials shall be placed in the walkways.

(j) The owner of a cemetery lot or space or a monument vendor may apply to the city clerk for a written permit granting approval of a foundation for a proposed monument or marker. The city council shall by resolution establish and may from time to time adjust the fee for a foundation approval permit, the amount of which is set forth in appendix A. When application for a foundation approval permit is made, the applicant shall pay the fee to the city clerk. If application is made after the monument or marker is placed, the applicant shall pay the city clerk twice the amount of the fee charged for timely applications.

(k) The exterior panel of a niche shall be able to accommodate:

- i. an engraving of the name, date of birth, and date of death of the inurned in the font provided on Addendum A.
- ii. an optional engraving of an official emblem from the list on Addendum A, or any officially recognized symbol.
- iii. An optional photo of the inurned no larger than 3" oval or a military service plaque no larger than 3" in diameter

(l) No attached appliques are allowed on the exterior panel of a niche with the exception of (k) iii above.

(m) All memorials acting as inurnments shall require a burial permit per Municipal Code Sec. 26-82 and foundation permit per section 26-113(f).

(Ord. No. 2000-11, § 7(21.27), 5-9-2000, Ord. 2004-20, Ord. 2013-11, Ord. 2014-08, Ord. 2014-08, Ord. 2016-14, Ord. 2018-10)

Sec. 26-114. Fences or other enclosures.

No fences or enclosures around lots shall be permitted in a city cemetery.

(Code 1986, § 21.28)

Sec. 26-115. Level of graves.

Graves in a city cemetery shall not be raised above the level of the lot.

(Code 1986, § 21.29)

Sec. 26-116. Definitions.

The following terms have the meanings set forth:

(a) GRAVE shall mean a piece of land that is used or intended to be used for an underground burial of human remains. Grave is synonymous with space and grave space.

(b) SPACE shall mean a piece of land that is used or intended to be used for an underground burial of human remains. Space is synonymous with grave and grave space.

(c) GRAVE SPACE shall mean a piece of land that is used or intended to be used for an underground burial of human remains. Grave space is synonymous with grave and space.

(d) LOT shall mean eight contiguous graves or spaces.

(e) NICHE shall mean an enclosure that is used or intended to be used for the aboveground inurnment of human remains.

(f) MEMORIAL shall mean either a marker or a monument.

(g) MONUMENT shall mean a gravestone placed in the ground to designate a lot.

(h) MARKER shall mean a gravestone placed in the ground to designate a grave or space.

(i) PERPETUAL CARE shall mean "permanent" care and maintenance of the cemetery grounds and gravesites within.

(Ord. 2013-11)

Chapter 26. Cemeteries

26-44(a) Fees for interment:					
(1)	Grave:				
	a. Weekday	\$700.00	Res 2021-20	Res 2018-23	Res 2016-
	b. Weekend (includes weekdays after 2:00 and	\$900.00	Res 2021-20	Res 2018-23	Res 2016-
	c. Weekend (including weekdays after 5:00 and	\$1,100.00	Res 2021-20		
(2)	Grave, cherub:				
	a. Weekday	\$250.00	Res 2018-23	Res 2016-22	Res 2009-
	b. Weekend (includes weekdays after 2:00 and	\$450.00	Res 2018-23	Res 2016-22	Res 2009-
(3)	Ashes:				
	a. Weekday	\$300.00	Res 2021-20	Res 2018-23	Res 2016-
	b. Weekend (includes weekdays after 2:00 and	\$400.00	Res 2021-20	Res 2018-23	Res 2016-
	c. Weekend (including weekdays after 5:00 and	\$600.00	Res 2021-20		
(4)	Additional interment fees				
	a. Less than two working days' notice:				
	1. Full interment	\$150.00	Res 2018-23	Res 2016-22	Res 2009-
	2. Ashes	\$75.00	Res 2018-23	Res 2016-22	Res 2009-
	b. Permit-Burial or Cremation	\$50.00	Res 2021-20	Res 2018-23	
	c. Winter charges				
	1. Full interment	\$300.00	Res 2021-20	Res 2018-23	Res 2016-
	2. Full interment, Cherub &	\$300.00	Res 2021-20	Res 2018-23	Res 2016-
	3. Ashes	\$300.00	Res 2021-20	Res 2018-23	Res 2016-
(5)	Disinterment				
	a. Weekday only	\$850.00	Res 2018-23	Res 2016-22	
	b. Weekday only - Ashes	\$400.00	Res 2018-23	Res 2016-22	
(6)	Tent	\$100.00	Res 2018-23	Res 2016-22	
(7)	Columbarium, opening and closing fees:				
	a. Weekday	\$100.00	Res 2018-23	Res 2016-22	Res 2013-
	b. Weekend (includes weekdays after 3:00 and	\$200.00	Res 2018-23	Res 2016-22	Res 2013-
26-44(b)	Cemetery lots and perpetual care charges:				
(1)	Eight grave spaces				
	a. Resident	\$3,000.00	Res 2016-22	Res 2009-11	
	b. Nonresident	\$3,800.00	Res 2016-22	Res 2009-11	
(2)	Four grave spaces				
	a. Resident	\$1,600.00	Res 2016-22	Res 2009-11	
	b. Nonresident	\$2,000.00	Res 2016-22	Res 2009-11	
(3)	Two grave spaces				
	a. Resident	\$900.00	Res 2016-22	Res 2009-11	
	b. Nonresident	\$1,100.00	Res 2016-22	Res 2009-11	
(4)	One grave space				
	a. Resident	\$450.00	Res 2016-22	Res 2009-11	
	b. Nonresident	\$550.00	Res 2016-22	Res 2009-11	
(5)	Columbarium niches				
	a. Top 3 rows, single	\$900.00	Res 2016-22	Res 2013-08	
	b. Top 3 rows, double	\$1,500.00	Res 2016-22	Res 2013-08	
	c. Bottom 2 rows, single	\$750.00	Res 2016-22	Res 2013-08	
	d. Bottom 2 rows, double	\$1,400.00	Res 2016-22	Res 2013-08	
26-113	Monument/marker foundation approval	\$25.00	Res 2004-54		