

Chapter CB 6

MAUSOLEUMS

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CB 6.01 Authority. The rules in this chapter are adopted pursuant to ss. 157.12 (2) (a), 157.62 (5), 227.11 (2), and 440.905 (2), Stats.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18.

CB 6.02 Definitions. In this chapter:

(1) “Mausoleum” has the meaning given in s. 157.061 (9), Stats.

(2) “Public Mausoleum” has the meaning given in s. 157.061 (14), Stats.

(3) “Temporary certification” means a contingent approval issued by the board where, following an initial inspection, the board determines that the mausoleum only contains minor, non-structural defects; and is valid for a period determined by the board, but not to exceed 6 months.

Note: Columbarium is defined in s. 440.70 (4), Stats.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18; **CR 19–150:** cr. (3) Register September 2020 No. 777, eff. 10–1–20; correction in (3) made under s. 35.17, Stats., Register September 2020 No. 777.

CB 6.03 Mausoleum plan review. (1) Prior to the construction or alteration of any mausoleum or conversion of a building or other structure to a mausoleum the board or its designee shall review, in accordance with the provisions in chs. SPS 361 to 366, the plans for mausoleum construction, alteration, or building conversion.

(2) The construction, alteration, or building conversion of any mausoleum may not occur prior to written approval of the plans by the board or its designee in accordance chs. SPS 361 to 366 and s. 157.12 (2) (a), Stats.

(3) Plans shall expire 3 years after the date indicated on the approved building plans of the building shell if not closed within those 3 years.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18.

CB 6.04 Revision to approved plans. No modifications to the approved plans or amendments to the plan specifications beyond cosmetic changes may be made without prior written approval from the board or its designee in accordance with chs. SPS 361 to 366 and s. 157.12 (2) (a), Stats.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18.

CB 6.05 Supervision of construction. (1) Construction of any public mausoleum shall be supervised by the board or its designee in accordance with chs. SPS 361 to 366 and s. 157.12 (2) (b), Stats.

(2) The supervising professional shall provide a written compliance statement in accordance with chs. SPS 361 to 366 within 30 days following completion of the construction, alteration, or conversion of a public mausoleum.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18.

CB 6.06 Inspection. The board, or its designee, shall inspect the construction of any public mausoleum in accordance chs. SPS 361 to 366 and s. 157.12 (2) (b), Stats., to ascertain

whether the construction, alteration, or building conversion complies with approved plans.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18.

CB 6.07 Reinspection. (1) If the board or its designee determines that, except for certain minor non-structural defects, the construction, alteration, or conversion complies with the approved plans, the board or its designee may provide the cemetery authority with a temporary certification that is contingent on the correction of those minor defects.

(2) If a cemetery authority with a temporary certification notifies the board or its designee in writing before the expiration date of the temporary certification that the defects in the construction, alteration, or conversion of the public mausoleum have been corrected, the board or its designee shall, within 30 days after receiving the notice, reinspect the public mausoleum and provide the cemetery authority with a final inspection report as to whether the construction, alteration, or conversion complies with the approved plans.

Note: See s. 440.70, Stats. for the definition of columbarium or see subch. VII of ch. 440, Stats. for information regarding columbaria and matters relating to Crematory Authorities.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18; **CR 19–150:** am. Register September 2020 No. 777, eff. 10–1–20.

CB 6.08 Mausoleum sales. No person may sell a mausoleum space, except an undeveloped space that is sold in accordance with s. 440.92, Stats., or bury human remains in the public mausoleum until either the board has issued a temporary certification that the mausoleum contains only minor, non-structural defects, or all inspection defects are corrected and the board or its designee reinspects the public mausoleum and provides the cemetery authority with a final inspection report that indicates the construction, alteration, or conversion complies with the approved plans.

History: CR 17–050: cr. Register July 2018 No. 751, eff. 8–1–18; **CR 19–150:** am. Register September 2020 No. 777, eff. 10–1–20.

CB 6.085 Municipal requests for larger mausoleum care funds. A municipality may require by ordinance, with the written approval of the board, that cemetery authorities within its jurisdiction maintain a larger mausoleum care fund than what is required under s. 157.12 (3) (a) 1. and 2., Stats. The board may issue a written approval of such an ordinance if:

(1) The municipality submits a request to the board containing the following:

(a) A copy of the proposed ordinance.

(b) A statement demonstrating a need for an ordinance that deviates from the statutory requirements.

(c) An affidavit from the municipality certifying that it has consulted with the cemetery authorities in its jurisdiction who may be impacted by the proposed ordinance.

(2) The requirements under the ordinance are reasonable as determined by the board.

History: CR 19–150: cr. Register September 2020 No. 777, eff. 10–1–20.

CB 6.09 Mausoleum location. The board, or its designee, shall review the location of the mausoleum to ensure the mausoleum is located in accordance with s. 157.065 (2), Stats.

History: CR 17-050: cr. Register July 2018 No. 751, eff. 8-1-18.

CB 6.10 Compliance requirements. In addition to board construction requirements, mausoleum construction shall follow the requirements of s. SPS 362.3100.

History: CR 17-050: cr. Register July 2018 No. 751, eff. 8-1-18.

CB 6.11 Mausoleum and public mausoleum construction material. A mausoleum or public mausoleum shall be constructed to last as long as possible, taking into consideration the technology and economics applicable to mausoleum construction at the time of construction with construction materials reviewed by the board, or its designee, in accordance with chs.

SPS 361-366 and s. 157.12 (2) (d) Stats.

History: CR 17-050: cr. Register July 2018 No. 751, eff. 8-1-18.

CB 6.12 Mausoleum and public mausoleum fees. The board or its designee may charge a reasonable fee to the cemetery authority for each review and inspection provided under this chapter. Fees for reviews and inspections shall be submitted in accordance with ch. SPS 302.

History: CR 17-050: cr. Register July 2018 No. 751, eff. 8-1-18.

CB 6.13 Initial applicability. This chapter first applies to construction, alteration, or conversion of mausoleums and public mausoleums initiated after August 1, 2018.

History: CR 17-050: cr. Register July 2018 No. 751, eff. 8-1-18.

CB 6.14 Reports. The board may request reports from its designee on any activity it delegates in this section.

History: CR 17-050: cr. Register July 2018 No. 751, eff. 8-1-18.