

**Rules and Regulations
Governing
The Cemeteries of Congregation Brith Sholom**

- I. Use of the Cemetery:
 - A. The right of interment is to be governed by The Guidelines of Funeral Practices as passed and periodically modified by the Congregation Brith Sholom Board of Trustees, a copy of which is attached hereto.
 - B. Use of the cemetery shall be in accordance with the regulations listed below and subject to the fees specified.
 - C. The Cemetery Committee (henceforth referred to as the “Committee”) shall be responsible for all cemetery affairs and shall prepare and amend cemetery regulations subject to approval of the Board of Trustees of Congregation Brith Sholom.

- II. Cemetery Committee:
 - A. The Cemetery Committee is a standing committee of Congregation Brith Sholom and shall be appointed by the Board of Trustees of Congregation Brith Sholom. It shall include the Rabbi, the Cemetery Chairman, one of more representatives from the Chevra Kadisha, and others as designated by the Chairman of the Cemetery Committee.
 - B. The Committee shall make itself available as required for consultation with congregation members on Cemetery problems.

- III. Allocation of Spaces:
 - A. The Cemetery shall be divided into plots or spaces, suitably numbered and a map showing current allocations kept in the congregation office. The Space Reservation Chairman shall maintain an additional copy.
 - B. Spaces may be reserved in unreserved spaces in cemetery sections declared open by The Cemetery Committee. The Committee shall determine the sequence of assignments.
 - C. Each member of Congregation Brith Sholom who has been a member in good standing for a minimum of five continuous years prior to death is entitled to one space for the member, a spouse, and any unmarried dependent children. These spaces shall be assigned individually at the time of death unless a space reservation is made in accordance with Section IV.
 - D. The Brith Sholom office shall notify, in writing, by Certified Mail, Return Receipt Requested, Addressee Only, any Member of the requirements for maintenance of membership in accordance with Paragraph #-C upon any known change in a member’s status which affects a cemetery privilege or reservation.

- III. Space Reservations.
 - A. A member in good standing may, at any time, reserve one or more spaces for the member, a spouse, and any unmarried dependent children, upon payment of the “Members Reservation Fee” for each space so reserved.
 - B. A Jewish non-member of the congregation, or a member, who is no longer in good standing, may at any time, with the recommendation of the Committee and

approval of the Board, reserve one or more spaces upon payment of the “Non-Member Reservation Fee.” This fee shall be higher than the “Member Reservation Fee.”

- C. A reservation shall be cancelled and the space reallocated as determined by the committee under the following conditions:
 - 1. If the appropriate Reservation Fee is not paid in full within the contracted schedule.
 - 2. If the member for whom the space is reserved resigns or is dropped from membership by action of the Board.
 - 3. If the deceased for whom the space is reserved is buried elsewhere or if one hundred (100) years pass from the date of last payment of reservation fee.
- D. Non-Member Reservations may not be cancelled except for failure to pay the “Non-Member Reservation Fee” within the time limits specified in Section IV-C-1 or if IV-C-3 occurs.
- E. Reservations must specify the person for whom the space is reserved and are non-transferable to another person. However, a reservation may be transferred to a different plot.
- F. The fee for re-instatement of a cancelled reservation shall be the same as that for an initial reservation. No allowance of credit shall be given for any prior reservation, whether paid in full or in part, nor shall any reservation fee or portion thereof be refunded for any reason, nor be applied towards any other cemetery or burial fees.
- G. A member may obtain a non-cancelable reservation under the same terms as non-members by paying the “Non-Member Reservation Fee” as specified in Section IV-B.
- H. The Brith Sholom office shall notify, in writing, the parent(s) of any child in whose name a reservation has been made. Once that child reaches the later of twenty-one (21) years of age, or ceases to be a full time student dependent upon his/her parents for support, the reservation will be lost should the child not maintain his or her own independent membership.
- I. Circumstances deemed extraordinary by the Committee may be dealt with at the discretion of the Cemetery Committee and the President of the Board of Trustees.

V. Tombstones, Headstones, and Markers:

- A. No tombstone, monument, headstone, footstone, marker, ornament, decoration, or base or foundation for such shall be installed without the permission and approval of the Committee and until all cemetery reservations and burial fees have been paid in full. Size shall be restricted in accordance with the Table of Maximum Dimensions.
- B. No tombstone, monument, headstone, footstone, marker, ornament, or decoration which is of such dimensions as to occupy more than one space may be erected unless the Reservation Fee shall be paid for each such unoccupied space or portion of space so covered.
- C. No footstones shall be permitted in the Main-East Section of the Brith Sholom Cemetery.
- D. Every grave must be marked with a tombstone. Two years following an interment, if no tombstone has been erected, at the discretion of the committee, a tombstone may be erected and the family billed for all attendant fees.

VI. Trees, Shrubs and Flowers:

- A. Trees and shrubs may be planted only with the approval of the Committee and in such a manner as they deem appropriate.
- B. The Committee reserves the right to trim or remove trees, shrubs, and vegetation which, in its opinion, detracts from the appearance of the cemetery.
- C. No flowers shall be planted or placed on the cemetery proper.

VII. The Chevra Kadisha:

- A. According to Jewish tradition, it is considered a communal honor and responsibility to serve on the Chevra Kadisha. Members of the Brith Sholom Chevra Kadisha are chosen and serve in a voluntary capacity for the community. There is no connection between the Brith Sholom Chevra Kadisha and any funeral home.
- B. The Chair of the Chevra Kadisha shall be appointed by the Board of Trustees of the congregation in consultation with the Rabbi. Members of the Chevra Kadisha shall be appointed by the Chair in consultation with the Rabbi and shall be responsible for the preparation of the deceased for burial in accordance with the laws and customs of the Jewish faith.
- C. A standard Chevra Kadisha Fee shall be included in the charges for each burial, and in the case of members in good standing, be billed between 7 and 30 days after burial and paid within 30 days after billing. Non-Members shall be billed in accordance with Section VIII.
- D. A fee in addition to the standard Chevra Kadisha Fee shall be charged only in the event that the circumstances of the burial require extraordinary services, and then only with the approval of the Committee.
- E. The Chevra Kadisha fee shall be paid directly to Congregation Brith Sholom.

VIII. Special Provisions for Non-Members

- A. A person of the Jewish faith who is not a member in good standing of Congregation Brith Sholom may be buried in the cemetery provided the president and Rabbi of the congregation approve, and the fees specified below are paid in full. If a member in good standing agrees to assume financial responsibility for the burial of a non-member, billing will be in accordance with Section VII-B. These fees are:
 - 1. A "Space Fee" no less than the "Non-Member Reservation Fee". A "Space Fee" is not required when using a space for which a "Non-Member Reservation" has been made and paid for in full.
 - 2. A "Non-Member Chevra Kadisha Fee."
 - 3. A "Site-Care Fee."
 - 4. An "Additional Chevra Kadisha Fee" (required only when extraordinary services are performed--see Section VII-C).

IX. Waiver of Fees:

- A. In case of financial hardship, the Committee shall recommend the waiver of such fees or portion of fees as it deems necessary. All such waiver of fees shall be submitted to the next regularly scheduled meeting of the Board of Trustees of the congregation for its approval.

X. Perpetual Care:

- A. A Cemetery Trust Fund shall be established for the purpose of maintaining and beautifying the Brith Sholom Cemetery premises. The funds for same shall be obtained by the charging of a perpetual care fee, which fee structure shall be established by the Board of Trustees at the recommendation of the Cemetery Committee and attached to these Regulations periodically.
- B. The Board of Trustees shall reserve to itself the right to waive any portion of the perpetual care fee.
- C. The Board of Trustees shall establish a separate Cemetery Maintenance Operating Account, which shall receive monies paid over to it by the Cemetery Trust Fund, and which shall be used solely for the care, maintenance and improvement of the Cemetery. The Operating Account shall maintain its own demand deposit and interest bearing accounts all of which, for withdrawal of funds, shall require the signatures of one designated member of the Cemetery Committee and the signature of the President of the Board of Trustees.
- D. The Cemetery Committee shall oversee the expenditure of funds from the Cemetery Maintenance Operating Account. Any capital improvement made to the Cemetery with Operating Account funds, which, together with normal maintenance expenditures, would exceed 80% of the then current annual income of the account, must be approved by a majority of the Cemetery Committee and the Board of Trustees.
- E. Services provided by perpetual care are the cleaning, weeding and trimming of each gravesite. Perpetual care does not include repairs to monuments or bases. At the discretion of the Committee, repairs may be made to monuments or bases and the families shall be billed.

XI. Effective Date:

- A. All provisions of these regulations shall become effective 30 days after ratification by the Board of Trustees of Congregation Brith Sholom and shall apply to all actions and transactions hereunder until repealed or modified by action of the Board.

ATTEST:

George Diamond, Secretary

CONGREGATION BRITH SHOLOM
BOARD OF TRUSTEES

By _____
Jeffrey Milet, President

RATIFIED: April 14, 1998