

**RULES AND REGULATIONS
of the
EMANUEL SYNAGOGUE
CEMETERY**

As AMENDED

17 SEPTEMBER 2019

WEST HARTFORD, CONNECTICUT

2019-09-17 version

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**ARTICLE I
Dedication**

The Cemetery of the Emanuel Synagogue (The Cemetery) shall forever be used as a permanent burial place only for members of the Jewish faith except as provided in Article XVII.

**ARTICLE II
Plan**

Sec. 1. The Cemetery is and will be divided into plots and graves, each plot and grave being numbered as shown on a plan or map on file in the office of The Emanuel.

Sec. 2. The number of graves each plot accommodates is and will be shown on this plan, and no interment will be permitted in excess of this plan.

Sec. 3. The interment of more than one body in a grave is prohibited.

**ARTICLE III
Rights of Interment**

Sec. 1. The conveyance of any plot or grave shall confer upon the purchaser the right of interment therein of the purchaser and the purchaser's spouse, their parents, their children and their children's spouses, their grandchildren and their brothers and sisters and their spouses or any other Jewish relative designated by the plot owner(s) or their heirs or authorized agents.

Sec. 2. Plot owners, their heirs or their authorized agents should give personal attention to designating beneficiaries and grave locations within each burial plot. Designations shall be made in writing and filed in the synagogue office prior to interment, otherwise locations will be selected at the discretion of the Cemetery Committee.

Sec. 3. Services may be held for members or non-members at our synagogue or on site at the cemetery chapel or any other appropriate site. The use of a synagogue facility or the cemetery chapel by non-members will be subject to a rental fee established by the Emanuel Board of Trustees. Such fee is subject to adjustment at the discretion of the Synagogue Administrator. A rental fee will be charged for use of a synagogue facility for a post funeral gathering with the amount to be determined by the Synagogue Administrator based on time and services required.

Sec. 4. The Emanuel Synagogue (The Emanuel) reserves the right to change the date and time of a burial if conditions are unsafe.

Sec. 5. The fee for interment shall be set by the Cemetery Committee and shall be paid prior to interment for non-members. The fee for members is due thirty (30) days after interment.

Sec. 6. Prepaid interment fees will no longer be accepted except in TITLE XIX cases. Once paid, any pre-payment of an interment fee is non-refundable.

ARTICLE IV

Halakhic Standards Governing Burial and the Cemetery

Sec. 1. Only such ceremonies and services as are sanctioned by Jewish Law shall be permitted on the cemetery grounds.

Sec. 2. The Rabbi shall decide halakhic matters pertaining to burials and any other halakhic issues pertaining to the cemetery, and may consult with the cemetery committee.

Sec. 3. Cremains shall not be interred in the Emanuel Cemetery.

Sec. 4. Taharah with Tachrichin is required for all burials at the Emanuel Cemetery.

Sec. 5. Only caskets of all wood construction (handles exempted) shall be allowed in the Emanuel Cemetery.

Sec. 6. Cement vaults are required for all plots.

Sec. 7. These standards shall apply equally to Emanuel members whose burials take place outside the Emanuel Cemetery.

ARTICLE V

Fees and Charges

Sec. 1. The Cemetery Committee shall prescribe a schedule of fees for members, as well as for non-members, for all plots and graves which includes perpetual upkeep of such plots and graves, and shall prescribe a schedule of charges for opening and closing graves, lowering devices, matting, tents, chairs, and for other services.

Sec. 2. To qualify as a “member” for purposes of the purchase of a plot or plots and of interment fees, the person being interred must have maintained continuous membership in the Emanuel Synagogue for at least the previous six (6) months prior to burial. This provision may be waived in the case of an unanticipated death, such as in the event of an accident.

Sec. 3 The Committee may change such schedules, which changes, subject to the approval of the Board of Trustees, shall then be published to the Congregation, including non-member owners of plots and graves based on the last address provided to the synagogue.

Sec. 4. The Committee may, in needy cases, provide a plot and/or permit interment without charge or at a reduction in scheduled prices.

Sec. 5. Once purchased, the fee for a plot is non-refundable.

Sec. 6. The chapel at the Emanuel Cemetery may be used for a service subject to the schedule of fees prescribed by the Cemetery Committee.

ARTICLE VI

Conditions of Sale

Every conveyance of a plot or grave shall include the following provisions and be made upon the following conditions:

Sec. 1. Identification of Plot.

Sec. 2. Date and Price.

Sec. 3. Terms of Payment.

Sec. 4. The purchaser agrees for herself or himself, his or her heirs and assigns, to comply with all the rules and regulations of the Cemetery Committee relating to the Cemetery, both such as exist at the time of conveyance and as they may thereafter be amended or added to.

Sec. 5. The purchaser agrees for herself or himself, his or her heirs and assigns, to pay The Emanuel, or to any Religious Institution in which he or she is a member with which The Emanuel has a contract relating to cemetery privileges, any and all obligations of whatever kind or nature owing by him or her to them prior to interment. The Committee may refuse to permit interment until these obligations are paid in full.

Sec. 6. No interment shall be permitted for non-members until the full purchase price has been paid or satisfactory arrangements have been made.

Sec. 7. If the purchaser fails to comply with the terms hereof and of the rules and regulations of the Cemetery Committee, all sums paid to The Emanuel shall be forfeited and all rights in said plot shall terminate and The Emanuel may, after thirty days notice by certified mail to the address of the purchaser appearing on its books, take immediate possession of said plot or grave and sell or dispose of it and all sums paid by the purchaser under this agreement shall be retained as liquidated damages.

ARTICLE VII

Non-Members

Non-members shall be those persons of the Jewish faith who are not members of The Emanuel Synagogue. Such non-members may, on a non-refundable basis, with the consent of the Board, purchase plots or graves, including perpetual upkeep, in the cemetery but on a cash basis only and the prices to non-members shall be double the prevailing prices charged to members for like plots or graves.

ARTICLE VIII

Perpetual Care and Upkeep

Sec. 1. The purchase price of the plot or grave shall include perpetual care and upkeep.

Sec. 2. Perpetual care includes regular mowing of the grass, trimming around monuments and markers, and raising and grading sunken graves, monuments

and markers. Perpetual care includes the cleaning of markers and monuments. It does not include maintenance of plantings, bushes, etc. installed by the family.

Sec. 3. Reasonable efforts are made to protect monuments and other property from vandalism and/or theft, but no responsibility for their protection is assumed or implied.

ARTICLE IX

Perpetual Upkeep Fund

Sec. 1. All money received for perpetual care of the Cemetery and all money designated for such purpose by the Cemetery Committee from the sale of plots or from any other source shall be kept in a separate fund. The income from said fund shall be used only for the management, care, and maintenance of the cemetery. Said fund shall be under the control and management and supervision of an Investment Committee of not fewer than three (3) persons elected by the Board of Trustees, one of whom shall be the Chairman of the Cemetery Committee. The Treasurer of The Emanuel Synagogue shall be, ex officio, the treasurer of said committee, which may require a bond of surety of said Treasurer.

Sec. 2. The Investment Committee may invest the perpetual upkeep fund in all forms of investment permitted by Section 45-88 of the General Statutes of Connecticut, Revision of 1958, as the same may be hereafter amended from time to time. The Committee may also entrust for safe keeping said fund to any national banking association, state banking or trust company located within Connecticut, or any member of the New York Stock Exchange. Said committee may request investment advice and pay for said advice at a reasonable sum.

ARTICLE X

Planting

Sec. 1. No plantings will be permitted in the cemetery without the express permission of the Cemetery Committee.

Sec. 2. The placing of potted plants on graves is permitted, but after they have ceased to bloom they will be disposed of properly.

Sec. 3. No fence, hedge, railing or coping may be installed by plot owners.

Sec. 4. The maintenance of plantings, bushes, etc., including removal, is the responsibility of the family of the deceased and is not considered to be within the definition of “Perpetual Care”.

ARTICLE XI

Transfers

The transfers of plots or graves, either by members or non-members, will not be permitted except to members and only by a two-thirds vote of the members of the Board of Trustees present and upon payment of all obligations of the transferor.

ARTICLE XII

Traffic

Sec. 1. The Cemetery gates will be open daily until sunset. The Cemetery shall be closed on Saturdays and Jewish Holidays.

Sec. 2. Automobiles are allowed upon the roads as a privilege and not as an inherent right to the ownership of a plot or grave.

Sec. 3. Automobiles shall not exceed a rate of speed greater than 15 miles per hour.

Sec. 4. Any person who drives his vehicle or the wheels thereof on any lawns or borders thereof, causing any damage whatsoever, shall be required to pay for such damage.

ARTICLE XIII

Employees

Full-time teachers and full-time employees of the Jewish faith shall be entitled to such cemetery privileges as shall be provided for in their employment contract.

ARTICLE XIV

Monuments (Headstones) and Markers (Footstones)

Sec. 1. Plot and grave owners have the right to erect one monument for each plot or grave with or without a marker on each plot or grave. The design and quality of the stone, the inscription thereon and the extent of the foundation thereof shall be subject to the specifications and the prior approval of the Committee, in consultation with the Rabbi.

Sec. 2. All monuments are to have the family name(s) and any other proper information deemed appropriate by the Committee inscribed thereon.

Sec. 3. If any monument or marker is erected or any inscription is placed upon the same which is, in the opinion of the Committee, improper, offensive or not in keeping with the general appearance of the Cemetery, the Committee will have the right and duty to remove same at the expense of the purchaser. However, no monument or marker shall be removed until the expiration of thirty days after notice to do so has been mailed to the address of the purchaser or the survivor appearing on the books of The Emanuel.

Sec. 4. The Monument maker or agent shall pour the foundation for monuments and markers only after approval of the Committee.

Sec. 5. All monuments will comply with the following specifications:

(a) The maximum dimensions for bases shall be:

Size of Plot	Depth	Width	Height
1 grave	1' 4"	2' 6"	10" min. 12" max.
2 graves	same	4' 6"	same
3 graves	same	5' 0"	same
4 graves	same	6' 0"	same
6 graves	same	7' 0"	same

(b) The overall height of all monuments shall be not more than 48".

(c) The bases shall be Rock Face (rough cut) with as little projection as possible.

(d) No monument or marker shall be installed unless the design has been approved in writing by the Cemetery Committee or the Executive Director of the synagogue prior to manufacture of same.

(e) The synagogue office must be notified prior to scheduling an unveiling.

Sec. 6. The Cemetery caretaker shall be present and designate the exact location of placing headstones and markers.

Sec. 7. All markers shall be made of granite and shall be of uniform size of 1' in depth, 2' in width and 4" thick and shall be level with the ground surface.

Sec. 8. All materials and refuse remaining after a monument or headstone has been erected must be removed immediately by the installer.

Sec. 9. All graves or plots must have either a monument or a marker installed.

ARTICLE XV
Work at Cemetery

Sec. 1. The Committee shall at all times maintain supervision over the cemetery and all work done therein.

Sec. 2. Any work done upon any plot or grave other than the regular care and upkeep will be paid by the plot or grave owner or their heirs or authorized agents.

Sec. 3. No work will be permitted at the cemetery on the Sabbath or on any Jewish Holiday.

ARTICLE XVI
Removals

A body which has been interred in the Cemetery shall not be removed there from without the written permission of the Committee. Disinterment or reinterment shall be in accordance with all civil and Jewish laws.

ARTICLE XVII

Interfaith Section of the Emanuel Synagogue Cemetery

Sec. 1. Notwithstanding Article I of the Rules and Regulations of the Emanuel Synagogue, there shall be an Interfaith Section of the Emanuel Synagogue Cemetery for interfaith couples and families. The Interfaith Section shall be a separate section of the Cemetery that is clearly marked and identified by a physical or visible boundary divider, and will allow the interment of individuals in an interfaith relationship and their immediate family members. The separation of the Jewish and Interfaith sections shall be in accordance with Halacha and the 2010 Teshuvah of the Committee on Jewish Law and Standards of the Rabbinic Assembly.

Sec. 2. The Rabbi of the Emanuel Synagogue shall normally officiate at all burials in the Interfaith Section.

Sec. 3. With the consent of the Rabbi of the Emanuel Synagogue (or the President of the Emanuel Synagogue in the Rabbi's absence), a guest rabbi or guest cantor may officiate at a funeral service in the Interfaith Section.

Sec. 4. With the consent of the Rabbi of the Emanuel Synagogue, a member of the non-Jewish clergy may participate in a funeral service conducted by the Rabbi. The Rabbi and the non-Jewish clergy shall meet prior to the service to address parameters of the service. In the event of a disagreement, the opinion of the Rabbi shall prevail.

Sec. 5. No cremains shall be interred in the Interfaith Section.

Sec. 6. Only a Jewish person or that person's partner in an interfaith relationship shall be eligible to purchase a plot (or plots for eligible family members) in the Interfaith Section.

Sec. 7. Tahara and Tachrichin is required for all Jews interred in the Interfaith Section.

Sec. 8. Cement vaults are required for all plots. Only caskets of all wood construction (handles exempted) shall be allowed in the Interfaith Section.

Sec. 9. No burials shall take place on Shabbat or any Jewish Holiday the cemetery is closed.

Sec. 10. Monuments and markers will bear no crosses or religious references to divine entities or deities other than Jewish markings. Non-Jewish biblical, liturgical or ritual verses or symbols are prohibited. All monuments and markers shall be subject to the Rules and Regulations of the Emanuel Synagogue Cemetery.

ARTICLE XVIII

Publications

Sec. 1 All rules and regulations of the Cemetery Committee shall be printed and distributed to the owners and purchasers of plots and copies thereof shall be available in the office of the Emanuel or any other Religious Institution having a contract with the Emanuel relating to cemetery privileges.

Sec. 2. It is incumbent upon all plot owners to notify the Emanuel of any and all address changes so that the Emanuel has the ability to reach such owners with any notifications involving the cemetery. Failure to keep the Emanuel notified of address changes will absolve the Emanuel for any failure to provide notification to such owner(s).

ARTICLE XIX

MISCELLANEOUS

These RULES AND REGULATIONS OF THE EMANUEL SYNAGOGUE CEMETERY shall become effective sixty (60) days following adoption by the Board of Trustees of the Emanuel Synagogue.