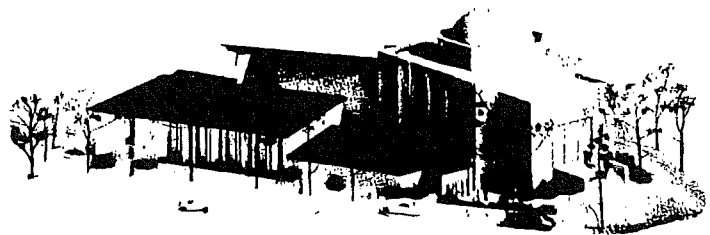


Rules and Regulations  
for the  
**Temple Emanu-El Cemetery**  
Lincoln Park  
Warwick, Rhode Island



## PREFACE

These Rules and Regulations have been prepared by the Cemetery Committee for the purpose of informing present and prospective owners of plots on Temple Emanu-El Cemetery of their rights and responsibilities. They supersede those passed in June, 1973, as amended, and are applicable to all plots in the Temple Emanu-El Cemetery regardless of purchase date.

They are designed to create the serene dignity and beauty that is befitting our Temple.

Gladys Kapstein, Chairperson  
Cemetery Committee

Susan Leach-Deblasio

Milton Dubinsky

Edward Feldstein

Rabbi Wayne Franklin

Bernice Kumins, Ex-Officio

Bernard Lightman

Ronald Markoff

Joel Roseman

Samuel Shlevin

Jacob Temkin

Dianne Witman

Sandra A. Rakitt,  
Executive Director

Adopted - February 1990

Plot owner or heirs are advised to consider purchasing MEMORIAL OR MONUMENT INSURANCE for the protection against damage or vandalism.

RULES AND REGULATIONS  
for the  
TEMPLE EMANU-EL CEMETERY  
LINCOLN PARK, WARWICK, RHODE ISLAND

**ARTICLE I**

**Section 1.** The management of the Cemetery shall be vested in the Cemetery Committee of Temple Emanu-El subject to such rules and regulations as may from time to time be adopted by the Cemetery Committee and approved by the Board of Trustees including, but not limited to, the authority to delineate the layout of the lots, graves, and walkways.

**Section 2.** All lots shall be indivisible. No right, title or interest in a lot or lots in the Cemetery shall vest in any individual unless the full price of the lot or lots purchased together with the current price of perpetual care has first been paid. The Cemetery Committee shall have the authority to arrange terms of payment in all cases where it determines full payment cannot immediately be made. The price for each grave lot is determined by the Cemetery Committee with the approval of the Board of Trustees.

**Section 3.** Land has been designated for Nefalim of Temple members and their families. A Nefel is a fetus or an infant who does not survive thirty days. There is no cost for the use of this land. Markers shall be placed at the direction of the Cemetery Committee.

## ARTICLE II

### Section 1

a. Lot(s) in the Temple Emanu-El section of Lincoln Park Cemetery can only be purchased by Temple Emanu-El members in good standing.

b. The price to be paid for perpetual care is determined by the Cemetery Committee with the approval of the Board of Trustees. Upon payment, perpetual care is guaranteed by Temple Emanu-El.

c. Upon full payment of the cost of the lot and perpetual care charges, the Cemetery Committee shall deliver a deed to the purchaser.

d. No person shall do any work whatsoever in the cemetery unless written permission is first obtained from the Cemetery Committee.

### Section 2

a. No owner of a lot or lots in the cemetery shall have the right to sell, transfer or convey lot(s) to any person without the consent in writing of the Cemetery Committee except as otherwise provided; any such action shall be void.

b. A lot owner may reconvey to the Temple his or her lot for the price originally paid, provided that no person has been interred in the lot.

### ARTICLE III

Section 1. The undertaker, or any other person, must request and receive permission from the Cemetery Committee or its representatives prior to the digging of any grave and interment.

Section 2. The Cemetery will be open for visitation at all times permitted by Jewish law.

Section 3. Lots shall be used for no other purpose than the burial of the following and their spouses; the owner, parents, children, siblings, grandchildren, great-grandchildren, grandparents, provided, in certain instances, the Cemetery Committee may grant an exception to this rule as to relationship. Only members of the Jewish faith may be buried in Temple Emanu-El lots.

### ARTICLE IV

Section 1. For the purposes of these by-laws, a grave is where a person is buried; a lot is composed of graves.

Section 2. Each grave shall be at least 3 1/2 feet wide, 8 feet long, and 6 feet deep.

#### Section 3.

a. Owners may erect suitable stone markers/monuments. The Cemetery Committee shall determine the size, location, and nature of the markers and/or monuments. No monument may be installed until the cost of the lot, perpetual care charges and all other indebtedness, have been paid in full.

b. Before any installation, a sketch setting forth the dimensions and specifications of all stone work must be submitted to the Cemetery Committee or its representatives.

Section 4.

a. For the purposes of these by-laws, a marker designates a grave; a monument designates a lot. Markers/monuments must be granite or other igneous rock. Not more than one marker may be placed on an individual grave. A monument must be placed in the middle of a lot.

b. For the purposes of these by-laws, width is defined as the horizontal (left to right) portion of a marker/monument; height is defined as the vertical (top to bottom) portion of a marker/monument; depth (front to back) is the thickness of a marker/monument.

The size of the markers and monuments shall be as follows:

1. A marker shall be no greater than 2 feet in width, and 1 foot in depth. All markers shall be flush to the ground. In lieu of two single markers, a double marker is permitted no greater than 5 feet in width and 1 foot in depth.

2. A monument on a two grave lot shall not exceed 3 feet 4 inches in width, 2 feet in depth, and 3 feet, 1 inch in height including the base stone.

3. A monument on a 4 grave lot shall not exceed 4 feet 4 inches in width. The depth shall not exceed 2 feet and the height shall not exceed 3 feet 4 inches including the base stone.

4. A monument on a 6 grave lot shall not exceed 5 feet, 8 inches in width, 2 feet in depth, and 3 feet, 7 inches in height including the base stone.

5. A monument on an 8 grave lot shall not exceed 7 feet in width, 2 feet in depth, and 3 feet 10 inches in height including the base stone.

6. All markers and monuments, shall be installed at the owner's expense, shall have proper foundations to avoid lifting from frost, and shall have at least a 16 inch base below grade. All foundations must be installed by persons approved by the Cemetery Committee.

7. Not more than one monument may be erected on any lot regardless of the number of graves the lot contains. A monument may have one or more family names inscribed on it.

## ARTICLE V

**Section 1.** No shrubs, flowers, plants, bushes or trees shall be planted. If any existing shrubs or trees shall become overgrown or unkempt or obstruct adjoining lots or avenues, the owner, upon notice in writing by the Cemetery Committee, shall rectify the situation at his own expense. Within 30 days after such notice, the Cemetery Committee shall have the right to take action as it deems necessary at the owner's expense.

**Section 2.** All inscriptions on a marker/monument must be approved by the Cemetery Committee or its representative. All inscriptions in the Hebrew language must be approved by a Rabbi of Temple Emanu-El.

**Section 3.** If any marker/monument, or any inscription thereon shall, in the opinion of the Cemetery Committee, be offensive or improper, or has become dislocated, broken or deteriorated, the Committee shall notify the lot owner. If the owner does not correct, repair or remove the same within 30 days after written notice, the Committee shall have the right to enter said lot and repair, remove, replace or straighten the marker/monument or inscription at the owner's expense.

## ARTICLE VI

**Section 1.** Upon the death of the lot owner(s), unless otherwise instructed by said lot owner(s), his/her heirs-at-law shall be entitled to all the privileges, but subject to all the obligations of the original lot owner(s) under these rules.

**Section 2.** Lots shall at all times be held subject to the terms of the deeds and to the constitution, by-laws, rules, and regulations now in force or hereafter duly adopted by Temple Emanu-El and also under the laws of the State of Rhode Island. The use of the Temple Emanu-El Cemetery shall be in accordance with Jewish law as interpreted by the Rabbis of Temple Emanu-El.

**Section 3.** If any lot owner(s), his/her legal representative(s), heirs-at-law, or assigns shall fail to observe any current or future cemetery rules and regulations, the title to said lot(s), shall revert to Temple Emanu-El unless otherwise determined by its Cemetery Committee. Unless all charges related to ownership of any lot including perpetual care are paid, burial will not be permitted.

## ARTICLE VII

Temple Emanu-El and/or its Cemetery Committee shall have no liability for any damage with regard to interments, graves, lots or markers/monuments. These include, but are not limited to damage from: acts of God, riots, military or civil orders, thefts, vandalism, strikes, explosions, or unavoidable accidents, beyond the control of Temple Emanu-El and/or the Cemetery Committee whether the damage is direct or indirect.

### **NOTE TO ALL MEMBERS; MEMORIAL OR MONUMENT INSURANCE**

Plot owner or heirs are advised to purchase **MEMORIAL OR MONUMENT INSURANCE** for protection against monument damage or vandalism.