

BYLAWS
BETH EL TEMPLE
OF
WEST HARTFORD INCORPORATED
(Cemetery Committee)

ARTICLE I

Dedication

The Cemetery of Beth El Temple of West Hartford Incorporated (Beth El Temple of West Hartford Incorporated being referred to as "Beth El Temple"), shall forever be used as a permanent burial place exclusively for members of the Jewish faith. In the event of a question as to whether a person is of the Jewish faith, the determination will be made by the senior pulpit Rabbi.

ARTICLE II

Plan

- Sec. 1 The Cemetery is and will be divided into plots and graves, each plot being numbered as shown on a plan or map on file in the office of Beth El Temple.
- Sec. 2 The number of graves each plot accommodates is and will be shown on this plan, and no interment will be permitted in any plot in excess of the number indicated on this plan.

ARTICLE III

Rights of Interment

- Sec. 1 The purchase of a right to interment in a plot or grave in the cemetery shall not convey title to any land in said Cemetery but shall transfer only such rights and privileges as are set forth in these bylaws.
- Sec. 2 The transfer of a right to interment in any plot or grave shall confer the exclusive right of interment therein, consistent with the other provisions of these bylaws, for the transferee, the parents of the transferee, the transferee's spouse or adult household member, the parents of transferee's spouse, the transferee's children and their spouses, the unmarried grandchildren of the transferee, and the unmarried brothers and unmarried sisters of the transferee.
- Sec. 3 In the event of a dispute as to the right to interment of an individual, the senior pulpit Rabbi, after consultation with the Cemetery Committee chair, shall determine if an individual may be interred in the cemetery.

ARTICLE IV

Prices and Charges

- Sec. 1 The Cemetery Committee of Beth El Temple (hereinafter referred to as the "Committee") shall prescribe a schedule of prices and terms of payment for interment rights in all plots and graves, and perpetual upkeep of such plots and graves, both of members and non-members, and a schedule of charges for opening and closing graves, permitted plantings, and any other materials or services provided.
- Sec. 2 The Committee may change the schedules, and the revised schedules, or a notice of the revised schedules, shall be delivered to Beth El Temple's Board of Trustees and promulgated to all members of Beth El Temple before the revised schedules shall be effective. A copy of the schedules shall be available at Beth El Temple's main office.
- Sec. 3 The Committee may, in needy cases, permit interments without charge, or make reductions in scheduled prices.

ARTICLE V

Partial Payments

In all cases of partial payments for interment rights in plots or graves, the Committee shall obtain from the transferee a contract which shall be countersigned by the Chairperson of the Committee and shall include the following provisions:

- (a) Identification of plot.
- (b) Price
- (c) Terms of payment, including perpetual upkeep
- (d) Charges for delinquency in payment
- (e) That no interment shall be permitted until the full purchase price, including perpetual upkeep, as provided for in ARTICLE IX of these By Laws, has been paid.
- (f) The conditions of the document of transfer to be given to the transferee.
- (g) A clause specifying the rights of Beth El Temple in case of any default, which shall read substantially as follows:

"Upon failure of the Transferee to comply with the terms hereof, all rights of the Transferee in said plot shall terminate, and Beth El Temple may, after thirty days' notice by certified mail to the address of the Transferee appearing on its books, take immediate possession of said plot. Because the anticipated damages are uncertain in amount and difficult to prove, and because the parties wish to liquidate said damages in advance, and because the sums paid by the Transferee to Beth El Temple pursuant hereto are not greatly disproportionate to the damage reasonably to

be anticipated in the event of a breach thereof, it is further agreed that all sums paid by the Transferee or any persons claiming by, through or under said Transferee shall be retained by Beth El Temple as liquidated damages and no further action shall be taken by either the Transferee or Beth El Temple."

ARTICLE VI

Conditions

Every transfer of the right to interment in a plot or grave shall be made upon the following conditions which shall be included in the document of transfer:

- (1) The transferee agrees for the transferee and the transferee's heirs and assigns to comply with all rules and regulations of Beth El Temple and the Committee relating to the Cemetery, both such as exist at the time of the transfer and as they may thereafter be amended.
- (2) The transferee agrees for the transferee and the transferee's heirs and assigns, to pay Beth El Temple, any and all obligations of whatever kind or nature owing the transferee to Beth El Temple prior to placement of a monument or foot stone and the Committee may refuse to permit any such placement until such obligations are paid in full.

ARTICLE VII

Permitted Ceremonies

Only such ceremonies and services as are sanctioned by the senior pulpit Rabbi of Beth El Temple shall be permitted on the Cemetery grounds. The hours for the ceremonies and services shall be set by the senior pulpit Rabbi.

ARTICLE VIII

Discretionary Sales and Fees to Nonmembers

Sec. 1 Nonmembers shall be those persons who are not members of Beth El Temple, as the term "member" is defined from time to time by the Board of Trustees of Beth El Temple. Such nonmembers may, with the consent of the Committee, purchase rights of interment in plots or graves in the Cemetery, but on a cash basis only, and the prices to non-members for any rights to interment in plots or graves, perpetual upkeep, and interment shall be double the then prevailing prices charged to members for the same.

Sec. 2 Notwithstanding Section 1 of this Article, for non-members who are entitled to a right of interment in a member's plot under the provisions of Article III, Section 2 of these By-laws, the interment fee shall be one and one-half times the prevailing fee charged to members as an interment fee.

ARTICLE IX

Care and Perpetual Upkeep

The transferee of any plot or grave shall be required to pay at the time of transfer, or provide therefor in a manner satisfactory to the Committee, a gross sum for the perpetual upkeep of the plot or grave, in such amount as the Committee may provide by schedule.

ARTICLE X

Transfers

The transfer of rights of interment in plots or graves, either by members or non-members, shall not be permitted, except in the form of a donation to Beth El Temple.

ARTICLE XI

The Perpetual Upkeep Fund

All money received for perpetual upkeep shall be kept in a separate fund and the income therefrom used for both cemetery upkeep and cemetery purposes only. This fund shall be invested in such ways as the Board of Trustees of Beth El Temple or its designee may, in its discretion, determine.

ARTICLE XII

Employees

Full time Jewish employees of Beth El Temple, after one year of continuous employment and during their employment period, may purchase interment rights in plots or graves at the same rates and on the same terms as members.

ARTICLE XIII

Work on Cemetery

Sec. 1 The Committee shall, at all times, maintain supervision over the Cemetery and all work done thereon.

- Sec. 2 Transferees shall have the right to erect one monument on each plot and a marker for each grave. The Committee shall, from time to time, prescribe the quality, size, design and inscription standards for such monuments and markers, and the extent of the foundation thereof, in rules and regulations which shall be made available to transferees. All proposed monuments and markers shall be subject to the approval of the Committee.
- Sec. 3 All materials and refuse remaining after a monument or marker has been erected must be removed immediately.
- Sec. 4 If any monument or marker be erected or any inscription placed upon same which shall, in the opinion of the Committee be improper, offensive or not in keeping with the general appearance of the Cemetery, the Committee will have the right and duty to cause removal of the same at the expense of the transferee.
- Sec. 5 No plot or grave shall be enclosed by a fence, railing, coping, hedge, shrub, embankment, or other obstruction, except as may be approved and installed by the Committee or its employees, agents or contractors.
- Sec. 6 No work of any kind will be permitted on the Cemetery unless permission is first obtained from the Committee. The Committee shall have the right to have foundations for monuments placed and to charge the monument maker therefor.
- Sec. 7 Any work done upon any plot or grave by employees or contractors of Beth El Temple, other than the regular care and upkeep, will be charged to the transferee of the plot or grave.
- Sec. 8 No work will be permitted at the Cemetery on the Sabbath, on any Jewish pilgrimage Festival, on Rosh Hashana, or on Yom Kippur [Holidays], except with the prior written permission of the senior pulpit Rabbi of Beth El Temple.

ARTICLE XIV

Disinterments

- Sec. 1 An interment once properly made cannot be disturbed except on written request of the transferee's family, which must be consented to by the Cemetery Committee and the senior pulpit Rabbi.
- Sec. 2 In addition to any requirements of Jewish law, all laws, rules, regulations and ordinances of the State of Connecticut, the Town of West Hartford and/or the Town of Avon, relating to disinterments must be complied with.

ARTICLE XV

These By-laws shall be printed in a booklet and distributed to the transferees of interment rights and copies thereof shall be available in the office of Beth El Temple.

ARTICLE XVI

The Cemetery Committee is and shall remain under the jurisdiction of the Board of Trustees of Beth El Temple.

ARTICLE XVII

Amendments to these Bylaws may be made by a two-thirds vote of the Board of Trustees of Beth El Temple, present at any regular or special meeting of the Board; provided that the proposed amendments, or a summary of the proposed amendments, shall have been set out in the call and notice of such meeting in accordance with the requirements of the bylaws of Beth El Temple.

These cemetery by-laws, effective September 9, 1993, revoke all previous by-laws.
These cemetery bylaws, effective September 12, 2006, revoke all previous bylaws.

Rev. 09/13/06

BETH EL TEMPLE OF WEST HARTFORD INCORPORATED CEMETERY
Avon, Connecticut

CEMETERY RULES AND REGULATIONS

As Amended September 13, 1993

As Amended June 20, 2006

As Amended March 2, 2016

The following are the rules and regulations for Beth El Temple of West Hartford Incorporated Cemetery, Avon, Connecticut:

DEFINITIONS

- A. Footstone is the rectangular stone placed flush to the ground at the foot of an individual grave.
- B. Grave is the location where an individual is interred.
- C. Headstone is the vertical stone placed at the top of a particular plot in the cemetery.
- D. Plot is a number of graves sold as a single unit (*e.g.*, 2 grave, 4 grave, 6 grave plot).

ARTICLE I

Setting of Headstones and Footstones

- Sec. 1. Monument dealers must submit a current Liability Insurance Certificate with adequate coverage limits as determined by the Cemetery Committee, before they may be permitted to set monuments.
- Sec. 2. The monument dealer must submit an Application for Foundation Installation including the grave location, sizes and finishes, inscription and design. The Cemetery Committee will bill the monument dealer upon approval of the application. Upon payment the Cemetery Committee will then have its superintendent install the foundation.
- Sec. 3. If any headstone is erected, footstone installed or inscription added upon same, which the Cemetery Committee deems improper, offensive or not in keeping with the general appearance of the Cemetery, the Committee has the right to remove same at the expense of the purchaser, provided thirty days written notice has been afforded to purchaser.
- Sec. 4. All monument dealers must be sure to use roadways only and clean up plot to original condition. Failure to do so may prohibit the dealer from future work.

ARTICLE II Foundations

Sec. 1. Due to the need for foundations to be in exact locations, they shall be installed by the superintendent only.

ARTICLE III Headstones

All headstones will comply with the following specifications:

Sec. 1. Only one headstone may be erected per plot and individual graves within that plot shall be designated with flush footstones.

Sec. 2. Headstones and footstones shall be of Barre granite only.

Sec. 3. Headstones must be polished or steeled (smooth) on front, back, ends and top.

Sec. 4. Inscriptions

- A. The names of the owner or owners of the interment rights may be inscribed on the headstone.
- B. The border of the headstone may be outlined by one or more plain lines.
- C. A symbol of Jewish origin appropriate for display in a cemetery, covering not more than 15% of the face of the headstone, may be inscribed. The following symbols are acceptable: menorah, Jewish star, eternal light or flame, Cohan's "hands", water pitcher.
- D. A single line of Hebrew or English text, from a traditional Jewish source and appropriate for display in a cemetery. The text shall be below all of the names on the headstone and shall be in letters no higher than 33% of the height of the letters of the names on the headstone.
- E. All inscriptions must be approved in writing by the senior pulpit Rabbi or the senior pulpit Rabbi's designee and the Cemetery Committee or its designee both for appropriateness and compliance with these Rules and Regulations.

Sec. 5 The maximum height of the headstone and base is not to exceed 4' 6".

Sec. 6. The maximum depth of the base of the headstone is not to exceed 1' 6".

The maximum width of the base of the headstone is not to exceed:

- A. 1 Grave Plot - 2' 4"
- B. 2 Grave Plot - 4' 6"
- C. 4 Grave Plot - 5' 0"
- D. 6 Grave Plot - 7' 0"

The size of the headstone is to be in proportion to the size of the base.

ARTICLE IV

Footstones

All footstones will comply with the following specifications:

Sec. 1. All footstones are to be set level with the surface of the ground.

Sec. 2. Footstones must be polished or steeled (smooth) on top.

Sec. 3. All footstones are to be uniform in size: 2' 0" wide, 1' 0" deep, 0' 4" thick

Sec. 4. After an interment the grave shall be marked with a footstone, at the plot owner's expense, at a time appropriate under Jewish law and customs.

Sec. 5. Inscriptions

The following items are permitted on the footstone:

- A. The Hebrew name and the English name of the deceased,
- B. The date of birth and the date of death,
- C. Traditional Hebrew acronyms,
- D. Hebrew or English words descriptive of the individual,
- E. A U.S. military footstone is permitted provided that it reasonably conforms to size and inscription limitations.
- F. All inscriptions must be approved in writing by the senior pulpit Rabbi or the senior pulpit Rabbi's designee and the Cemetery Committee or its designee both for appropriateness and compliance with these Rules and Regulations.

ARTICLE V

Planting on Plots

- Sec. 1. The Cemetery Committee may direct its superintendent to plant bushes at each end of the headstone once it has been erected. The type of bushes will be in accordance with the Landscaping Plan without deviation.
- Sec. 2. Individual families are permitted to leave cut flowers, potted plants, a U.S. flag of modest size, or an Israeli flag of modest size at a grave.
-

- Sec. 3. In order to keep the Cemetery uniform and attractive, the superintendent will remove any unauthorized plantings, or any flowers or plants that have died, and will remove any flags that are no longer in proper condition for display.

ARTICLE VI

Traffic

- Sec. 1. The cemetery will be open until sunset except for Sabbath, Rosh Hashana, Yom Kipper, and pilgrimage Festivals including the second day of pilgrimage Festivals. On Fridays and the designated Festivals and holidays, the cemetery will close one hour before sunset.
- Sec. 2. Automobiles are allowed on roadways as a privilege and not as an inherent right to ownership of a plot.
- Sec. 3. Automobiles shall not exceed a rate of speed greater than 10 m.p.h.
- Sec. 4. Any person who drives a vehicle on any lawns or borders thereof causing any damage whatsoever, shall be required to pay for such damage.

ARTICLE VII

Rituals

- Sec. 1. Families shall be encouraged to have all individuals buried at the cemetery undergo Taharah (ritual purification) and to wear Tachrichen (burial shrouds) while recognizing that Jewish law also encourages organ donation under appropriate circumstances, and that a family's wishes, consistent with Jewish law and customs, should be respected.
- Sec. 2. All burial and unveiling services performed at the cemetery shall employ Jewish liturgy and be conducted by Jewish clergy or other individuals approved by the senior pulpit Rabbi of Beth El Temple or the senior pulpit Rabbi's designee.
- Sec. 3. No unveiling shall take place on Sabbath, Rosh Hashana, Yom Kipper, or pilgrimage Festivals including the second day of pilgrimage Festivals.

ARTICLE VIII

Perpetual Care

Sec. 1. The purchase price of the plot shall include perpetual care.

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

Sec. 3. Reasonable effort will be made to protect headstones and other property from vandalism and theft, but no responsibility for their protection is assumed or implied.

ARTICLE IX

Publications

All Cemetery Committee bylaws, and Rules and Regulations shall be printed and distributed to the purchasers of cemetery plots and copies shall be available in the office of Beth El Temple. Electronic delivery is permitted if agreed to by the purchaser.

Rev. 03/02/2016