

## *CNS Cemetery Policies August 14, 2014*

### **DEFINITIONS**

<b>“Synagogue”</b>	means Congregation Neveh Shalom, Portland, Oregon
<b>“Board”</b>	means Neveh Shalom Board of Directors
<b>“Cemetery”</b>	means Ahavai Shalom Cemetery located at 9323 SW First, Portland, Oregon means Neveh Zedek/Rose City Lodge Cemetery located at 7925 SW Canyon Lane, Portland, Oregon
<b>“Committee”</b>	means Neveh Shalom Cemetery Committee
<b>“Dealer”</b>	means the contractor who designs, builds, and installs a Monument
<b>“Family”</b>	means the person/persons who have the financial responsibility for the plot, burial, and construction/installation of the Monument
<b>“Fee Schedule”</b>	means the list of charges and fees for various rights and services furnished by Congregation Neveh Shalom at either Cemetery, and as may be shown on the schedule attached to these Policies, and may be changed from time to time as recommended by the Cemetery Committee to the Board of Directors
<b>“Monument”</b>	means any memorial or marker made of stone, marble or any other natural material used to mark an interment

### **GENERAL PROVISIONS**

1. Legal title and ownership of the Cemeteries shall be in the name of the Synagogue.
2. The Committee shall have the authority to regulate the use of the Cemeteries subject only to these Policies and as they may be amended from time to time by the Board.

### **RIGHTS OF BURIAL**

1. Rights of burial in the Cemeteries shall be granted to persons only in accordance with the rites and customs of Conservative Judaism, as determined by the Committee on Law of the Rabbinical Assembly of America and interpreted by the senior Rabbi of Congregation Neveh Shalom.
2. For purposes of burial, a Member is only entitled to a grave for his/her self and for dependent children. Dependent children are those supported by Member parents through age twenty-three (23) or having completed their education and those physically or mentally handicapped and are supported or institutionalized by the Member.
3. Congregation Neveh Shalom conveys and warrants the Interment Rights to grave plots or mausoleum space. The conveyance, right and interest in the cemetery plot is and shall be subject to all present and future conditions, limitations and restrictions imposed by the CNS Cemetery Policies, which are now and may hereafter be adopted and by the laws and ordinances of the State of Oregon, regarding the title and rights to cemetery plots, which are now or may hereafter be adopted and public regulations relating thereto.

4. If a surviving spouse chooses not to retain his/her membership in the Synagogue but wishes to retain a Cemetery plot, non-member plot and burial charges will be assessed. The plot fees must be paid within 180 days of resignation in order to retain a reservation.
5. A Cemetery plot belongs to each Member after three (3) years of membership in good standing. If the plot is needed prior to the 3 years, plot fees will be charged on a pro-rated basis. Members may reserve specific plots at any time. Non-members may make such reservations upon payment of the non-member plot fee.
6. In the event a body is disinterred from any burial plot or mausoleum space in the cemetery or the remains of the purchaser have been interred elsewhere, any further right or privilege in said plot or space shall revert to the Synagogue. In the event a body is disinterred from any burial plot or mausoleum space in the cemetery, any further right or privilege in said plot or space shall revert to the Synagogue.
7. Caskets must have handles and shall be used for all burials. Grave liners shall also be used for all burials so as to minimize the sinking of the grave.

## **FEES**

1. The price for Cemetery plots, mausoleum spaces, perpetual care/maintenance, opening and closing of burial plots and other services in the cemeteries shall be such amounts as may be recommended by the Committee and determined by the Board. Perpetual care/maintenance does not include repair of curbing or Monument or any other privately contracted work. The Committee will review the Fee Schedule not less than every three years.
2. In special and financial hardship cases, the Executive Director or Membership Director of the Synagogue may authorize a lesser fee than shown on the Fee Schedule. This will result in a \$1000.00 cap on the cost of the Monument.
3. Permission for burial in any grave or crypt shall be granted only if indebtedness for membership dues and any other assessments due the Synagogue by the Member are fully paid. A Member not in good standing shall pay non-member fees.
4. Charges are to be paid in full within three (3) months after burial, unless a special arrangement is made with the Executive Director or Membership Director. A finance charge in the amount of 10 percent (%) of the outstanding amount can be assessed after 3 months on an outstanding fee, unless prior arrangements have been made.
5. Non-members will be charged a non-member fee for plots and mausoleum spaces as well as for opening and closing, perpetual care and maintenance. A handling fee equal to 10% of the total purchase price will be charged on any refunds of crypt or plot purchases. Non-members must pay the plot fee in full at time of need or within 90 days of a pre-planning purchase.
6. A Member who purchases a mausoleum crypt or plot and subsequently resigns shall be assessed the difference between the current member and non-member fees. Said differences shall be paid within 180 days of resignation or the crypt or plot will be forfeited.

## MONUMENTS

1. Monuments must be provided to identify all ground/mausoleum interments within one (1) year from the date of the burial.
2. CONDITIONS: The following requirements must be met before a Monument may be placed:
  - a) All Synagogue accounts should be in good standing. The plot, burial fees and perpetual care/maintenance must be paid in full.
  - b) Families that receive any reduced price assistance for the funeral cannot erect a Monument valued in excess of one thousand dollars (\$1000.00).
  - c) All inscriptions, images, symbols, fittings, and nameplates must be approved by the Committee and be in accordance with the Synagogue Monument Design Guidelines, see number 8 below. The Monument Dealer must get signed approval for the design, size, text, and materials from the Committee and the Rabbi before manufacture of the Monument. Before installation, the actual physical Monument must receive written approval from the Committee to verify it accurately reflects the approved design, size, and scale.
  - d) Use a Monument Dealer that is on the *Monument Dealer List* provided by the Synagogue. These Dealers must have use of an acceptable Hebrew font and are knowledgeable of the Synagogue's guidelines and design approval procedures. See attached *CNS Monument Design, Fabrication and Installation Procedures*.

## 3. DEALERS

- a) Monuments, foundations and curbing must be purchased from and installed by Dealers that have been approved by the Committee, see the *Monument Dealer List*.
- b) Said Dealer must schedule any work at the Cemetery with the Synagogue office or the Cemetery Sexton, giving 48-hours' notice. Installation is subject to postponement if it conflicts with a burial. **Please note the gate at Ahavai Shalom is locked each day from 3:30 PM until 7:30 AM the next day.** The Cemeteries are closed on the Jewish Sabbath and Holidays.
- c) The Dealer is responsible for removing all forms and debris as a result of installing the Monument and will remedy any damage to property caused in the placement of the Monument.
- d) It is understood that neither Neveh Zedek nor Ahavai Shalom cemeteries nor the Synagogue accepts liability for the delivery, setting, quality of materials, accuracy of engraving, workmanship or longevity of any markers sold or set by any Monument Dealer or contractor.

4. FOUNDATION:

- a) Monuments must be placed on a foundation at least six (6) inches deep.
- b) Concrete foundations must be fully cured before placing the Monument.
- c) Care must be taken to ensure the foundation and Monument is level.

5. DIMENSIONS and COMPOSITION:

- a) Height: Not to exceed forty-eight (48) inches from the ground to the highest point.
- b) Side to Side: Not to exceed forty (40) inches for a single plot, or eighty (80) inches for a double plot.
- c) Head to foot: Not to exceed ninety-one (91) inches for ledgers (grave covers) or curbing.
- d) A Monument may be made from more than one of piece of natural stone if the pieces are contiguous and share a common base.

6. REQUESTS:

- a) Any and all requests for information shall be submitted to the Congregation Neveh Shalom Office.
- b) Unveiling dates will be made only through the Congregation Neveh Shalom Office.

7. MAINTENANCE:

- a) Plots with ledgers, curbing, rocks, plants, shrubbery or trees must be maintained by the Family.
- b) No gardening tools should be left on the premises.
- c) No planting may obstruct the view of the engraving on the Monument. The plant height cannot exceed the maximum allowed height of the Monument, forty-eight (48) inches, as defined in number 5 above.

- d) The Committee reserves the right to:
- Inspect all Monuments and markers.
  - Authorize removal without the consent of the Family any trees, shrubbery, or plants that are dying, dead or overgrown, and any objects or decorations that do not comply with Monument Design Guidelines, number 8 below, or Cemetery Policies.
  - Remove any broken curbing not maintained by the Family.

## 8. MONUMENT DESIGN GUIDELINES

“Good taste, quiet dignity, and the avoidance of ostentation are the only guidelines for selecting the monument.” Maurice Lamb, *The Jewish Way in Death and Mourning*

- a) All Monuments/markers must be constructed of natural stone or bronze. The Monument may be constructed of more than one piece of stone if the sections are contiguous and share a common base.
- b) No benches or other installations are allowed on gravesites, including unauthorized flowers, shrubs, or any decorations made of non-natural materials, e.g., plastic flowers or artificial turf.
- c) No audio/visual microchips, quick read technology, or radio frequency identification tags may be incorporated into the Monument. No technology is allowed in, on or around the Monument.
- d) No photograph, image, insignia or emblem can be engraved on a Monument or affixed thereto, with the exception of Jewish symbols such as a Magen David, candelabra, or insignia of a Cohen. There are other acceptable emblems such as military affiliations. Any symbols, other than standard Jewish symbols, must be approved in writing by the Committee. Symbols of any other religion or fraternal organization are not allowed
- e) Photo etching or hyper-realistic art is not allowed. Engraving and photo etching in the form of a human being is not considered appropriate. All engraving and design must be approved in writing by the Committee before the fabrication of the Monument. *See CNS Monument Design, Fabrication and Installation Procedures.*

- f) No monument may be installed unless its design and wording have been approved in writing by the Rabbi and the Committee. The fabricated Monument must be inspected and approved by the Committee before installation. See the *CNS Monument Design, Fabrication and Installation Procedures*.

## **GIFTS**

1. Gifts to the Cemeteries will be considered by the Committee upon any proposal presented to them. The Committee may, at its discretion, accept or deny any proposed gift.
2. The Committee may request a gift donor to contribute an appropriate amount over and above the actual cost of the item for its naming, maintenance, and repair in perpetuity.

## **GENERAL**

1. The Committee will oversee the maintenance of the Cemetery grounds. The Committee shall not be responsible for the planting or replacement of any shrubbery or flowers on an individual or family plot, or any repairs of damaged, deteriorated, or eroded stones, foundations, markers or monuments. The deceased's family, at its own expense, must complete such repairs within sixty (60) days of receiving notice thereof. Otherwise, such repairs may be made at the direction of the Committee and the family will be assessed the cost thereof.
2. The Synagogue will provide the appropriate Neveh Shalom staff to maintain a proper set of accounts for the Cemetery as well as a record of plots, lots, and crypts allocated or reserved, and to maintain a record of interments showing the names of all persons buried in the cemeteries and mausoleums.
3. The Board's decision as to the meaning or construction of any of these rules and regulations shall be controlling. Should any condition arise not covered by these rules, the matter shall be resolved by the Committee, subject to review by the Board.
4. In the event that a Member holding a reservation on any graves, plots or crypts violates any provisions of these by-laws or any amendment thereof, then notwithstanding anything herein contained, the graves, plots, or crypts shall completely revert to the Synagogue, and all monies paid thereon shall be forfeited to the Synagogue.
5. Requests for exceptions to the above policies shall be referred to the Committee.