

*Subject to Modification
By Congregation Beth Israel*

**Rules and Regulations
Congregation Beth Israel Cemetery**

Sec. 010 Authority

Beth Israel Cemetery is the property of Congregation Beth Israel and is administered by the Cemetery Committee of that congregation.

The Cemetery Committee Chair is the contact person for purchase of any plot or service (Chevra Kaddisha services) and has discretion in applying these guidelines. Notwithstanding any other provisions herein, the Cemetery Committee Chair is authorized in cases of financial hardship to adjust or waive financial requirements herein and designate which plots are available for burial.

Sec. 020 Definitions

- A. "Beth Israel Cemetery" means the property owned by Congregation Beth Israel located adjacent to Bayview Cemetery used by the congregation for burials.
- B. "Cemetery Committee Chair" means the current chair of the Cemetery Committee established by Congregation Beth Israel.
- C. "Bayview Cemetery" means the City owned and operated cemetery adjacent to Beth Israel Cemetery.
- D. "Burial" means the placement of human remains in a plot.
- E. "City" means the City of Bellingham.
- F. "Committal" means that part of a funeral service that places the remains of the deceased in his or her plot.
- G. "Congregation" means Congregation Beth Israel.
- H. "Cremated remains" means a human body after cremation in a crematory.
- I. "Funeral" means a memorial service for a deceased person.
- J. "Plot" means a space of ground in a cemetery used or intended to be used for burial.
- K. "Plot Licensee" or "licensee" means any person in whose name an interment plot stands of record, in the records of the Beth Israel Cemetery.
- L. "Human remains" or "remains" means the body of a deceased person, and include the body in any stage of decomposition except cremated remains as defined by RCW 68.04.020.

- M. "Immediate family members" means spouse, life partner, or children. Life partners mean two individuals who identify as being a couple.
- N. "Interment" means the disposition of human remains by cremation and inurnment, entombment or burial in a place used, or intended to be used, and dedicated, for cemetery purposes.
- O. "License" means a revocable and personal privilege to perform a specified act on the property of another without possessing any estate or interest in the land.
- P. "Memorial" means any plot marker, headstone or monument that is intended to permanently mark a plot.
- Q. "Urn liner" is a container whose purpose is to provide outer protection for the ground burial of cremated remains.
- R. "Vault" or "Liner" means any container which is buried in the ground to provide outer protection and into which human remains are placed in the burial process.
- S. "Border" means the concrete edging around the memorial to protect the memorial from damage and to allow trimming around the memorial.
- T. "Foundation" means the concrete poured below ground level to support and stabilize a memorial.
- U. "Endowed Care" means care or maintenance of the Cemetery.

Sec. 030 Plots Subject to Rules and Regulations

All plots in the Beth Israel Cemetery are licensed to a licensee by a Certificate of Burial Rights after final payment is received. The privileges of the licensee, therein, are subject to such rules and regulations that are to be made from time to time by the Cemetery Committee and Board of Directors of Congregation Beth Israel, City, State, or other regulatory authority.

Sec. 040 Rules and Regulations – Purpose & Amendments

The rules and regulations contained in this Section are made for the benefit of all plot licensees and are designed to limit their individual privileges insofar as such limitations are for the benefit of all. If rules and regulations are not made, a licensee's exercise of certain privileges, which may otherwise appear proper, might interfere with the privileges and enjoyment of others, as well as possibly destroying the general scheme and beauty of the property. No rules have been adopted except as is necessary to preserve the privileges of all for which Beth Israel Cemetery considers itself the trustee.

These rules and regulations may be changed or amended at any time by the Board of Directors of the Congregation when any rule is found to be detrimental to the best interest of the plot licensees as a whole or the Congregation or when new conditions require adoption of other or further regulations.

Copies of such rules and regulations will be provided upon request to the office of the Congregation or the Cemetery Committee Chair.

Sec. 050 Endowed Care

No plot will be licensed in Beth Israel Cemetery without endowed care.

“Endowed care” includes the upkeep of walks and other improvements belonging to the Cemetery, mowing the grass at reasonable intervals, pruning shrubs and trees, and such works as shall be necessary. Work will be prioritized, scheduled, and done to provide proper and adequate maintenance, but shall be limited to those activities that available budgeted funds will allow. Endowed care does not cover the maintenance, repair or replacement of flowers, plot memorials, or private structures.

Sec. 060 Pre-Arrangement Trust Fund

There is established a Pre-Arrangement Trust Fund for the benefit of licensees of pre-arrangement contracts.

Sec. 070 Designated Sections

- A. Section 1 is designated as the plots to the left of the center walkway through the main gate of the cemetery. Only Jews may be buried in this section. No cremated remains shall be allowed in this section.
- B. Section 2 is designated as the plots to the right of the center walkway through the main gate of the cemetery. Jews and any non-Jewish immediate family members may be buried in this section. At least one member of the family intending placement must be Jewish. Purchase of a double plot and intended burial of a Jewish family member will be required for interment of a non-Jewish family member. Interment of cremated remains is also allowed in this section.

Sec. 080 Rights Attaching to Plots

All plots in the Cemetery will be licensed with endowed care, and are conveyed by a Certificate of Burial Rights.

Sec 090 Interest in Cemetery Plots

Plots Held for Spouses – If a plot is purchased by an individual for the burial of that individual’s newly-deceased spouse, and the individual desires to purchase any unsold adjacent plot, he or she may do so at the price of a double plot. If such adjacent plot is not immediately purchased or contracted for, then the Congregation may sell such plot to another individual.

Transfer of Sale – A plot may be transferred or sold, whether within a family or otherwise, only to an individual who would be eligible to purchase a plot from the Congregation under the terms of these Rules. The Congregation must be notified prior to any proposed plot transfer, which shall be subject to the Congregation’s prior written approval and payment of a \$100 administrative fee.

Sec 100 Permission to Remove Remains

Provisions concerning permission to remove remains shall be governed by state law in Chapter 68.50 RCW as now or hereafter amended.

Sec 110 Funerals, Interments, and Committals

Funerals, interments, and committals within Beth Israel Cemetery will be under the control of the Cemetery Committee Chair. All plots shall be opened and closed by the City. Tents, artificial grass, lowering devices, tractors, and other equipment provided by

the City shall be used exclusively for all interments, inurnments, and disinterments. Charges for interments shall be adopted by the City, exclusive of special services requested by the family or necessary because of special circumstances. All Cemetery and plot charges must be paid prior to interment except by special permission of the Cemetery Committee Chair. All interments shall be in concrete liners designed and manufactured for this purpose. The bottom shall remain exposed to the earth. The City will be the sole provider of liners used. Due to liability reasons, only Bayview Cemetery staff may place any liner.

No mementos will be allowed in the casket or worn by any decedent which would be considered representative of another religion.

No funerals in either section of the cemetery will be performed by anyone other than the rabbi of Beth Israel Congregation, except with his or her permission.

Non-members should make appropriate payment to the Rabbi for services provided. There is no charge for rabbinical services for members; however, members may show their appreciation by making a donation to any of the congregation's special funds.

Sec 120 Arrangements for Interment

Upon the death of a licensee, the family shall contact the Cemetery Committee Chair or the office of the Congregation for the purpose of making arrangements for interment and other services. The right is reserved by the Cemetery Committee Chair to be notified at least twenty-four hours before any interment, so the plot may be properly prepared. Scheduling with Bayview Cemetery is required and every effort will be made to expedite a request. At least one week's notice must be given prior to any disinterment or removal.

Sec 130 Errors May Be Corrected

A complainant shall notify the Cemetery Committee in writing of any defect, error, or complaint. The Cemetery Committee Chair reserves and shall have the right to remedy or correct any alleged defect, error, or complaint before any suit, libel, or cause of action, either at law or equity, may be filed against Congregation Beth Israel, the City, its employees or agents.

Sec 140 Interments Per Individual Plot

The interment of two casket burials in one plot will not be allowed. Regular plots are designed for one casket and a maximum of two cremated remains. No interment other than that of a human being will be permitted.

Sec 150 Burial Permit

An interment will not be permitted without the proper burial permit as required by the health authorities. The Cemetery Committee shall not be responsible in any manner for securing any permit. Cremated remains must be properly labeled and accompanied by acceptable documentation to the Cemetery Committee to certify identify of the cremated remains.

Sec 160 Interment Agreement

When a plot is authorized for two inurnments, authorization for inurnment will be granted to either licensee or the heirs.

Sec 170 Care and Improvements

All improvements of plots shall be done under the direction of the Cemetery Committee. No lot or plot shall be defined by fence, railing, coping, hedge or by any unauthorized memorial. A plot shall not be decorated with any trees or shrubs without the permission of the Cemetery Committee. Any items placed improperly or without permission will be removed at plot licensee's expense.

Sec 180 Landscape Regulations

Bayview Cemetery shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the Cemetery as soon as, in the judgment of the management, they become unsightly, dangerous, detrimental, diseased, or when they do not conform to the standards maintained. Bayview Cemetery shall not be liable for floral pieces, baskets, or frames in which or to which such floral pieces are attached. Neither Bayview Cemetery nor Beth Israel Congregation shall be responsible for plants or plantings of any kind damaged by the elements, thieves, vandals, or by other causes beyond its control. The Cemetery Committee reserves the right to regulate the method of decorating plots so that a uniform beauty may be maintained.

- A. Cut Flowers and Bouquets.
Cut flowers and bouquets are allowed year round. Cut flowers and bouquets will be removed from plots as soon as they become wilted or unsightly.
- B. Artificial Flowers and Decorations.
Artificial flowers will be removed when they become deteriorated or unsightly. They are allowed only from November 1 to March 1.
- C. New Burials.
All flowers, plants, easels, and decorations will be allowed to remain for a seven-day period beginning the day of a new burial. Persons wishing to retain any of the items must remove them during this 7-day period, or they will be disposed of accordingly. Wilted flowers may be removed during this period at the discretion of Bayview Cemetery staff.
- D. Holiday Decorations.
No decorations depicting religious holidays other than Jewish holidays will be allowed. Any decorations shall be removed within two weeks after a holiday.
- E. Not Responsible for Theft.
The Congregation is not responsible for damage to or theft of cut flowers, potted plants, displays, or containers. Anyone leaving such articles in the Cemetery does so at his/her own risk.
- F. Placement of Planting Pots.
Pots are allowed at the base of, or at the side of, the marker, but not in front or behind. The pot must sit on the concrete border so as not to interfere with routine mowing and trimming. The maintenance of the pot and its contents is the responsibility of the person placing the pot on display. If the display is not adequately maintained or interferes with the mowing or trimming, the Cemetery Committee may remove it from the plot and dispose of it.
- G. No Glass Containers.
Absolutely no glass containers are allowed in the Cemetery at any time for flower displays or potted plants. The flowers and glass containers will be disposed of immediately.
- H. Prohibited Items.
The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, glass, wood or iron cases, and similar articles upon plots shall not be permitted.

I. Customary Stones.

The placing of small stones at the plot is customary in Jewish cemeteries and shall be allowed.

Sec 190 Trimming and Pruning Trees and Shrubs

Only personnel authorized by the Cemetery Committee shall trim, prune, or remove any part of the trees or shrubs in the cemetery. If any tree or shrub situated on any plot becomes detrimental, dangerous, or objectionable to the adjacent plots, walks, or avenues, due to the roots, branches, or otherwise, or if Bayview Cemetery is unable to maintain the grounds, then Bayview Cemetery shall have the right to enter upon the plot and remove the tree(s), or shrub(s), or any part(s), in consultation with the Cemetery Committee Chair.

Sec 200 Monuments, Headstones, Memorials.

A. Memorials or headstones will be placed at the head of the plot. Any governmental memorial, i.e. veterans' plaques, may be placed at the foot of the plot and must be flush with the surface of the ground. Headstones must be reviewed and approved in writing by the Rabbi and/or Cemetery Committee. No memorial shall be engraved with any religious emblem which would be considered representative of another religion other than Jewish.

B. Bayview Cemetery may charge memorial location fees that must be paid prior to placement. Memorial setting and on-site engraving will be scheduled with Bayview Cemetery at least one working day prior to the work. Consultation with the Chair of the Cemetery Committee in advance of placement is required to confirm payment in full of all fees and location siting. The Congregation reserves the right to remove any memorial which was set or engraved without permission of the Cemetery Committee Chair and/or does not conform to the standards set forth in these rules and regulations.

C. No memorial shall be placed on an occupied plot until all fees are paid in full. No further engraving of a previously installed memorial will be authorized until all Cemetery fees have been paid in full.

D. Memorials must be set level with and conforming to the slope of the law and placed in line with adjacent stones so as to present a uniform appearance. The cemetery reserves the right to inspect all memorials after installation and to require changes if improperly set.

E. Memorials are allowed to be set only during normal Cemetery working hours.

F. No memorials shall be removed by any person or company, except by the City, without first having approval of the Cemetery Committee Chair and the consent of the next of kin or other authorized persons.

G. Maintenance and replacement of any headstone is the sole responsibility of the family of the deceased or other authorized persons. The Congregation does not bind itself to maintain, repair, or replace any markers or monumental structures erected upon the plot which are lost or damaged due to weather, age, vandalism, or normal maintenance. The Congregation recognizes the significance and value of the memorial as a memorialization to the deceased, and will endeavor to take the utmost care to see that the headstone remains in good condition.

H. Concrete borders at the front and back of an upright memorial must be a minimum of at least 4 inches in width and 4 inches at the sides. All flat memorials placed in the Cemetery shall have either a concrete or granite foundation with a minimum of a 4-inch border.

I. The maximum side-to-side width available for a memorial on a single plot is 44 inches and 92 inches on a double plot, with a maximum top to bottom width of 26 inches.

J. Only flush memorials are allowed to mark cremains inurned on an occupied plot space when the first interment is already marked with a headstone. The memorial shall be placed adjacent to the existing memorial and directly over the inurned cremains.

K. Private memorial companies may perform work within the Cemetery. However, any location fees assessed by the City must be paid. Any such private party shall meet the Cemetery specification on the border size of the marker and cleanup of the area when finished. The work must be performed during normal working hours, and the private party will also be required to have the work signed off by the Bayview Cemetery supervisor or designee to make sure the work does meet Cemetery standards.

Sec 210 Funerals, Burials and Committals – Days and Hours Allowed

Visitor hours during which the Cemetery grounds are open shall be the same as Bayview Cemetery, 8:00 a.m. until dusk, daily. Normal burial hours shall be restricted to weekdays between the hours of 10:00 a.m. to 4:00 p.m. We recognize emergency situations may occur wherein necessitating a burial outside these hours. Any additional expenses incurred by needing the services of Bayview Cemetery staff outside normal hours will be billed to the family requesting such services.

Unveilings – The family of the interred must obtain the prior written approval of the Congregation as to the date of the unveiling of a monument.

Sec 220 Cemetery Fees and Charges

All Cemetery fees and charges shall be determined by the Board of Directors of the Congregation and shall remain in effect until the Board of Directors approves a new schedule. The fees may be modified from time to time. Current fees shall be listed on a rate sheet and be available for distribution to purchasers and licensees.

Sec 230 Repurchase of Plots

The Congregation may repurchase plots from the purchaser pursuant to the purchaser's contract.

Sec 240 Funeral Home and Bayview Cemetery Charges

Private funeral homes bill separately for the services they provide. Bayview Cemetery will provide a bill to the funeral home for any services provided. These are separate from any fees charged by the Congregation and are to be paid directly by Purchaser.