

Baltimore Hebrew Congregation Cemeteries

318 Berrymans Lane, Reisterstown MD 21136

2100 Belair Road, Baltimore MD 21213

Cemetery Rule Book



BALTIMORE HEBREW CONGREGATION

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Updated October 2019

Baltimore Hebrew Congregation Cemetery Rule Book

PREAMBLE

The Board of Electors of the Baltimore Hebrew Congregation adopts the following Rules for Cemeteries of the Congregation, as approved April 8, 1991 and amended March 2, 1992, January 5, 1998 and May 3, 1999 and March 6, 2000, October 4, 2001, and December 6, 2004, January 2015, May 2016 and March 2018.

DEFINITIONS

As used in these Rules,

"Congregation" means the Baltimore Hebrew Congregation.

"Board" means the Board of Electors of the Congregation.

"Committee" means the Cemetery Committee of the Congregation.

"Member" means a member of the Congregation.

"Cemetery" means the cemetery located at Berrymans Lane, Reisterstown, Maryland, that is owned and operated by the Congregation, and the cemetery located at Belair Road, Baltimore, Maryland, that is owned and operated by the Congregation.

"Mausoleum" means any above ground building for entombment.

"Monument" means any upright memorial of stone as described in the Rule Book, in a vertical position to mark a plot.

"Marker" means a memorial of granite with bronze insert as described in the Rule Book, flush to the ground to mark a plot.

"Green Burial" is a burial option that returns the body to the earth in a natural, simple and dignified way.

“Green Marker” means made of stone that allows engraving of the name and inscription.

"Grave site" means an area of the cemetery of sufficient size to accommodate an adult interred as required by Jewish law.

"Grave Lot" or "Lot" means two or more grave sites adjacent to each other as marked on the record plat of the cemetery.

"Burial" or "Burial Rights" includes entombment in a mausoleum.

"Contractor" means any employee or independent contractor designated by the Committee to assist in the operation or maintenance of the Cemetery.

RULES

1. Governance

- a. The President of the Congregation shall appoint at least six (6) members to serve on the Committee and shall appoint one member of the Committee as chair. The Committee, including the chair, shall serve at the pleasure of the President.
- b. The Committee shall meet regularly, at least two times per year, and at the call of the chair.
- c. The Committee shall rule by simple majority. A quorum of one half of the Committee plus one shall be required for any vote.
- d. The Senior Rabbi of the Congregation shall be the final arbiter of all questions of Jewish law.

2. General Rules

- a. Hours of Admittance. The Berrymans Lane Cemetery is open during day

light hours and all days of the year. The Belair Road Cemetery is open Sunday through Friday from 10 am to 4 pm and closed on Saturdays and Jewish holidays. In the event of inclement weather, the cemetery may be closed. There is no admittance to the Berrymans Lane Cemetery from the garage entrance.

- b. Enforcement of Rules. The Contractor and the Executive Director of the Congregation are empowered to enforce all rules and regulations, and to exclude from the properties of the Cemetery any person violating the same. The Contractor and his/her assistants shall have charge of the grounds and buildings, and at all times shall have control of all persons in the Cemetery, including the conduct of funerals, traffic, , grave site or lot owners, and visitors.
- c. Improprieties. With the exception of water, refreshments of any kind are prohibited within the Cemetery. All persons are prohibited from picking any flowers, whether cultivated or wild, or breaking any tree, shrub, or plant. Anyone disturbing the quiet and good order of the Cemetery or violating these rules may be prosecuted according to law.
- d. Children. Children under thirteen years of age are not permitted within the Cemetery, or its buildings, unless accompanied by an adult.
- e. Peddling or Soliciting. The sale of flowers or plants, or soliciting the sale of any commodity or service is prohibited within the confines of the Cemeteries without the express written consent of the Committee.
- f. Hardships. The Executive Director of the Congregation may make exceptions, suspensions, or modifications of any of these Rules without notice, when in the judgment of the Executive Director such action appears necessary. Such temporary exception, suspension or modification shall in no way be construed as affecting the general application of any of these Rules.

3. Title and Burial Rights

- a. Legal title and ownership of the Cemetery shall be in the Congregation.
- b. All burials shall be in accordance with Jewish law and interments officiated by an ordained Rabbi or Cantor.
- c. Any person may acquire the rights of a Jewish burial in the Cemetery, including perpetual care as hereinafter defined, upon the payment of charges as set by the Board.
- d. Burial rights shall be acquired by executing an agreement with the Congregation in a form approved by the Board. The terms of the agreement shall be incorporated herein by reference.
- e. No burial in a lot or grave site will be allowed without first obtaining permission from the Executive Director of the Congregation or, if he/she is unavailable, from the chair of the Committee, and in the event of his/her unavailability, from any member of the Committee.
 1. A request for burial must be made to the Executive Director or his/her representative personally. The burial shall be at such time as is agreed upon by the Executive Director in consultation with the Contractor, the officiating Rabbi or Cantor, and the funeral director.
- f. The rights of burial in a grave site shall revert to the Congregation if all persons entitled to its use are interred elsewhere. In the event that any portion of a lot reverts to the Congregation for any reason whatsoever, the Congregation, at its own expense, may move any monument or marker from the unused portion of the lot to that portion occupied by family graves, and may dispose of such unused portion as though rights to it had never been acquired.
- g. All rights granted to persons holding burial rights at the time of the adoption by the Board of these Rules, and rights acquired under these Rules, shall be preserved subject only to the regulatory provisions that

pertain to the continuance, maintenance, and operations of the Cemetery.

4. Fees and Charges described herein shall be set by the Board and shall be available at the Temple Office.
5. Grave Site and Grave Lot Use and Restrictions
 - a. All grave sites at Berrymans Lane are required to use a self-sealing vault except when a Green Burial occurs in which case the deceased must be buried in a biodegradable container.
 - b. The landscaping, planting and maintenance of the Cemetery shall be under the exclusive control of the Executive Director in consultation with the Committee.
 - c. The placing upon grave sites of free standing items including, but not limited to, boxes, vases, shells, pictures, ornaments, chairs, settees, and artificial flowers, is prohibited. American flags are allowed.
 - d. Permanent flower vases are allowed. For a monument, the vase must be affixed to the base of the monument. A monument vase must be bronze or steeled polished stone. For a marker, the vase must be affixed to the bronze plaque. A marker vase must be bronze and must be flush to the marker when not in use.
 - e. No coping, chains, rails, benches, fences, or like objects or structures may be erected in the Cemetery without the express written consent of the Committee.
 - f. The terrain of all lots, grave sites, and mausoleum sites may not be altered.
 - g. All persons holding rights in grave sites shall provide markers or monuments to identify all interments within two years of burial.
 - h. All grave sites or grave lots shall have a marker or monument in

accordance with the designation for the grave site or grave lot on the plat.

- i. Ash burials are permitted. Ash burials shall require a vault at our Berrymans Lane Cemetery as set out in these rules. Up to two ash burials from the same family may be made in a single grave site provided the grave lot was purchased for a double ash burial. No ash burials may be made in a lot which has had a casket burial or vice versa.

6. Markers, Monuments, Benches and Mausoleums

- a. The name or inscription on each monument or marker must correspond with the name recorded in the office of the Congregation and placed on the front of the monument, and no changes shall be made thereon without the express written consent of the Executive Director of the Congregation. In the event other names will be memorialized on a monument only, these names must be inscribed on the side or back of a monument.
- b. No monument or marker shall be removed from the Cemetery without the express written consent of the Executive Director of the Congregation.
- c. While all possible care will be taken to protect monuments, markers, raised lettering, carving, or ornaments on any structure on any lot or grave site, the Congregation disclaims responsibility for any damage or injury thereto.
- d. The Committee may correct any error that may be made in the location or placing of a marker or monument in the Cemetery.
- e. All foundations for monuments, markers, benches or mausoleums shall be submitted to the congregation by a monument company and installed by the Contractor. Application for installation of a foundation shall be signed by the lot or grave site owner. For pre-need monuments or markers only, the foundation shall exceed the width of the monument base by 3" on each side. Foundation charges shall be paid for in advance. The

Congregation reserves the right to amend the foundation dimensions required based on the specific terrain. Arrangements for setting monuments or markers must be made with the Contractor at least 24 hours prior to installation in order to avoid conflict with cemetery activity such as, but not limited to, a funeral or unveiling.

- f. Should any monument, marker, or mausoleum become unsightly, dilapidated, or a menace to visitors, the Committee may correct the condition or remove the same, at the expense of the grave site or lot owner.
- g. All monuments are to be made of granite. No marble monuments are allowed and no cradles, side pieces or corner posts can be erected. All reliable granite colors are permissible, but only one color will be allowed on any one lot. No ledgers (grave site covers) are allowed. At Berrymans Lane, in the monument sections only, a granite bench may be erected as long as a non-burial lot is purchased for that purpose. A foundation and matching granite base is required to be installed under each bench. The bench shall be similar to existing benches in the monument sections.
- h. Including the base, no monument in the cemetery shall be less than 38 inches or exceed 42 inches in height.
- i. In the monument sections, only monuments must be placed at the head of a grave lot or grave site. In the monument section, markers may only be placed flush with the ground and at the foot of the grave lot. In the case of a double ash burial, a second marker may be placed in the middle of the grave.
- j. In the marker sections, only markers must be placed in accordance with the current layout of the cemetery. In the case of a double ash burial, a second marker may be placed in the middle of the grave.
- k. The bronze portion of any marker must meet the following specifications:

The bronze alloy shall consist of:

Not less than 87% copper

Not less than 5% tin

Not more than 2 ½ % lead

Not more than 5% zinc

All other elements in total not to exceed 1%

I. Markers shall comply with the following size restrictions:

a. Family markers, in the marker sections, may not exceed 44" x 14" bronze with 48" x 18" granite which are permitted at the head of a grave lot in those areas so designated on the Cemetery plat. In the case of more than three lots for one family, a larger marker may be acceptable with pre-approval by the Committee.

b. Bronze markers may not exceed more than one inch above the granite base. The bronze portion of a single grave marker shall not exceed 24" x 14"

c. The granite portion of a single lot shall exceed the bronze portion by at least two inches on each side. The granite base shall be 4" thick and shall be flush with the ground.

m. Family markers or markers for double grave sites shall comply with the following restrictions:

a. The granite portion of family or double markers shall exceed the bronze portion by at least two inches and no more than three inches.

b. The granite shall be placed flush with the ground.

c. Family markers shall be placed at the head of a grave lot in those areas so designated on the Cemetery plat.

n. Bases of monuments shall not exceed the following dimensions:

a. For a single grave site – 2'8" width x 1' 2"

- b. For a double grave site – 4'6" width by 1' 4"
- c. For a four-person lot – 6' wide x 1' 6"
- d. Minimum height for a granite base is 8", not to exceed 12"

If plot consists of more than 4 lots, size of monument and base must be approved by the Committee.

- o. The dies (top pieces) of all monuments must be steeled or polished on all sides, i.e. front, back, top and ends.
- p. All bases are to have a minimum 1.5" steeled or polished margin around top of base. Below margin, bases of monuments must be rock faced on all four sides.
- q. No die (upright part) of monument is to be less than 8" thick and no greater than 10" thick.
- r. For bronze markers, only shades of brown and black with gold or black lettering is permitted.
- s. For monuments, lettering in black, white, gold, silver or bronze is permitted. No marker or monument may be colored in any manner after installation in the Cemetery, except when lettering is being added to the monument or marker. No marker or monument at the Berrymans Lane Cemetery may include any engravings of pictures, images, or symbols other than letters (Hebrew, Russian or Latin), numbers, or Jewish symbols such as, but not limited to Jewish Stars or Menorahs.
- t. Mausoleums shall be constructed only on lots so designated.
 - a. Plans, specifications, and locations of mausoleums in the lot shall be subject to the approval of the Committee before construction commences. Any plans which match an existing mausoleum at the same cemetery exactly as to size and material shall be deemed approved by the Committee, provided that plans are provided to the

Executive Director of the Congregation before construction commences.

- b. Principal parts of the mausoleum shall be made of granite from approved producers.
- c. When an entombment is made in a private mausoleum, the crypt shall be properly sealed as directed by Contractor. Additional costs for lifting equipment may be required at the family's expense. Contractor and/or Congregation will not be responsible for breakage of the existing granite fixtures. Replacement is at the family's expense.
- d. Mausoleums shall only be sold in minimums of twelve grave sites.
- e. The Congregation shall be given the key to all mausoleums.
- f. The cost of Perpetual Care for a mausoleum shall be ten percent of the total cost of the mausoleum including, but not limited to, grave sites, landscaping, foundation and any additional costs incurred with the construction of the mausoleum.
- g. All landscaping and walkways shall be subject to the approval of the Committee. All landscaping and foundations shall be performed by Contractor as defined in this Rule Book.
- h. All persons, organizations, contractors or contracted service providers, shall be fully licensed and insured in an amount to be determined by the Committee, which insurance shall indemnify and hold the Congregation harmless from all claims, losses and expenses including attorney fees, and costs and judgments that may be assessed against the Congregation, its members, employees or agents.

- i. Such persons must procure permission from the Contractor before any work is commenced. They must submit evidence satisfactory to the Contractor that they can perform the work properly, and such persons must also submit plans and specifications of the work to be done.
 - j. Such persons shall be considered independent contractors and not employees of the Cemetery or the Congregation.
 - k. Such persons shall not attach any rope, line, or similar item to any tree, shrub, or other structure in the Cemetery. Nor shall such person disturb the peace and quiet of the Cemetery or the grounds of the Cemetery longer than necessary. All such persons must remove all debris and restore the grounds and sod to the condition in which they found it.
 - l. The Cemetery shall repair all damage done by any principal or agent of any dealer or installer of monuments, markers, or mausoleums. The cost of such repairs shall be paid by the dealer or installer, or its principal.
 - m. All work by such persons must cease when, in the discretion of the Contractor, a funeral or interment is close to the work area.
 - n. All such persons shall comply with all other Rules of the Cemetery.
7. Perpetual Care, which is required for all grave sites, shall be limited to maintaining the sod or turf on any grave site or grave lot. It shall not include the planting, replacement, or maintenance of trees, shrubbery, or flowers; nor shall it include any repairs to damaged, deteriorated, eroded, or vandalized markers, monuments, mausoleums, or coping. Repairs to monuments, markers, mausoleums, or coping shall be completed by the person holding burial rights in the lot or grave site at his/her own expense within sixty days after receiving notice thereof, failing which, such repairs may be made by direction of the Executive Director of the Congregation and the costs assessed to such person.

8. Family Lots. The joining of adjacent individual grave sites or grave lots for the purpose of making one large family grave lot is prohibited without the express written permission of the Committee.
9. Method of Payment for Burial Rights
 - a. A member acquiring burial rights in a grave site or grave lot, or Perpetual Care for same, shall pay for it as follows:
 1. By payment in full at the time of selection of the burial right or upon execution of the agreement to acquire the same; or
 2. By payment of one half of the total amount thereof at either the time of selection or the execution of the agreement to acquire the same, and the balance within one year; or
 3. Should a request for burial be made prior to payment in full, the following payment schedule is required:
 - a. For single grave sites, the total cost.
 - b. For two or more grave sites, one half of the total cost, the balance to be paid within one year.
 4. Upon the failure to pay for grave sites or lots as provided by this Rule, the Committee may repossess the grave site or lots. The Committee may keep any money paid and shall notify all interested parties in writing. A re-possession under this rule shall be considered a reversion.
 - a. Non-members shall pay the entire amount due for any grave site or lot upon execution of the agreement to purchase burial rights in a lot or grave site.

10. Pre-Paid Interment Fees. Owners of burial rights may prepay interment fees at any time prior to need, provided that the Owner shall pay the highest current interment fee.
11. Disinterment. No disinterment from any lot or grave site shall be made, nor shall any remains be removed from a mausoleum, without the written consent of a person having the burial right in the lot or mausoleum, unless such disinterment or removal is to be made pursuant to an order of a court of competent jurisdiction. Arrangements for a disinterment to another cemetery must be arranged by a licensed funeral director.
12. Unveiling arrangements are to be handled by family/friends.
13. Contractor The Contractor's duties shall be subject to the control of the Executive Director of the Congregation.
14. Cemetery Layout and Plat. The Plat of the Cemetery is incorporated herein by reference. The Committee may layout sites or may alter avenues, roadways, or walks, and otherwise alter and change present plan of design, topography, and landscaping. Such changes shall be noted on the Plat. The Plat shall be available for inspection at the Office of the Congregation.
15. Rules of Construction. The Board's decision as to the meaning, construction, or enforcement of any of these Rules shall be final. Should any condition or situation arise not covered by these Rules, the matter shall be resolved by the Committee, subject to review by the Board upon request. These Rules are effective as of May 1, 1991. They shall be in effect until amended in writing by the Board. All previous rules and regulations governing the Cemetery are void except as herein provided.

Green Burials

Green Burial definition: means no embalment; use of a bio-degradable, non-flexible casket (no shroud only burials); no vault liners and no concrete foundations for green markers located in a designated division and section.

For ash burials, cremains shall be placed in a bio-degradable box.

Interment fee will be \$100 more than the current fee schedule.

Perpetual Care fee will be \$100 more than the current fee schedule.

Placement of green markers will be at least nine (9) months after interment.

Placement of individual green markers (no double or family markers will be permitted) will only be placed at the head of each grave.

Placement of benches is not permitted.

Green markers and engraving may only be purchased through Baltimore Hebrew Congregation to insure conformation to the rules and esthetics.

Green markers will be made of natural stone that allows engraving of the name and inscription.

Only the area with the engraving will be mechanically smoothed; the rest of the stone will be left with a natural finish.

Only if a family member is already buried in a family plot that is not in the green section, may you choose to have a green burial as described above. That grave will have a marker or monument per the section requirement, not a green marker, and the concrete foundation for the marker or monument will be 50% larger than the regular required foundation.

Adopted April 2018

Cemetery Information

Purchase Date _____

_____ Berrymans Lane Cemetery

_____ Belair Road Cemetery

Division _____ Section _____ Lot(s) _____

Designed and printed by Baltimore Hebrew Congregation

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Layout of the Cemetery map is subject to change.

Maps included in this Rule Book are not to scale and intended only as a visual aid. Rules subject to change without notice and are available on BHC's website, baltimorehebrew.org, or by calling the Temple Office, 410-764-1587.