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**RULES AND REGULATIONS GOVERNING THE KESHER ZION CEMETERY
FOR KESHER ZION SYNAGOGUE MEMBERS**

Purchasing a Right to Burial Certificate

1. A Certificate granting the right of burial (hereinafter referred to as the “Certificate”) in the Keshet Zion Cemetery (hereinafter referred to as the “Cemetery”) may only be issued by the Keshet Zion Cemetery Association (hereinafter referred to as the “Cemetery Association”) in the name or names of a member or members of the Keshet Zion Synagogue (hereinafter referred to as the “Synagogue”). Each such Certificate shall identify the lot or lots included in the burial plot covered by the Certificate.

Who Can Be Buried

2. (a) Only the following deceased person or persons may be buried in the burial plot or lots described in the Certificate (subject to the requirements

and provision of Section 3 below and other applicable requirements contained in these Rules and Regulations:

(i) the person or persons in whose name the Certificate is issued and the spouse of any such person so long as the first of such person or spouse to die is then a member in good standing of the Synagogue;

(ii) a child and his or her spouse of the person or persons in whose name or names the Certificate has been issued;

(iii) any parent, sibling, grandchild and /or the spouse of any such person in whose name the Certificate has been issued

(b) No burial permitted by the within Section shall take place until all costs, fees and charges pertaining to be used for such burial, perpetual care, the services of Chevra Kadisha and unpaid dues and other amounts owing by the deceased to the Synagogue, if any, have been paid in full or arrangements for such payment have been made which have been approved by the President of the Cemetery Association. The amount of all such costs, fees and charges shall be those in effect as of the time of death.

(c) Except as concerns a child of the person or persons in whose name the Certificate has been issued, and the spouse of any such child, the provisions of Subsection 2(a) (iii) shall terminate upon the demise of both the holder or holders of the Certificate and his or her spouse.

(d) The term “member in good standing” as referred to in the within Rules and Regulations shall be governed by and determined by the Board of Directors of the Keshet Zion Cemetery Association based on information provided to the Board of Directors of the Cemetery Association and based on the evaluative judgement of the The Keshet Zion Cemetery Association Board.

3. Except as hereinafter provided, any deceased person buried on the Cemetery shall have been a member of the Jewish faith at the time of his or her death; provided, however, a non-Jewish spouse or a non-Jewish child (who has not reached bar or bat mitzvah age) of a member of the Jewish faith may be buried on the portion of the Cemetery commonly referred to as the “New Cemetery” if the then Rabbi of Keshet Zion Synagogue (or any legally recognized successor to the Keshet Zion Synagogue) determines that such burial would be permitted according to the halachic standards of the Conservative Movement. In the absence of an appointed/hired Rabbi by the Keshet Zion Synagogue (or any legally recognized successor to Keshet Zion Synagogue), the Board of the Keshet Zion Cemetery Association has such authority. In the case of the burial of a non-Jewish individual, as described above in this paragraph, there is no requirement that Chevra Kadisha be performed. As such there would not be any fees asserted for such non performed services.

4. Effective immediately and with the unanimous approval of the Keshet Zion Cemetery Board of Directors and being consistent with the stated Rabbinical opinion (*While burial of the deceased is a mitzvah, if a person chooses to be cremated, the cremains may be interred in the New Keshet Zion Cemetery*)

published in the KZ Bulletin, September 2017, the burial of the cremains is unconditionally permitted. Cremains must be put into a Kosher casket. The participation of the Rabbi at the cemetery will be at the Rabbi's discretion.

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4. The cost for each lot included in a burial plot for which a Certificate is issued plus the cost for perpetual care and the related cost Chevra Kadisha for each such lot shall from time to time be established by the Board of Directors of the Cemetery Association. Such costs must be paid in not more than three (3) installments, the first such installment to be in an amount of not less than two hundred and fifty dollars (\$250.00) and the balance of the cost shall be paid within two (2) years of the date of the payment of the deposit; provided, however, that the full amount of the cost for the entire burial plot being purchased plus the cost for the perpetual care and the charges for Chevra Kadisha for each lot in the plot shall become due and payable not later than the time of the first burial on the burial plot. A Certificate for the burial plot or lot will be issued when the cost of the burial plot or lot, as the case may be, plus perpetual care and Chevra Kadisha is paid in full. A list of all fees, costs, provided for in this section or elsewhere in these Rules and Regulations, as in effect from time to time, shall be attached to these Rules and Regulations.

Transfer of a Right to Burial Certificate

5. If a member in good standing of the Synagogue in whose name a Certificate has been issued moves beyond the boundary limits of Berks County, Pennsylvania, the member may, if he or she shall so desire, transfer the

right to burial provided for in the Certificate to another such member, so long as the proposed transferee is a member in good standing of the Synagogue. The within Rules and Regulations as from time to time amended shall be applicable to any such transferee as if such transferee was the initial person to whom the Certificate was issued. Except as herein provided, no Certificate shall be transferred without the prior approval, in its sole discretion of the Board of Directors of the Cemetery Association, which approval shall be effective only when written notice thereof is given by the Board of Directors of the Cemetery Association to the holder of the Certificate and the proposed transferee.

When a Certificate Holder Leaves the Congregation

6. If the person to whom a Certificate is issued or transferred ceases to be a member of the Synagogue, his or her rights under the Certificate and the reservation of one or more cemetery lots for burial purposes provided for in the Certificate shall become null and void; provided, however, said person who ceases to be a member of the Synagogue, may request, in writing, within sixty (60) days after the cessation of such person's membership in the Synagogue, that the Certificate be transferred without additional cost, to another person who is a member of the Synagogue in good standing, as determined by the Keshet Zion Cemetery Association Board of Directors, and is a member of the immediate family of the person who has ceased to be a member of the Synagogue, after which all of the rules and regulations pertaining to the cemetery shall be applicable to such transferee.

If a certificate holding member ceases to be a member in good standing of the Keshet Zion Synagogue, the former member, who is now a nonmember, will be buried as a nonmember and is required to pay the same costs and fees associated with being a nonmember providing such individual at the time of his or her death has been a member in good standing for no more than five years preceding death as may be reflected in the Cemetery Association records, or as determined by the Board of Directors of the Cemetery Association by whatever means necessary. Said nonmember will be required to pay Chevra Kadisha, Perpetual Care, and lot cost consistent with the Schedule of Costs For Non-Members which is attached hereto.

If a certificate holding member ceases to be a member in good standing of the Keshet Zion Synagogue, the former member, who is now a nonmember, will be buried as a nonmember and is required to pay 150% of the same costs and fees associated with being a member in good standing providing such individual at the time of his or her death has been a member in good standing for at least five years but less than ten years preceding death as may be reflected in the Cemetery Association records, or as determined by the Board of Directors of the Cemetery Association by whatever means necessary. Said nonmember will be required to pay Chevra Kadisha, Perpetual Care, and lot cost which is 150% of the member rate in effect at time of death consistent with the Schedule of Fees for Members which is attached hereto.

If a certificate holding member ceases to be a member in good standing of the Keshet Zion Synagogue, the former member, who is now a nonmember, may

be buried as a nonmember and is required to pay 100% of the same costs and fees associated with being a member in good standing providing such individual at the time of his or her death has been a member in good standing for 10 or more years as may be reflected in the Cemetery Association records, or as determined by the Board of Directors of the Cemetery Association by whatever means necessary. Said nonmember will be required to pay Chevra Kadisha, Perpetual Care, and lot cost which is 100% of the member rate in effect at time of death.

As concerns certificates acquired prior to January 1, 2006, upon surrender of any Certificate to the Cemetery Association by the person or persons to whom such Certificate was issued or transferred, the Cemetery Association shall reimburse such person or persons the amount represented by the lesser of One Hundred Fifty Dollars (\$150.00) or seventy-five percent (75%) of the original amount paid for such Certificate. As concerns Certificates acquired after January 1, 2006, no refund shall be due. Subject to any transfer of a lot or lots as hereinabove permitted, any lot represented by a Certificate declared null and void shall automatically be available for resale by the Cemetery Association after the expiration of the sixty (60) day period hereinabove referred to.

Synagogue Membership Required

7. No Certificate shall be issued in the name of a person who is not a member of the Synagogue other than by pursuant to the separately stated Rules and Regulations Governing The Purchase of A Right To Burial Certificate in The Keshet Zion Cemetery for Non-Members.

Old Deeds will be Honored

8. It is acknowledged that years ago in certain limited cases, deeds, as distinguished from Certificates, were issued for one or more burial lots. In the event that any person holding such a deed ceases to be a member of the Synagogue, then upon execution and delivery to the Cemetery Association of the deed conveying the burial lots to the Cemetery Association, such person shall be entitled to a refund of One Hundred Fifty Dollars (\$150.00) for each unused lot included in the burial plot covered by the deed or seventy-five percent (75%) of the original purchase price therefore, whichever shall be the lesser amount. If, however, the non-member retains the deed, the Cemetery Association will make the necessary arrangements for the opening of a lot for purposes of burial when called upon only if the Cemetery Association has received payment of all costs, fees, deposits, and other expenses relating to the burial and the erection of a monument or memorial stone.

Limitations on Memorial Stones and Plantings

9. Henceforth, no shrubs, bushes, or other plants shall be planted on or along a lot or burial plot, except that one bush may be planted on each side of a memorial stone or monument; which bush shall be planted within the area of the lot or burial plot and shall at no time extend beyond the lot or burial plot line and shall at no time be taller than the height of the memorial stone or monument located on the lot or burial plot. All shrubs, bushes, and other plants now existing on the Cemetery and all bushes hereafter planted as hereinabove permitted, shall be properly maintained and trimmed by the person or persons to whom a Certificate is issued or by the family of the deceased buried on the lot, and if such

maintenance and trimming does not occur on a current basis, then such shrubs, bushes, or other plants may be removed by the Board of Directors of the Cemetery Association.

Permission For Burial

10. Before any lot is opened for an intended burial, the Cemetery superintendant, the office of the Cemetery Association, and the President of the Cemetery Association or his /her designee shall be notified by the funeral director or by a member of the immediate family of the death. The President of the Cemetery Association or his/her designee will arrange for the opening of said lot and the lot intended to be opened and used for the burial shall be specifically identified by lot number and letter.

Kosher Caskets, Grave Liners and Memorial Stones Must Be Approved By the Rabbi

11. The following additional Rules and Regulations shall apply to the area of the Cemetery known as the New Cemetery:

- a. The casket may be buried only in a concrete grave liner installed underground.
- b. No monument or memorial stone shall exceed in height, including the base, a total of 36 inches. No such memorial stone or monument shall be erected without the prior authorization of the President of the Cemetery Association or his or her representative.

In addition, all designs and inscriptions on a memorial stone or monument must be approved in writing by the Rabbi of the

Synagogue before such designs and inscriptions are placed upon the memorial stone or monument and shall not include any religious symbol not related to the Jewish faith.

- c. No cradles, whether of stone, concrete, metal, or of any other material, shall be installed around the gravesite or the burial plot of which the lot is a part. However, in certain designated areas of the portions of the Cemetery known as the Middle Cemetery and the Lower Cemetery where cradles already exist, the Cemetery Association may allow an exception to this rule.

Other Requirements

- 12. a. All foundations for monuments or memorial stones are to be poured no higher than one inch (1") below surface level. Foundations shall be the size of the base of the monument or memorial stone, and no larger, and shall be twenty-four inches (24") deep unless otherwise stated by the designated representative of the Cemetery Association. The placement for the forms for pouring the foundation must be determined and approved by the Superintendent of the Cemetery Association. A service fee determined by the Superintendent shall be paid by the vendor providing the memorial stone directly to the Superintendent. Any damage to cemetery grounds or to monuments or memorial stones, including without limitation, tracking wheel marks, must be reported to the Cemetery Association and corrected

within a reasonable length of time at the expense of the party installing the monument or memorial stone.

b. Except as hereinafter provided, the Cemetery is open for work between sunrise and sunset. All work must be completed during this time. The Cemetery is closed after 3:00 p.m. on Fridays, all day on Saturdays and Jewish holidays, and no work may be done during these times.

c. Prior to performing any work within the Cemetery, the monument or memorial stone installer must obtain and deliver to the office of the Cemetery Association satisfactory evidence of the following insurance coverage naming such installer as the insured:

- i. Worker's Compensation
- ii. Employer's Liability insurance in the amount of at least \$500,000.00.
- iii. Proof of automobile liability insurance covering owned, non-owned, borrowed, and hired vehicles, in the amount of at least \$500,000.00 for each occurrence of bodily injury or property damage, plus coverage in the aggregate of not less than \$1,000,000.00 must be presented on request of the Cemetery Association. Such insurance policies shall also name the Cemetery Association as an additional insured and provide that the Cemetery Association shall be notified thirty (30) days in advance before any cancellation or material changes to said insurance.

- d. All monuments or memorial stones set will be level and in a straight line in accordance with the development of the applicable area of the Cemetery. The President of the Cemetery Association or his/her representative will decide if weather conditions have caused the ground to be too wet for the setting of any monument or memorial stone or for travel to the site of the monument or memorial stone placement. Installations must be performed in a manner so as to avoid damage to grass, trees, and shrubs. After installation is completed, all debris must be removed from the surrounding area. All work is subject to the approval of the President of the Cemetery Association or his/her representative, and if unsatisfactory, shall be removed upon his or her direction or corrected to their satisfaction.
- e. Burials take precedence over stone or monument settings.
- f. If a funeral or interment is being conducted nearby, all unrelated work of any description shall cease. All motor or electrical vehicles used for the setting will be removed from the sight of the funeral.

13. Chevra Kadisha services shall be provided for members of the Synagogue at such cost as is established from time to time by the Board of Directors of the Cemetery Association. No body shall be buried on the Cemetery unless prepared for burial by the Chevra Kadisha of the Cemetery Association except where a Certificate of Tahara is furnished to the Cemetery Association prior to burial. This requirement may be waived when (i) the deceased has been transferred from a location outside of Berks

County, Pennsylvania, or (ii) the furnishing of the services of the Chevra Kadisha is waived by the Rabbi of the Synagogue for exceptional reasons. If there is no Rabbi when the above occurrences exist, the decision falls to the President of The Cemetery Association or his or her designee. All burials must be in a “kosher” casket, with no metal parts.

13. All funeral services shall be conducted by the Synagogue’s Rabbi. If the Rabbi is not available he/she may designate a substitute Rabbi to officiate at the funeral service. However, at the deceased family’s request and with the concurrence of the Keshet Zion Rabbi, additional clergy may assist the KZ Rabbi. Only clergy of the Jewish faith may officiate at a funeral or the unveiling of a monument or memorial stone on the Cemetery.

14. Gratuities to the Rabbi for funeral and burial services performed for a member of the Synagogue are not mandatory and are at the discretion of the family of the deceased.

15. All costs, fees, deposits, and other charges provided for in the within Rules and Regulations including, without limitation, those provided for in sections 4, 7, 8 and 12, above, may be changed from time to time by the Board of Directors of the Cemetery Association.

16. Neither the Keshet Zion Synagogue nor the Keshet Zion Cemetery Association will bear any financial responsibility for vandalism or “Acts of

God” to graves, monuments, or memorial stones located on any part of the Cemetery.

17. All payments for perpetual care shall be deposited in the Cemetery Association’s Perpetual Care Fund. Said Fund and the income earned thereon shall be segregated from other funds of the Cemetery Association and shall be used exclusively for the maintenance of and improvements to the Cemetery. Such maintenance and improvements shall include, without limitation (but subject to the provisions of Section 9 above), the mowing of the grounds, the control of weeds and other invasive growing material and insects, the maintenance of all walkways and driveways within and adjacent to the Cemetery and the removal of snow there from, and the preparation of the newest addition to the Cemetery located to the north of the existing New Cemetery.

18. Notwithstanding any provision in the within Rules and Regulations to the contrary, the Board of Directors of the Cemetery Association, by majority vote, may modify or revise the within Rules and Regulations whenever the Board of Directors of the Cemetery Association decides that the particular matter under consideration by the Cemetery Association justifies such modification or revision; provided however that any such modification or revision shall not be a precedent for any future matter that may come before the Cemetery Association unless the Cemetery Association, as then formulated, shall, again by majority vote so determine.

19. Cemetery is closed after sunset. No one is to enter after sunset; in addition no one is to be in the cemetery on the Sabbath or Jewish holidays.

SCHEDULE OF FEES FOR MEMBERS

FEES TO FAMILY OR ESTATE OF THE DECEASED

(as of September 2018 and subject to change)

Chevra Kadisha	\$250.00
Cemetery Lots (inc. Perp Care)	1500.00

Above costs are for members of Keshet Zion and immediate family members (as defined by paragraph 2 of the current revision of the Keshet Zion Cemetery Association Rules and Regulations).

All costs are tripled for individuals who are not members *in good standing* of the Keshet Zion Synagogue as determined by the Keshet Zion Cemetery Association Board of Directors.

NOTE TO FUNERAL HOMES

For funerals which use the Keshet Zion Synagogue's main sanctuary or chapel at the Synagogue's rented facilities there is a fee for use of the facility. This fee is to be paid by the funeral home to the Keshet Zion Synagogue. As of September 30, 2018 the fee is \$250.00 and is subject to change. Contact the synagogue office for the most current fee.