



Oakland Jewish Cemetery
East 17th and Barber Streets
Little Rock, Arkansas

CONGREGATION B'NAI ISRAEL CEMETERY RULES AND REGULATIONS

PREAMBLE

Ground interment is an important part of our Jewish observance, as we are commanded in the Torah: "...return unto the ground...for dust thou are, and unto dust shalt thou return." (*Genesis 3:19*). Jews consider the final resting place to be sacred ground. Care and consideration for our dead are among the holiest of the mitzvot.

HISTORY

The initial area for burials in Oakland Jewish Cemetery was deeded by Ordinance to Congregation B'nai Israel in 1874 by the City of Little Rock. Prior to that time, many Jewish burials were made in the Mount Holly Cemetery, a municipal cemetery. Our first cemetery contained some 4.96 acres of ground. Since its inception, several additions to the original site have been made and the total area now contains some 9.446 acres. Oakland Jewish Cemetery was added to the National Register of Historic Places in 2010.

DEFINITIONS AS USED IN THESE RULES

"Board of Trustees" means the Board of Trustees of Congregation B'nai Israel.

"Caretaker or Custodian" means any person in the employ of Congregation B'nai Israel charged with the responsibility of maintenance and upkeep of the cemetery grounds.

"Cemetery Foundation" means a fund administered by a Board comprised of a minimum of three (3) members, one of whom shall be the Cemetery Committee Chairperson. Board Members shall be appointed by the President of Congregation B'nai Israel.

"Congregation" means Congregation B'nai Israel of Little Rock, Arkansas.

“Deed” means the legal conveyance from Congregation B’nai Israel to the purchaser of a lot or individual plot in the cemetery.

“Plot” means an individual grave space.

“Lot” means a numbered unit of (usually) eight (8) plots or grave spaces. Lots shall measure no less than twenty (20) by twenty (20) feet. Deviance from the total of eight (8) will be determined by the Cemetery Committee and may be based on viability of spaces in a certain area.

“Cemetery Committee” is defined in section VIII of these rules and regulations.

“Map” means the surveyed area of the entire cemetery showing the streets, roads, permanent structures, as well as burial spaces.

“Marker or Monument” means any memorial of stone, bronze or other permanent material used to mark a plot or grave site.

“Mausoleum” means a structure built above ground to contain one or more burial spaces occupying a minimum of eight (8) single gravesite spaces.

“Member” means a member of Congregation B’nai Israel.

GENERAL PROVISIONS

I. Title to Oakland Jewish Cemetery

- A. Legal title and ownership of the cemetery shall be in the name of Congregation B’nai Israel.
- B. The Board of Trustees shall have the authority to regulate the use of the cemetery, subject only to these Rules, and as the Rules may be amended from time to time.
- C. The issuance of Deeds to Lots and Plots in the cemetery shall be restricted to members of Congregation B’nai Israel, except as otherwise provided in policies established by the Board of Trustees.
- D. Burial rights in the Cemetery shall be restricted to members, except as hereinafter provided. (See Article II, Section 3 of the Constitution of Congregation B’nai Israel.)
- E. Ownership, fiscal management, and management of the Cemetery are delineated in Article VI, Sections 1, 2, and 3 of the By-Laws of Congregation B’nai Israel.
- F. Visiting hours for Oakland Jewish Cemetery shall be 8:00 am to 5:30 pm daily.

II. Previous Rights

All rights heretofore granted to Members holding burial rights at the time of the adoption by the Board of Trustees of these Rules and rights acquired under these Rules, shall be preserved subject only to the regulatory provisions hereinafter set forth which pertain to the continuance, maintenance, and operation of Oakland Jewish Cemetery.

III. Rights of Burial

The rights of burial in Oakland Jewish Cemetery in any lot or plot sold to a Member shall be limited to the Member their immediate family members, their descendants, and the spouses of their immediate family members and descendants. Except as otherwise determined by the President of the congregation, a member's financial obligations to the congregation must be current at the time of burial.

IV. Purchase of Lots and Plots

Lots and plots purchased in Oakland Jewish Cemetery are conveyed by Deed and are secured to the purchasers, their families, and their heirs as a burial place in perpetuity.

A new Deed shall not be issued to replace a Deed which is lost or destroyed. A certificate setting out the recorded ownership will be issued upon request.

The grade of all Lots is established when the ground is prepared for sale and no changes will be permitted.

Lots or Plots will not be reserved or held for anyone unless payment in full accompanies request for same, unless other arrangements are made and approved by the Board of Trustees.

V. Transfer of Plots

Plot owners are expressly prohibited from selling or transferring their plots without first obtaining the consent of the Board of Trustees thereto in writing. All applications to sell or transfer plots must be accompanied by evidence to show good and sufficient cause for making such transfer or sale.

Where a burial has been made in a plot, the Board of Trustees hold it has thereby become sacred ground and, as the guardians of the dead, they must refuse the sale or transfer of such plots. The removal of a body will not be permitted except by court order.

VI. Interments

All graves shall be opened and closed under the direction of the Family Assistance Chairperson (see Section VIII of these Rules and Regulations) and shall not be less than four and one-half feet (4.5') in depth. All graves shall be sodded level with the lot.

No special sodding, grasses, ivy, or ground cover will be permitted on any grave site.

No more than one body may be interred in any one plot. However, the cremated remains of one person may be interred in a plot where a body is buried. If only cremains are to be interred in a plot, the cremated remains of no more than two persons may be interred in any one plot.

VII. Disinterment

No body may be disinterred from any plot in the cemetery without an Order of the Court having jurisdiction in the matter. In addition, permission must be secured from the Board of Trustees of Congregation B'nai Israel.

VIII. Cemetery Committee

A Cemetery Committee shall be appointed by the President of the Congregation B'nai Israel Board of Trustees to conduct, with the advice of the Rabbi of the congregation, the operation of the cemetery. A chairperson, together with a minimum of two (2) additional members shall constitute the Cemetery Committee. The chairperson or their designee will assist families with all aspects of burial, including plot/lot purchases, temporary markers, coordination with the Rabbi of the congregation, opening/closing graves, and coordination with the funeral home. The chairperson or their designee will also work in conjunction with Temple office personnel on the sale of plots/lots and issuance of deeds. The chairperson or their designee will ensure that the grounds are well-maintained by the lawn care company, that debris and dead trees/plants are removed, will arrange for cleaning and repair of monuments as necessary and will approve any purchases necessary for cemetery upkeep.

The committee chairperson shall provide and maintain up-to-date maps and all pertinent information about fees, charges, and other miscellaneous expenses of the cemetery to the Temple Office and each of the committee members. The Temple Office will disseminate this information to funeral home directors as necessary. The Cemetery Committee will oversee and manage physical and digital mapping systems, cemetery website, internet content, including but not limited to documents and photos, in conjunction with Temple staff.

The duties of the Cemetery Committee shall be to supervise the operations and maintenance of Oakland Jewish Cemetery including family assistance, grounds upkeep, repairs and adherence to these Rules and Regulations. The Chair shall ensure that at least one person is always available for cemetery duties.

Upon receipt of notification of a death, the designated committee member shall make information available pertaining to burial in Oakland Jewish Cemetery. If necessary, they will assist in the selection of a site and help coordinate funeral plans. In all such cases this service to bereaved congregants will be conducted in a business-like manner, but with understanding, kindness, and sympathy.

The committee members shall also assure the upkeep of a complete and adequate record keeping system. All plot/lot sales and burial information will be reported to the Temple office staff for permanent record-keeping. Deeds will be issued by a member of the Temple's office staff.

IX. Markers and Monuments

All materials for markers, edging, stones, walls, and other masonry work shall be of the best quality granite or equally acceptable weathering material. All such materials shall be carefully placed with suitable bases to prevent shifting, tilting or settlement.

Each burial site shall be clearly marked with either a headstone or footstone or family marker. If more than thirteen months have passed since interment, and no permanent marker has been placed, the Cemetery Committee Chair shall contact the responsible family member, executor, or trustee to convey the requirement that a permanent marker be placed. In the event that no responsible party can be located, or the responsible party declines to place a marker or an adequate explanation, the Cemetery Committee may consider placing a modest marker at the expense of the Cemetery Foundation. The erection of monuments and inscriptions thereon shall be in conformity with Jewish law and practice. Plans for monuments measuring taller than thirty-six (36) inches and/or wider than thirty-six (36) inches must be submitted to the Cemetery Committee for approval prior to installation. Temporary markers will be installed at the time of burial and will remain until the unveiling.

X. Landscaping

Any additional planting must be approved by the Cemetery Committee chairperson. Use of outside contractors for lot or plot maintenance must be approved by the Cemetery Committee chairperson. Landscaping shall be an ongoing obligation of the

cemetery with the right of removal of any trees or shrubs to conform to good landscaping practices.

XI. Responsibility of Funeral Homes

It shall be the responsibility of each funeral home conducting a funeral in Oakland Jewish Cemetery to provide for traffic control outside the cemetery, as well as orderly parking within the cemetery. Care shall be taken to ensure the minimum damage to the grass, shrubs or planted areas. It shall be the responsibility of the funeral home to provide all canopies, tents, and seating for the conduct of services when desired by the bereaved.

XII. Indigent Burials

At times, due to the generosity of some families, burial plots may become available for deceased indigent Jews. The Rabbi, and in the Rabbi's absence, the Cemetery Committee chairperson, shall initiate the request for indigent burial, and the Cemetery Committee chairperson shall handle the selection of plots, as well as all other details concerning the interment.

When possible, expenses for opening and closing of the grave, funeral home services, and permanent marker shall be borne by local or state welfare agencies. If not possible, provisions for payment of expenses shall be determined by the President of the congregation in consultation with the Rabbi and Cemetery Committee chairperson.

XIII. Cemetery Foundation

A special Cemetery Foundation has been created to provide operating funds for the cemetery from interest received from investments and donations. The income so received shall be used to provide perpetual care for all the graves, landscaped areas and roads within the cemetery, and future development as deemed necessary by the Cemetery Committee and approved by the Board of Trustees. Contributions to this Fund are voluntary but may be solicited from all members of Congregation B'nai Israel.

XIV. Fee Schedule

All fees, as well as prices of plots, shall be set by the Board of Trustees of Congregation B'nai Israel upon recommendation of the Cemetery Committee. A fee shall be charged for opening and closing graves during weekdays. In the event a Sunday or holiday burial is requested, an extra fee may be charged.

Current fees are attached in Addendum I. Anyone who is not a current member of Congregation B'nai Israel at the time of burial must pay the non-member fees even if they were a member when purchasing their lot/plot or if they have relatives who are current members of the congregation.

XV. Rules Construction

The Board of Trustees' decision as to the meaning or construction of any of these Rules shall be controlling. Should any condition or situation arise not covered by these Rules, the matter shall be resolved by the Cemetery Committee, subject to review by the Board of Trustees.

These Rules and Regulations may be supplemented, revised, altered, and amended at any time by the Trustees of Congregation B'nai Israel.