

**MONUMENT RULES AND REGULATIONS  
OF  
BARON HIRSCH CEMETERY ASSOCIATION, INC.**

1. No orders will be accepted for the construction of foundations in any grave or plot where there are unpaid charges due to the Cemetery. All work ordered to be done by the Cemetery must be paid in advance.

Foundations will be poured approximately 10 months after the interment has taken place. Inclement weather will delay all foundation work and may likely preempt any scheduled pouring. Unveiling dates are not to be scheduled until the cemetery informs the dealer that the foundation has been poured and ready to receive stone.

2. Before commencing any work, all monument contractors shall first submit to the Cemetery a written order for Cemetery approval containing complete details of the type of work to be done, and including, but not limited to, a sketch of the monument to be erected together with the inscriptions including the name of the deceased and the lot owner; the width, thickness and height of the base; the width, thickness and height of the die; the type, finish and color of the base and die; the name and address of the purchaser.

Each order must be accompanied by a permit signed by the grave or plot owner and/or the lawfully required heirs or representatives of the deceased grave or plot owner or, if the owner is a society or other organization, the permit must be signed by the authorized officers and bear the seal of the organization.

There shall be no matching or duplicating of old or existing family monuments permitted on Cemetery grounds that do not comply with the current rules, regulations, measurements, and standards of the Cemetery.

The Cemetery shall have the right to rely on the truth of all statements contained in such submissions and upon the genuineness of all signatures and the authority of the

persons signing such documents. The Cemetery may request such additional information as it deems pertinent.

3. The Cemetery will process a foundation order only after full payment has been received and will reject any work that does not meet with its rules and regulations or differs from the dimensions and descriptions given in the order.
4. The Cemetery's Superintendent or his/her designee shall determine whether or not a setting or monument will be permitted during inclement weather.
5. All foundation work, including excavations shall be done by the Cemetery under supervision of the Cemetery's management.
6. The Cemetery reserves the right to prevent the erection of or to remove, in accordance with applicable law, any monument or structure which has not received the Cemetery's approval prior to the erection, and which is not in accordance with the rules and regulations of the Cemetery, or which may be considered by the Cemetery to be detrimental to the Cemetery, its employees, visitors or lot owners.
7. The Cemetery will only permit first grade clean stones for monument purposes and the monument dealer must guarantee that such stone is free from sap or anything that will cause rust stains, that it will not crack or pit, stain or discolor and must agree that any such fault developing within five years from the date of setting the memorial will be replaced without any charge to either the lot or grave owner or the Cemetery, regardless of the manner of manufacture, treatment, setting or handling.
8. All work shall be performed in a first-class workman-like manner.
9. All foundations must be ordered to the full size of the monument.

10. Concrete or cement beds will be permitted only in accordance with the terms of the prevailing statute. Beds must be of one-piece full or open-type construction and must be no wider than the width of the grave.

Beds and ledger size shall not exceed sixty inches (5 feet) overall. This means if a die is placed on a ledger, it may be no larger than 60 inches and if a base, die and bed/ledger combination is used, the base, die and bed/ledger combination may be no larger than 60 inches in total. Where beds and ledgers are being added to an existing grave, they may be no larger than 48 inches (4 feet) overall.

Any replacement of existing beds or ledgers that have been damaged or broken must comply with these size requirements regardless of its previous size.

All graves with beds/ledgers must be placed under Endowment Care before commencing foundation work.

Endowment care service is the cleaning, weeding, and trimming of the grave. It does not include repairs to monuments or bases. It does not include planting or pebble work; these are additional charges and will require endowment care services if implemented. *Endowment shall care for such grave or graves to the extent that the income derived from such amount will permit, as provided in Section 1501 et seq. of the Not-For-Profit Corporation Law.*

Where beds are permitted, they must be restricted to the confines of the grave.

The Cemetery reserves the right to remove and dispose of any bed, which has broken or fallen into disrepair at the family/owner's expense. The Cemetery will provide due diligence in its attempt to contact the family/owner and provide statutory notice, where possible, before said removal. Families/owners have the right to have any and all repairs performed through licensed monument companies that they have contracted with at their own expense provide that they provide the Cemetery with a

work order for the road fee and that they fully comply with the insurance and indemnification requirements of the Cemetery the information for which is available from the office of the Cemetery.

The cemetery shall not be liable for damages, loss or destruction of any structure or embellishment, including, but not limited to, marble, granite or concrete work on any lot, grave or crypt from causes beyond reasonable control, including but not limited to elements, ACTS OF GOD, the common enemy, thieves, vandals, trespassers, strikes, malicious mischief, war, riots or by the order of any military or civil authority.

In the event of any such damage or destruction, or if the owner fails to replace, repair, reset or reconstruct the same within the period specified by statute, the cemetery may at any time act in accordance with and as provided by statute. However, the Cemetery shall have no obligation to do so.

11. No monument will be permitted to be set on a foundation until notice is given by the Cemetery that the foundation is completed.
12. Monuments shall be constructed of granite only.
13. All refuse, boxes, rubbish, or surplus material must be immediately removed from the Cemetery at the end of each workday.
14. Trucks loading or unloading are prohibited from leaving the road. Prior to setting a monument, monument setters must first stop at the Cemetery office for processing.
15. The Cemetery reserves the right to limit the size and type of any monument or footstone.

16. Sandblasters, stone setters, tree services and all contracted workers MUST check in with the office of the Cemetery, in person, upon arrival at the grounds of the Cemetery. All contractors and workers MUST complete and comply with the Cemetery's insurance and indemnification requirements and be kept on file with the Cemetery prior to the commencement of any work on Cemetery grounds.
17. Endowment care must be placed on open or closed beds, or ledgers, before a foundation order will be accepted.

Where endowment care is to be provided where a double stone has been erected, both graves must be placed under endowment care and landscaping on both graves must be pre-paid whether or not two interments have been made.

Where a triple stone has been erected, all three graves must be placed under endowment care and landscaping on the three graves must be prepaid whether or not three interments have been made.

#### Private Mausoleums

18. No plans for the construction of a mausoleum or sarcophagus will be approved until a sum sufficient to provide perpetual (Endowed) care of both the building and surrounding plot has been deposited into the appropriate Cemetery fund. The amount necessary shall be determined by the Cemetery taking into consideration the size specifications of the building and size and type of landscaping of the surrounding plot.
19. Immediately upon completion of any mausoleum, one key to the door lock must be deposited in the office of the Cemetery to remain in the permanent custody of the Cemetery.

## Amendment and waiver of Rules and Regulations

The rules and regulations of the Cemetery may be revised, amended, modified supplemented or repealed at any time and from time to time in whole or in part by the board of directors of the Cemetery, subject to the approval of the Cemetery Board of the State of New York. The Cemetery's management or its board of directors shall have the right to waive all or any part of its rules and regulations in specific instances without affecting their validity or enforceability in other or future instances. The interpretation of these rules and regulations by the Cemetery's management shall be final and not subject to dispute.

# MONUMENT RULES AND REGULATIONS

OF

**Baron Hirsch Cemetery Association, Inc.**

(as amended November 11, 2021)