

Sons of Jacob Congregation

INCORPORATED

OF

BELLEVILLE, TRENTON AND PICTON

== **CONSTITUTION** ==

SONS OF JACOB CONGREGATION, INCORPORATED
OF BELLEVILLE, TRENTON, AND PICTON

CONSTITUTION

BY-LAW NUMBER ONE

I

ORGANIZATION

1. The Congregation shall be known and designated THE SONS OF JACOB CONGREGATION, INCORPORATED, of BELLEVILLE, TRENTON, and PICTON, and shall consist of such persons of the Hebrew faith as shall be accepted for membership by the Congregation in accordance with the regulations hereinafter stated.

II

RITUAL

2. The services shall be conducted in conformity with the ritual of Conservative and/or Orthodox Judaism, and no change shall be made in such ritual or in the mode of worship unless sanctioned by four-fifths of the members present at a meeting of the Congregation, written notice of such meeting shall have been given, and such notice shall specify the proposed change.

III

MEMBERSHIP

3. The unit of membership in the Congregation shall be the family, and each unit membership shall be entitled to a single vote. For the purpose of this article, the "family" shall consist of husband and/or wife and unmarried dependent children; or bachelors; or spinsters.
4. Full membership, as herein defined, shall be any member, duly accepted by the Congregation, who is not in arrears with respect to payment of his subscription (as defined in paragraph 13), and who is, if not married, at least twenty-one (21) years of age.

5. A full member shall be entitled to all the privileges of membership including the following:
 - (a) The right to vote as set out in paragraph #3 above.
 - (b) Full cemetery privileges, including one free plot on the Congregation line.
 - (c) Attendance at all religious services.
 - (d) The right to hold office on the Executive Board.
 - (e) The right of female members to hold office on the Executive Board.
 - (f) The right to the use of the Synagogue premises for personal functions upon payment of a fee for janitorial services, such fee to be determined by the Executive Board.
 - (g) The right to enroll all children in the Congregation Talmud Torah at no extra charge.

IV

SUBSCRIPTIONS

6. A member shall pay such annual subscription as may be set by the Executive Board, the amount so set being subject to appeal by any member. Such appeal shall be made in person only, except in cases of illness, and shall be heard by the Executive Board by appointment, and the Executive Board shall have the final authority in all cases of appeal. No appeal shall be considered after thirty (30) days following the notification of the member's subscription.
7. Subscriptions shall be levied on a per annum basis; and each member shall be responsible for the total per annum levy, notwithstanding his or her departure from the Congregation during the year for any reason whatsoever. Membership levies or subscriptions are due and payable for the year on the first day of June in each year, but may be paid in four equal installments on the first days of June, September, December, and March of each year.
8. If any member be expelled for just cause or voluntarily resign, he may upon re-instatement at the discretion of the Executive Board, be assessed a penalty in addition to such annual assessment as may be set by the Executive Board.
9. A resident of the Communities served by the Congregation who is of the Hebrew faith and is not a member of the Congregation shall not be permitted entry to the Synagogue for High Holiday Services under any circumstances.

10. A non-resident, non-member may be admitted to the High Holiday Services in the Synagogue upon payment of a fee to be determined by the Executive Board.

V

EXECUTIVE BOARD

11. The affairs of the Congregation shall be managed by an Executive Board who may exercise all such powers of the Congregation as are not, by the by-laws of the Congregation, required to be exercised by the members in general meeting and, without limiting the generality of the foregoing, the Executive Board shall have the power to:
- (a) Determine and fix all subscriptions, dues and assessments for membership in the Congregation; shall determine subscriptions for memorials; shall settle, waive, compromise or remit the whole or any portion of such subscriptions, dues, assessments, payments or donations as may be determined at any meeting of the Board.
 - (b) Engage or discharge employees, and fix their duties and compensation, with the exception of the Spiritual Head of the Congregation.
 - (c) Remove any Executive officer from his office, or any member of the Congregation from the nominal roll, for cause, provided only that a decision for removal shall be reached by two-thirds (2/3) of the Executive Board. The officer or member so removed shall have the right to appeal, through the President, to the General Body.
 - (d) Fill, by appointment, any vacancy occurring on the Board, until the next general election.
12. The Executive Board shall consist of the officers of the Congregation, namely, the President, the Vice-President, the Immediate Past President, the Treasurer, the Secretary, and the following Chairmen of Standing Committees: Cemetery, Education, Charity Fund, House and Building, Religious Affairs, Program, Congress and Zionist Affairs.
13. Eight (8) members of the Executive Board shall constitute a quorum for meetings of the Board.
14. The Executive Board may meet for the conduct of their business, adjourn, and otherwise regulate their meetings as they see fit.

15. The President, or in his absence, the Vice-President, may, at any time, summon a meeting of the Board; or a meeting of the Board may be demanded of the President at any time by six members of the Board, such demand to be made in writing, and the President shall then be obligated to call a meeting of the Executive Board within fourteen (14) days of the demand.
16. The Executive Board, by resolution entered into the minutes, may delegate any of their powers to Committees consisting of such person or persons as they see fit, but the Chairman of any such Committee shall be a member of the Executive Board, and, a Committee so formed shall, in the exercise of their powers so delegated, conform to any regulations that may be imposed upon them by the Executive Board.
17. The Executive Board is empowered to pass a resolution or resolutions authorizing the Congregation to borrow money from time to time and on such security as shall be therein specified and on such terms as shall therein be specified, and to do all such acts and things necessary for that purpose.
18. Officers and members of the Executive Board shall retain office for one year, or until their successors are elected, with the single exception of the Chairman of the Cemetery Committee, whose term of office shall be three (3) years.
19. All Officers and members of the Executive Board shall be elected by ballot at the Annual Meeting of the Congregation, or, alternatively, an election of Officers shall be carried out by submission of a slate provided by a nominating committee and accepted by a majority vote at the Annual Meeting. The nominating committee shall consist of three (3) members; a Past-President, a member of the Executive Board, and a member from the General Body. The Chairman of the nominating committee shall be a Past-President.
20. In the event of a submission of a slate of Officers by a nominating committee, the Officer presiding at the Annual election of Officers shall accept any additional nominations for any office that may be forthcoming from the General Body.
21. No member and his or her spouse may serve simultaneously on the Executive Board.

DUTIES OF OFFICERS

22. The President shall:

- (a) Preside at all meetings of the Congregation and the Executive Board.
- (b) Sign all cheques and orders for payment in the absence of the Treasurer.
- (c) Have superintendence over the officials of the Congregation and he shall see that they faithfully discharge their duties.
- (d) Decide all questions of order, subject to appeal by any member to the Executive Board.
- (e) Appoint such Committees as shall from time to time be required, except as otherwise provided.
- (f) Be an ex-officio member of all Committees.
- (g) Present a written report to the Congregation at its Annual meeting on the status of the affairs of the Congregation.

23. The Vice-President shall, in the absence of the President, assume and perform all duties pertaining to the office of President. In addition, he shall be the Chairman of Good and Welfare and membership.

24. The Treasurer shall:

- (a) Keep a record of all members and the rates of their subscriptions, and likewise keep a cash book and ledger duly containing an account of each member's contributions and/or indebtedness to the Congregation.
- (b) Keep a correct account of all receipts and disbursements and present a written and audited report of the state of the finances of the Congregation to the Annual (Election) Meeting. Auditors shall be appointed annually by the Executive Board.
- (c) Make an interim financial report to each general and Executive meeting of the Congregation.
- (d) Receive and take charge of all monies belonging to the Congregation and give receipts therefor when necessary, and all monies so received shall be deposited in the name of the Congregation in such bank or banks as the Executive Board may direct.
- (e) At the expiration of his term of office, deliver to his successor, when duly qualified, all money and other properties in his custody and books or documents pertaining to his office which may be in his possession.

- (f) Shall make available upon request by any member in good standing, any information with regard to any financial transactions of the Congregation, with the exception of special personal arrangements regarding subscriptions made in camera between a member and the Executive Board.

25. The Secretary shall:

- (a) Summon the members to all meetings whenever directed to do so according to the by-laws.
- (b) Attend all meetings, read the minutes, reports and communications, and keep accurate minutes of all proceedings at all such meetings.
- (c) Have his books and correspondence at the disposal of the President, Vice-President, Treasurer and/or Executive Board, whenever requested.
- (d) Perform such other duties as the office demands.
- (e) Be the custodian of all valuable documents and records of the Congregation, and deliver them, together with all books and records pertaining to his office, to his successor, when duly qualified. All valuable documents, etc., not in daily use, shall be kept in the safe on the Synagogue premises.

VII

MEETINGS

- 26. The Annual (Election) Meeting of the Congregation shall be held in each year and at such time and day of the month of June as shall be designated by the Executive Board, and at which meeting the election of officers shall take place.
- 27. In addition to an Annual Meeting, at least four (4) general meetings of the Congregation shall be held in each year, one meeting in each quarter-year, if possible.
- 28. Notice of any General or Annual Meeting shall be mailed to each member of the Congregation, not less than seven days before the meeting is to take place. Such notice shall be construed to have been given on being mailed to the last known address of the member as it appears on the records of the Congregation, by first class mail. Responsibility for recording changes of address rests with the individual member.
- 29. Thirty (30) per cent of the full membership on the Congregation roll shall constitute a quorum for any meeting of the Congregation.

VIII

SIGNING POWERS

30. The President or Vice-President, and the Secretary, or such persons as may be authorized by resolution of the Executive Board from time to time, shall have the power to sign deeds, contracts and agreements on behalf of the Congregation and to sign all documents required to be signed by the Congregation from time to time.

IX

SPIRITUAL LEADER

31. (a) A Spiritual Leader and/or Teacher shall be engaged or discharged only at a general meeting of the Congregation, or at a special meeting called for such purpose. Resignation, either verbal or written, of a Spiritual Leader and/or Teacher shall be accepted only at a general meeting of the Congregation or at a special meeting called for that purpose.
(b) All religious Services in the Sons of Jacob Synagogue shall be under the direction of the incumbent Spiritual Leader.
32. A majority vote of those present shall be required to engage a Spiritual Leader and/or Teacher for such salary and for such period of time and upon such terms as may be determined by the Congregation at the meeting.
33. The Spiritual Leader and/or Teacher shall perform all duties incumbent upon him in accordance with his office and the traditions of the Congregation.

X

COMMITTEES

34. There shall be the following standing Committees:
- (a) A Cemetery Committee whose duty it shall be to administer the Congregational Cemetery in accordance with the articles of By-Law number two (2) entitled "Rules and Regulations Governing the Operation of the Cemetery".
- (b) An Education Committee whose duty it shall be to administer the Hebrew School (Talmud Torah) of the Congregation, and, with the sanction of the Executive Board, to make all regulations necessary for the adoption of courses of study, etc. This Chairman shall act as liason between the Spiritual Leader and/or Teacher and the Executive Board in all matters of education.

- (c) A House and Building Committee, whose duty it shall be to administer the material requirements of the Synagogue, maintaining that building in good condition and taking such steps as may be necessary for the decorating, repairing, etc. Any matter of maintenance or repair, etc., requiring an expenditure of more than fifty dollars (\$50.00), must have prior authorization by the Executive Board.
 - (d) A Charity Fund Committee, whose duty it shall be to administer and dispense the sums of money allotted annually to charities.
 - (e) A Religious Affairs Committee, whose duty it shall be to maintain order and decorum during services, to carry out the Ritual in conjunction with the Spiritual Leader during all services and in general to carry out such functions as may be connected directly with Religious affairs of the Congregation. The Chairman of this Committee shall act as liason between the Spiritual Leader and the Executive Board in all matters of Religious Affairs.
 - (f) A Congress and Zionist Affairs Committee, whose duty it shall be to act as liason between the Canadian Jewish Congress and the Zionist Organization of Canada, and the Executive Board of the Congregation.
 - (g) A Program Committee, whose duty it shall be to provide and initiate programs of a cultural and entertaining nature for the Congregation at more or less regular intervals.
35. Such other Committees as shall from time to time be required and deemed advisable by the Executive Board, and by them appointed.

XI

BURIAL

36. Every member of the Congregation in good standing shall be entitled to purchase plots for burial purposes at such prices and upon such terms as prescribed by By-Law #2 of the Cemetery, following.
37. Every member of the Congregation in good standing shall be entitled to the privilege of free Chevra Kadisha services if supplied by the members of this Congregation, and burial in the Congregational Line of the Cemetery, as hereinunder stated in By-Law #2.

XII

ARREARS

38. Any member of the Congregation who is in arrears of assessment or subscription payments for six months or more shall be considered to be

NOT in good standing and his rights and privileges may be made forfeit by the Executive Board at a duly convened meeting; but there may be relief from such forfeiture upon a resolution to that effect passed by a majority vote of the Executive Board.

39. A member of the Congregation in arrears of his assessment or subscription for more than twelve months may be suspended upon a resolution to that effect passed by a majority vote of the Executive Board, and in the event of such suspension, the rights and privileges enjoyed by such member shall thereupon cease. Relief against such suspension may be given by the Executive Board on such terms as the said Executive Board shall deem advisable from time to time.

XIII

AMENDMENTS TO THE CONSTITUTION

40. The By-laws of the Congregation other than the articles of By-Law #2 governing the operation of the cemetery, shall not be altered or amended except as herein provided, unless a two-thirds majority vote of the members of the Congregation present at an Annual, General or Special Meeting, and after notice of motion in writing has been given at least one week before the date of the meeting and a copy of such Notice of Motion shall be inserted in the notice for the Meeting at which such Motion is to be voted upon.
41. This By-law shall come into effect on the 20th day of June, 1972, which date shall be known as the effective date thereof.

SONS OF JACOB CONGREGATION, INCORPORATED

BY-LAW NUMBER 2

RULES AND REGULATIONS GOVERNING THE OPERATION OF THE CEMETERY)

ORGANIZATION

1. The Cemetery shall be known as the Sons of Jacob Memorial Park.
2. The property consists of all and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sidney in the County of Hastings and being composed of a part of Lot 18 in the First Concession of the said Township containing an area of four acres, be the same more or less, and which said parcel or tract of land may be more particularly described as follows: Commencing at a point in the western limit of said Lot 18 where it is intersected by the northern limit of King's Highway No. 2 as widened to a width of eighty-six (86') feet; thence northerly along the said westerly limit of Lot 18 a distance of six hundred and sixty-eight (668') feet to a point; thence easterly at right angles to the said westerly limit of Lot 18 two hundred and fifty (250') feet to a point; thence southerly parallel to the said western limit of Lot 18 to the said northern limit of King's Highway No. 2; thence westerly along the last mentioned limit to the place of beginning.
3. The Cemetery is owned and operated by the Sons of Jacob Congregation, Incorporated of Belleville, Ontario, and shall be managed by a Cemetery Committee consisting of not less than three (3) members of the Congregation. The Chairman of the Cemetery Committee shall be elected by the General Body at an Annual Meeting and for a term of three (3) years. The remaining two (2) members of the Cemetery Committee shall be appointed by the Chairman and for the same term of office. One of the appointed shall serve as Secretary-Treasurer.
4. The Sons of Jacob Memorial Park shall be operated in accordance with the Hebrew Faith, as practiced by the Sons of Jacob Congregation.
5. The Secretary of the Cemetery Committee shall be responsible for maintaining proper records of all sales and plots, burials and/or any other transactions or information pertaining to the operation of the Cemetery.
6. The By-Law Number 2 by which the Cemetery shall be operated, except such provisions as may be included in the Constitution and By-Laws of the Congregation, shall be subject to revision or amendment only by the Executive Board of the Congregation. In order to alter, revise or amend

articles of By-Law #8, a two-thirds majority shall be required of the members of the Executive Board present at a meeting called on proper notice of not less than three (3) days, in which notice shall be stated the intention to alter, revise or amend any article or articles of By-Law #2.

7. (a) All monies received on behalf of the Sons of Jacob Memorial Park shall be deposited in a separate account from the general account of the Congregation, having set aside the required percentage for perpetual maintenance as set forth in the Provincial Government Regulations covering the operation of a Cemetery.
(b) All payments made for any purpose from the Memorial Park account shall be approved by the Cemetery Committee and the cheques signed by any one member of the Cemetery Committee.
8. The Cemetery Committee shall deliver a report at each regular meeting of the Executive Board and shall render an Annual report to the Annual Meeting of the Congregation.
9. The Cemetery Committee shall engage a superintendent and such additional personal as it shall deem necessary for the proper operation and maintenance of the Cemetery, and shall fix the remuneration for the said superintendent and/or such personal as may be engaged, subject, however, to the approval of the Executive Board.

PERPETUAL MAINTENANCE

10. The Congregation, through its Cemetery Committee, shall undertake to exercise every reasonable precaution, and endeavour to perpetually maintain the Sons of Jacob Memorial Park at a reasonably high standard of preservation. Should any monument become unsightly, dilapidated or dangerous, the Cemetery Committee may, after due notification to the plot owner, remove or repair same as they deem best, and shall charge the cost to the plot owner who is obligated to pay this charge, which charge in the case of members, shall be added to his or her subscription for the year in which the charge was incurred.
11. A sinking fund shall be established for the permanent maintenance of the Cemetery. The Executive shall, from time to time, and pursuant to Government regulations, determine the percentage or portion of the receipts from the sale of plots that shall be apportioned to the sinking fund. This percentage shall apply on every burial plot sold in the Cemetery, and, once determined, the said percentage shall not be altered in the following twelve month period.

12. The price of plots in the Sons of Jacob Memorial Park shall be fixed by the Cemetery Committee, subject to the approval of the Executive Board of the Congregation, and may be altered, revised or amended only on a two-thirds majority vote of the members of the Executive Board at a meeting called for that express purpose.
13. Any additional regulations governing the sale of Cemetery plots shall be made by the Cemetery Committee and approved by the Executive Board.
14. Application for the purchase or reservation of plots shall be made or transmitted to the Cemetery Committee.
15. Plans showing plot locations with the prices plainly marked shall be available at all times to prospective plot purchasers.
16. (a) The prices for burial plots in the Sons of Jacob Memorial Park shall, as of the effective date of these by-laws, be as follows:

Single Grave Plot	--	\$ 250.00
Two Grave Plot	--	375.00
Four Grave Plot	--	625.00
Eight Grave Plot	--	1,000.00

The above prices pertain to plots within the raised mound section of the Cemetery.

- (b) Plots on Congregation Line First one free, subsequent ones at a price to be determined by the Cemetery Committee.
17. Plots may be reserved by members upon application to and at the discretion of the Cemetery Committee, the amount of deposit for reservation to be determined by the Cemetery Committee and to be paid at the time the reservation is made.

PLOT OWNERSHIP

18. Certificates of ownership shall contain the provision that plots are sold and held subject to such rules and regulations as may be adopted from time to time by the Executive Board of the Congregation.
19. (a) Cemetery plots shall become the property of the purchaser only when payment shall have been made in full for the said plot, including the payment of any outstanding notes or securities. In the event of a plot purchaser desiring to surrender his reservation, he shall apply to the Cemetery Committee, and the terms of the surrender shall be arranged as the Cemetery Committee deems best in each case.
- (b) No plot may be transferred or sold except to the Congregation.

20. The surrender of membership in the Sons of Jacob Congregation shall not constitute or necessitate the withdrawal of a plot purchased in the Sons of Jacob Memorial Park, provided the person surrendering his membership in the Congregation is not indebted to the Congregation.
21. Interment in a family plot shall be restricted to the immediate family of the original purchaser. For the purpose of this provision the "immediate family" shall be understood to include grandparents, parents, sons, daughters, brothers, sisters, grandchildren and the respective spouses of the aforementioned.
22. No grave shall be prepared for burial until the plot shall have been paid for in full, and then only under the supervision of the Cemetery Committee. Charges involved in preparing a grave for burial are the responsibility of the plot owner.
23. Upon the death of a plot owner who has paid in full for a family plot, his or her heirs or next-of-kin shall surrender the original certificate of ownership and a new certificate shall be issued in the name of the new owner, provided that the applicant for the new certificate of ownership shall, if so required, provide satisfactory proof to the Cemetery Committee that he or she is the legal heir or next-of-kin of the original plot owner.
24. A plot owner may apply to the Cemetery Committee for permission to change the location of his or her plot, provided that no grave in the said plot has been used, and after such permission is granted, the said plot owner shall pay any difference in price between the first plot owned by him and the new plot for which the exchange has been made. A new certificate of ownership shall be issued to replace the former certificate for the surrender of the plot.

CARE OF PLOTS

25. Arrangements for the planting of flowers or greens over the individual graves or in the family plots shall be made first with the Cemetery Committee. The Cemetery Committee will carry out whatever arrangements are made with the plot owner, and the cost thereof shall be the responsibility of the plot owner and paid by him or her.
26. No plot or grave shall be enclosed by fence, railing, hedge, curb or enclosure of any description.
27. No monument or grave marker shall be erected on any plot until that plot has been fully paid for.

28. No flowers or plants shall be removed from the Cemetery grounds without the permission of the Cemetery Committee.
29. The Cemetery Committee shall have removed all wreaths, emblems, flowers, receptacles, plants, etc. placed on graves or plots, when such decorations shall have become faded or unsightly.
30. No trees or shrubbery shall be planted on any grave or family plot without the permission of the Cemetery Committee; should such permission be granted, the work shall be done by the superintendent under the supervision of the Cemetery Committee or directly under the orders of the superintendent and the Cemetery Committee.
31. No signs of any description shall be permitted in the Cemetery except those entrance, exit, or directional signs that the Cemetery Committee shall deem necessary.

GENERAL REGULATIONS

32. The Chairman or the Secretary of the Cemetery Committee shall issue all permits for burials.
33. All funeral processions within the Cemetery grounds shall be under the control and direction of the Cemetery Committee.
34. Drivers of vehicles shall not run off the driveways or otherwise mar or injure the Cemetery premises. In the event of such injury to the premises, reparation must be made by the owner of the offending vehicle.
35. There shall be no greater number of interments in any plot than that specified at the time the plot is purchased.
36. All grave monuments shall be of uniform dimensions as set by the Cemetery Committee.
37. Every grave shall have a monument approved by the Cemetery Committee.
38. All questions that may arise in connection with the operation of the Cemetery and not covered by these rules and regulations shall be submitted through the Cemetery Committee to the Executive Board for their consideration.
39. The paths adjacent to the burial plots shall at all times be under the control of the Cemetery Committee.

40. All monuments shall be set at the head of the grave or plot.
41. All caskets used for interments in the Sons of Jacob Memorial Park shall be limited to a style and design conforming to the Hebrew Faith and designated by the Cemetery Committee.
42. All Funeral and Interment services shall be under the direction of the incumbent Spiritual Leader of the Sons of Jacob Congregation.

CONSTRUCTION WORK

43. When monumental work has been completed, the lot and the surroundings shall be returned to the same good condition as before the work commenced, and such restoration shall be at the expense of the monument builder or his contractor.
44. All monumental work erected in the Cemetery shall be granite. Marble shall not be permitted, experience having proven that it does not withstand this climate.
45. Sketches, designs and inscriptions on all monuments shall be submitted to the Cemetery Committee for their approval before being finished or erected.
46. The Cemetery Committee must be notified as to the date of any proposed unveiling at least thirty (30) days prior to the event.
47. These by-laws shall come into effect on the 20th day of June, 1972, which date shall be known as the effective date thereof.