

YOUNG MEN'S HERBREW ASSOCIATION

CONSTITUTION

AS OF JANUARY 1, 2013

ARTICLE I

- Sec.1** The object of the society shall be to undertake and transact any class of business permitted under the provisions of the funeral, burial and cremations services act 2002 or successor statutes. Herein referred to as "The Act"
- Sec.2** Every member in good standing is entitled to internment rights on any cemetery owned by the society as described in article V-A.
- Sec.3** The funds of the society shall be used for no other purpose other than above stated, except for general administrative and social expenses as approved by the society.

ARTICLE II

MEETINGS

- Sec.1** Ten (10) members shall form a quorum for a general meeting.
- Sec.1a** Any seven (7) elected officers and or executive members can form a quorum for any executive meeting,
- Sec.2** A general meeting of the society must be held at least twice a year, and an executive meeting may be called for by the president or the executive as required.
- Sec.3** In the absence of the President and the First Vice President the Second Vice President shall preside over the general meeting of the society. In the absence of the President, both Vice Presidents and any past President, any member, in good standing may be elected chairman by the majority of the members present at this meeting and shall preside at this meeting.
- Sec.4** Special meetings may be called by the President or on written request by ten (10) members in good standing.

ARTICLE III

MEMBERSHIP

- Sec.1** Any person who is at least eighteen (18) years of age and who has not as yet reached fifty-six (56), and who is of good character, and of the Jewish faith, is eligible for membership.
- Sec.1a** Applicants between the age of forty-one (41) and who have not reached their fifty-sixth (56) birthday as of the date of making application and who otherwise qualify for membership under the following special provisions may be admitted for membership.
- 1) Such applicant must produce proof of age.

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- 2) Such applicant shall pay on or before acceptance into the society, the initiation fee as posted in the current price list of the society. Subject to the aforementioned provisions such members shall enjoy equal membership with any other member.

Sec.2 Every applicant, before their application will be accepted for membership, must sign a statement that they are in good health.

Sec.3 The applicant shall be sponsored by two (2) members in good standing and must appear in person at a meeting of the society.

ARTICLE IV

DUES

Sec.1 Payment of Dues must be made in advance namely, the first day of January in each year.

Sec.2 Every member shall pay his dues not later than one month from the due date (Jan. 1st), otherwise benefits can not be received. Any member suspended from membership, on the recommendations of the executive board, at a general meeting for non payment of dues, shall have thirty (30) days from said date in which to pay the arrears of the dues, in order for their membership to be reinstated.

Sec.3 Every member of the society in good standing who on the 1st of January in each calendar year shall have attained the age of sixty-seven (67) will pay dues at a reduced rate.

Sec.4 Any member of the society in good standing who on the 1st of January in each calendar year and has reached the age of seventy (70) shall be exempt from paying dues and any other tax that may be imposed on the membership.

Sec.5 The age of each member for the purpose of this part, shall be as given in the application for membership and as recorded in the records of the society. Any dispute shall be resolved by the executive board whose decision in this matter is final.

ARTICLE V

BOARD OF MANAGEMENT

Sec.1 The board of management hereinafter referred to as the board shall consist of five (5) members. The term of which will be for two (2) years. The composition of which will be the following.

- a) The Immediate Past President
- b) President
- c) A Chairman
- d) Appointed
- e) Appointed

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- Sec.2** Nominations to the board shall take place at the same time as the nominations of officers for the society. Only those members of the executive board who have previously served for a period of one year shall be eligible for nomination as chairman.
- Sec.3** Election for the chairman shall take place at the same time as that of the society.
- Sec.4** Only those sitting members of the board shall represent the society on any cemetery association of which the lands of the society form part thereof and such representatives shall be chosen by the board from among its members.
- Sec.5** Meetings of board shall be held at the request of the chairman as often as circumstances dictate.
- Sec.6** The chairman shall receive reimbursement for his out of pocket expenses, and for his time, to be determined by the society from time to time. The chairman shall report the business of the board at every meeting of the society.
- Sec.7** The board shall attend to and perform such business which the society may wish to transact and which is not contrary to anything contained in article V or article V-A of the constitution of the society.
- Sec.8** The board shall recommend such expenditures of money needed to ensure the proper maintenance and safeguarding of the society's lands, and monuments erected thereon.
- Sec.9** The chairman shall ascertain from any surviving spouse or family representative whether a reservation for an adjoining lot is required, and shall enter in its records the results of such request and verify with the survivor that the reservation has been made.
- Sec.10** The board shall make recommendation for the adoption of uniform dimensions for any monuments to be erected on any new cemetery property acquired by the society.
- Sec.11** A data base shall be kept by the board showing the numbers of lots used on the society's lands and the names of those occupying those lots, the number of reservations committed for, the location of allotted lots and the names of the persons entitled to such reservations, and the number of lots without an allocation. The board shall maintain for the ministry under the regulations of The Act, such registers available for public inspection which may be required under said regulations and any other pertinent material the said act may deem requisite or the society shall direct.
- Sec.12** The society shall maintain the endowment fund set up with the Baycrest Centre for Geriatric Care, known as the "Young Men's Hebrew Association Endowment Fund", the interest from which is used by the said centre is for its general Purposes.

ARTICLE V-A

MORTUARY BENEFITS INTERNMENT RIGHTS AND CEMETERY REGULATIONS

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- Sec.1** All interment rights on the cemetery lands of the society shall be governed by The Act, and all amendments or regulations passed there under from time to time or in successor statutes.
- Sec.2** No internment rights under this article shall be given to a member or other family members entitled under this article, unless the member was in good standing in payment of dues at the time the death occurs.
- Sec.3** The society shall pay the cost of the foundations perpetual care fees of the member and that of his or her spouse.
- Sec.4** The society shall give interment rights to a member's spouse and his or her unmarried children until they reach the age of nineteen (19) years or twenty-five (25) years and is in post graduate school.
- Sec.4a** The society shall give interment rights to member's wife and his unmarried children; to a male until he reaches the age of nineteen (19) years and to a female until she marries, and to a female previously married who subsequently divorced, and who has not remarried. This section only pertains to a member who joined prior to January 1, 2013.
- Sec.5** The society shall give interment rights to a member's child of any age, who by reason of infirmity either mental or physical and is financially dependent on the member or member's spouse or on public funding for his or her welfare.
- Sec.6** The widow or widower of a deceased member shall be entitled to an interment right as long as he or she remains unmarried.
- Sec.7** In an event that a spouse has a reserved lot next to the deceased member and subsequently remarries the reservation may be retained with the payment as per the society's price list at the time of the remarriage; the foundation and monument fee is to be paid by the society, or the surviving spouse may join the society at the current rates with the initiation fee waived, the choice of paying the fee or joining the society is the sole discretion of the deceased members spouse.
- Sec.8** Where the spouse of a member has predeceased the member and interment right had been given in accordance with this article, and the member remarries, than in the event of the spouse of the subsequent marriage or marriages whether before or after the death of the member, no benefits or interment rights shall be given in accordance with this article. An interment right can be purchased for the spouse or spouses with payment as posted in the current society's price list. Foundation and monuments fees are as per the current society's price list.
- Sec.9** No headstone shall be placed or erected on the lands of the society unless a permit is obtained from an authorized representative of the board of management.
- Sec.10** Permits shall only be issued by the society when payment has been received for the foundation and the care and maintenance fee for the monument were applicable.

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- Sec.11** Except where designated reservations have previously been made, no lots on the lands of the society shall be reserved except as permitted in this article, and lots shall be allocated by a member of the board, acting reasonably in consultation with personal representative of the deceased.
- Sec.12** Interment rights on the lands of the society can only be sold under special circumstances to be determined by the board of management of the society and as permitted under the act. The fee for interment rights are to be determined by the current price list in effect at the time of sale.
- Sec.13** The society shall bear no cost of the opening or closing fees of any grave and bears no responsibility for errors in the location of graves on lots arising from improper instruction of the interment rights holder or their personal representatives.
- Sec.14** No burials or interment rights will be granted on any of the lands of the society to anyone who is not of the Jewish faith.
- Sec.15** No ashes of any cremated remains shall be buried on any cemetery owned by the society.
- Sec.16** Interment rights in the cemeteries of the society may not be transferred or sold by the holder thereof, whether by gift or request or any other form of transfer, the society shall repurchase the interment rights there under on demand, and pay the current published fee less the perpetual care fee, as prescribed under The Act and regulation there under.
- Sec.17** Prior to any grave being opened, a permit must be obtained from the society to its contractor. For Mount Sinai it is the Mount Sinai Cemetery Association, for Roselawn Ave. it is a private contractor as chosen by the Young Men's Hebrew Association. No person not employed by the said contractor or association shall perform any work on any of the lands of the society without an approval in writing from the society, and which includes flower planting or other landscaping work without express written consent.
- Sec.18** Where not inconsistent with the act and regulations there under, the provisions of these articles and rules established hereunder shall govern all interments, erection and preservations of headstones, fencing, landscaping, lots or interment rights and contracts, where there are standards prescribed under the said act or regulations thereto which are optional or which otherwise need not be followed, the provisions under these articles shall prevail in all other cases, the act and regulations there under shall govern.
- Sec.19** The society through its board shall prepare and submit for approval, all forms required under the act including interment rights contracts, interment right certificates, public information form and price list, and shall ensure that all such documentation have been approved.
- Sec.20** The society through its board may at any time and from time to time make applications as deems necessary to the registrar appointed under the act for declaration or de-declaration that interment rights are abandoned and upon receiving a declaration to that effect may authorize further reservation on the same lot.
- Sec.21** The society shall require as a condition of interment, that a headstone be erected within twelve months from the date of the interment.

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Sec.22 the personal representative of the deceased shall be responsible for the erection of a headstone and shall reimburse the society if it has to erect said headstone.

ARTICLE VII

OFFICERS AND COMMITTEES

Sec.1 The officers of the society shall be elected for a term of two years as follows:

- a) President
- b) First Vice President
- c) Second Vice President
- d) Treasurer/Financial Secretary
- e) Recording and Corresponding Secretary
- f) Chairman Board Management
- g) First Trustee
- h) Second Trustee
- i) Sergeant at Arms

Sec.2 A member can only hold one elected position per term.

Sec.3 The President and Vice President shall appoint committees as required.

ARTICLE VII A

DUTIES OF OFFICERS

Sec.1 The President shall:

- a) Be charged with the general management of the society and supervision of its affairs and operations.
- b) Be invited and be entitled to be present at all meetings called by any of the committees of the society.
- c) Name members of committees when no other provision is made for their appointment.
- d) Enforce the rules of the society and represent impartially the will of the society and preside over all general meetings.
- e) Have the power at any general meeting to eject or cause to be ejected any member who willfully persists in disturbing the harmonious and peaceful workings of the society, or refuses to obey rulings after being called to order.
- f) Be a signing officer to all cheques or contracts or other documents of the society and shall cause to be affixed the corporate seal of the society to all documents requiring the same.
- g) Call for another ballot without debate where he discovers or is informed that an error has taken place in the voting procedure where voting has been by ballot.

Sec.2 The First Vice President shall:

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- a) Assume duties of the President during his absence from a general meeting or in event that the President leaves the chair to participate in debate.
- b) Announce the order of business at all general meetings.
- c) Pre-side at all executive meetings with the same powers to eject members as given to the President.
- d) Be invited and be entitled to be present at all meetings called by any of the committees of the society.
- e) Be charged with supervision of all committees of the society, except the Board of Management.

Sec.3 The Second Vice President shall:

- a) Exercise the powers of the First Vice President during his absence or leaving the chair to debate at an executive meeting.
- b) Exercise the powers of the president at a general meeting in the absence of the President and the First Vice President.

Sec.4 The Treasurer shall:

- a) Be entrusted with all monies received on behalf of the society and shall deposit same or other valuables in the chartered bank of the society as soon thereafter as may be possible to the credit to the of society.
- b) Be responsible for the safe keeping of the bank deposit books.
- c) To ensure that there are two signatures on all cheques or other orders for the payment of money authorized by the executive board.
- d) Render to the executive board at its meeting and to the general meetings or wherever is required of him, an account of his transactions.
- e) Keep full and accurate accounts of all receipts and disbursements of the society in proper books of account.
- f) Render at all meetings, whether to the General or Executive Board, or whenever required of him an account of all his transactions as Financial Secretary if so requested by the Executive or Auditor, and produce his books and vouchers at such time.
- g) Received properly signed vouchers before preparing any cheques disbursing the funds of the society.
- h) Forward to all members at their last address recorded in the books of the society, notice or dues payable on the first day of each financial each namely January 1st of each calendar year.
- i) Present in conjunction with the accountant at a general meeting of the society in the month of march, or soon as possible thereafter in addition to any other business that might be transacted, the financial statement of the society for the previous year and report of the accountant in conjunction therewith.
- j) Receive remuneration for his services.

Sec.5 Recording and Corresponding Secretary shall:

- a) Attend all General and Executive Board meetings of the society and record
- b) All facts and minutes of all proceedings at both General and Executive meetings in the minute book kept for that purpose.
- c) Take charge of such minute book.

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- d) Notify all Candidates of their election or rejection.
- e) Notify all elected officers, executive board members and committee chairman of all executive board meetings, and notify all members of general meetings.
- f) Maintain a list of all addresses and telephone numbers of members and note changes therein from time to time.
- g) Perform such other duties as may from time to time be determined by the Executive Board.
- h) Receive Remuneration for his services.

Sec.6 The Sergeant at Arms shall:

- a) Keep decorum and order at all meetings of the society.

Sec.7 The Trustees shall:

- a) Verify all bills for payment.
- b) Attend to all business which the society may wish transacted.
- c) The First Trustee shall exercise the powers of the Treasurer during his absence.
- d) The Second Trustee shall exercise the powers of the Treasurer during the absence of the Treasurer and The first Trustee.

Sec.8 All Officers and Committee Chairman Shall:

- a) Arrange to have their records made available at all general or executive board meetings in the event that they are unavailable to attend such meetings.

ARTICLE VIII

ORDER OF BUSINESS

Sec.1 General Meetings:

- a) Opening of the Meeting
- b) Roll call of officers and Committee Chairman
- c) Reading of minutes of previous general meeting
- d) Reading of minutes of previous executive board meeting
- e) Communications and accounts
- f) Reports of committees
- g) Proposition for membership
- h) Investigation of candidates
- i) Balloting of candidates
- j) Initiation of candidates
- k) Unfinished business
- l) New business
- m) Good of the order
- n) Closing the meeting

Sec.2 Executive Board Meeting:

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- a) Opening meeting
- b) Roll of Officers, Executive and committee Chairman
- c) Reading minutes of previous executive meeting
- d) Communications and accounts
- e) Reports of committees
- f) Unfinished business
- g) New business
- h) Closing of meeting

ARTICLE IX

PROCEDURES AT MEETINGS

- Sec.1** Questions arising at any meeting of the society whether general or executive shall be decided by a majority of votes: the Chairman not having an original vote. In case of a tie vote, the Chairman shall have the deciding vote.
- Sec.2** Every question shall be decided in the first instance by a show of hands.
- Sec.3** Where the chairman has declared that a resolution has been carried and the same recorded in the minutes, no proof of the number or proportion of the votes recorded is necessary.
- Sec.4** Any member present may however request a standing vote.
- Sec.5** The Chairman at any meeting of the society whether general or executive shall:
- a) Call the meeting to order at the appointed time.
 - b) Rule impartially on points of order.
 - c) Enforce the observance of the rules of the society.
 - d) Govern the meeting in accordance with parliamentary rules of debate.
- Sec.6** The rulings of the Chairman shall stand unless overruled by two thirds of the members present and entitled to vote. Any member present and entitled to vote may appeal the Chairman's ruling.
- Sec.7** No interruption shall be made while any member is addressing the meeting unless on a point of order or for the purpose of communicating information relevant to the matter under discussion. Any such point of order or communication of the information must be made to the Chairman and the member shall rise and address the Chairman before addressing the meeting speaking on a point of order or communicating information, and members, must gain recognition of the Chairman before speaking.
- Sec.8** All executive board members shall be bound by all decisions made at an executive board meeting.

ARTICLE X

RULES AND REGULATIONS

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- Sec.1** If an officer or executive board member be absent three consecutive meetings without a reasonable excuse he shall be liable to suspension from office without notice.
- Sec.2** Amendments to the constitution of the society shall only be made after written notice has been given to the executive secretary and read out to the executive board at the next executive meeting and shall constitute first reading when accepted by the executive committee. The notice of motion shall be published and forwarded to the membership and this shall constitute second reading. At the next general meeting of the society the motion will be brought forth for discussion and third and final reading for acceptance or rejection.
- Sec.3** Any member desiring to address the meeting must rise and address the chair who shall allow only one to speak at a time.
- Sec.4** Any member who is found guilty of the following shall be suspended or expelled from the society as may be determined:
- a) Violating the obligation, established principles, laws, rules or regulations of the society.
 - b) Concealing any infirmity or disorder of any member at the time of admission to the society.
 - c) Destroying or damaging any part of the property of the society.
 - d) Divulging the name of a member who has reported unfavourably on an applicant or opposed his becoming a member.

ARTICLE XI

DISSOLUTION

In the event of the dissolution of the society, the winding up shall be in accordance with the regulations of the Act.

DEFINITIONS

1. *SPOUSE* - A person's partner in marriage as recognized by the province of Ontario.
2. *JEWISH FAITH* - Persons recognized as being Jewish by the orthodox, conservative or reform divisions within the communities in which we serve.
3. *THE BOARD* - The Board of Management for the Society.
4. *THE ACT* 6 The Funeral, Burial and Cremations Services Act of Ontario 2002 as amended.