



## Flag Display Policy

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Policy Number	POL-20
Effective	October 04 2017
Review Date	Not scheduled
Final Approver	Council
Training Course Code	Not applicable
Document State	<b>CURRENT</b>

### 1.0 Purpose

The purpose of the policy is to ensure that all flags on City property are displayed in a consistent and appropriate manner. This policy provides guidelines for receiving and considering the approval of requests from the public to display a flag on City property. Flag-raising (the ceremonial raising of a flag or pennant) shall enhance public awareness of activities such as national holidays, multicultural events and fundraising drives, which may occur with or without a ceremonial event.

### 2.0 Persons Affected

2.1 This policy applies to all employees including:

- 2.1.1 Council;
- 2.1.2 the Clerk;
- 2.1.3 the Mayor;
- 2.1.4 the CAO; and
- 2.1.5 the Director of Facilities Management and Construction Services.

### 3.0 Policy Statement

3.1 It is the policy of the City to ensure that:

- 3.1.1 flags shall be displayed on City property on a

permanent or temporary basis to mark special occasions, as approved by the Clerk and in accordance with this policy;

- 3.1.2 a request to display a flag on City property shall be considered for approval by the following applicants:
- i. a non-profit or community organization; and
  - ii. the Canadian Forces Base Commander, or delegate, as part of a retirement ceremony of a soldier stationed at the Canadian Forces Base Kingston with service of at least 25 years.
- 3.1.3 a request to display a flag on City property shall be considered for approval when all of the following criteria have been met:
- i. the related activities support residents or events in Kingston such as a public awareness campaign and foster a sense of community;
  - ii. the related activities or subject matter demonstrates respect and tolerance for all Kingston residents;
  - iii. the request is received by the Clerk at least four weeks prior to the requested display date;
  - iv. the related flag is provided to the Clerk by the applicant at least five days prior to the requested display date; and
  - v. the request complies with this policy and the law.
- 3.1.4 a request to display a flag on City property shall be automatically disqualified when the subject matter promotes ideological, religious or other beliefs that promote hate; is contrary to any law; or is a Corporate Sponsorship;

### **First Capital Place**

- 3.1.5 the three flags displayed in **Confederation Park** shall be the flags of The Province of Ontario, The Government of Canada and the City and shall be displayed in that order from left to right, when viewed from City Hall. The City flag, as prescribed by the Visual Identity Policy, may be replaced, upon request and as

approved by the Clerk, for a maximum of one day. The flags of The Government of Ontario and The Government of Canada shall be displayed permanently and shall not be replaced, unless approved by Council. Council may approve requests to replace any of the three flags with flags that are recognized by the Federal Department of Foreign Affairs;

- 3.1.6 the 13 flags displayed in **Flora MacDonald Confederation Basin** shall be the flags of Canadian provinces and territories and shall be displayed from left to right, when viewed from City Hall, based on the earliest to latest day on which the province or territory joined the Canadian Confederation, in the following order: The Province of Ontario; The Province of Quebec; The Province of Nova Scotia; The Province of New Brunswick; The Province of Manitoba; The Province of British Columbia; The Province of Prince Edward Island; The Province of Saskatchewan; The Province of Alberta; The Province of Newfoundland; The Northwest Territories; The Yukon Territory; and The Nunavut Territory;
- 3.1.7 requests to display a flag indoors shall be permitted only in **Memorial Hall** as part of a facility room booking application approved by the City and in accordance with this policy. The flag may be displayed on any day(s) requested during the event;
- 3.1.8 the two flags displayed on the **roof of City Hall** shall be the flag of The Government of Canada and The Corporation of the City of Kingston;

### **Battery Park**

- 3.1.9 the three flags displayed year round at Battery Park shall be the flags of The Province of Ontario, The Government of Canada and the City;

### **Lion Civic Gardens**

- 3.1.10 the two flags displayed year round at the Lion Civic Gardens shall be the flag of the Government of Canada;

### **Other Locations**

- 3.1.11 flags displayed at all other City facilities or properties not identified in this policy shall be the flags of Canadian provinces or territories, The Government of Canada, the City, the Kingston Police, flags that are recognized by the Federal Department of Foreign Affairs or as otherwise approved by Council;

### **Flag at Half-Mast**

- 3.1.12 the flags of The Government of Canada displayed at City owned facilities and properties shall be lowered to the half-mast position by the City, where feasible to do so, as a sign of mourning upon the death of the following persons:
- i. Her Majesty the Queen and members of Royal Family;
  - ii. a past or current Canadian Prime Minister;
  - iii. a past or current elected representative of The Government of Canada, The Province of Ontario and the City;
  - iv. a past or current member of Council;
  - v. a current City employee;
  - vi. a current Kingston Police officer, as requested by the Chief of Police; and
  - vii. a fallen soldier stationed at the Canadian Forces Base Kingston, as requested by the Base Commander or delegate;
- 3.1.13 flags shall be lowered to half-mast for the day before and the day of the funeral. If a memorial service is to be held at a later date, instead of a funeral, the Canadian flags will be lowered to half-mast the two days immediately following the death of the person;
- 3.1.14 flags of The Government of Canada displayed at City owned facilities and properties lowered to the half-mast position shall be approved by:
- i. the Governor General of Canada;
  - ii. the Lieutenant Governor of Ontario;
  - iii. the Mayor
  - iv. Council; or

v. the CAO.

- 3.2 The City is not responsible for loss or damage to flags belonging to a third party that are displayed on City property.

## **Employees**

- 3.3 Any employee who breaches this policy may be subject to discipline up to and including dismissal.

## **4.0 Responsibilities**

- 4.1 Council is responsible for:

- 4.1.1 approving and directing compliance with this policy;
- 4.1.2 approving requests to display a flag on City property in accordance with this policy, as received by the Clerk that are outside of the scope of this policy; and
- 4.1.3 approving requests to the display the The Government of Canada flag at half-mast on City owned properties in accordance with this policy;

- 4.2 The Clerk is responsible for:

- 4.2.1 receiving requests to display a flag on City property from eligible applicants and in accordance with this policy;
- 4.2.2 notifying the applicant when the request has been approved or denied, including a rationale for this decision; and
- 4.2.3 notifying the Director of Facilities Management and Construction Services when a request has been approved, including instructions on when and how the flag will be displayed.

- 4.3 The Director of Facilities Management and Construction Services is responsible for:

- 4.3.1 ensuring that flag poles and flags, ties and halyards located on City property are in good condition, are inspected regularly and replaced as needed; and
- 4.3.2 displaying flags on City property as prescribed by this

policy and as instructed by the Clerk or Council.

- 4.4 The CAO or the Mayor, in consultation with the Clerk, is responsible for approving requests to display the The Government of Canada flag at half-mast on City owned properties in accordance with this policy.

### **Breach of Policy**

- 4.5 Employees are responsible for compliance with this policy and shall be aware that any employee who breaches this policy may be subject to discipline up to and including dismissal.

### 5.0 Approval Authority

<b>Role</b>	<b>Position</b>	<b>Date Approved</b>
Subject Matter Expert	Deputy Clerk	06/21/2017
Legal Review	Senior Legal Counsel	06/09/2017
Final Approval	Council	10/03/2017

### 6.0 Revision History

<b>Effective Date</b>	<b>Revision #</b>	<b>Description of Change</b>
18/10/2017	1	Section 3.1.15 delete "as prescribed in section 3.1.13". This will correct inadvertent change that was previously made that restricted the discretion of the Mayor and CAO.

### 7.0 Appendix

Information for this section has not yet been provided.

### Related Definitions

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#### **CAO**

means the person appointed by the City as the Chief Administrative Officer in accordance with section 229 of the Municipal Act, 2001.

#### **City**

or Corporation means The Corporation of the City of Kingston.

#### **Clerk**

means the person appointed by the City as the Clerk in accordance with section 228(1) of the Municipal Act, 2001.

#### **CMT**

means the Corporate Management Team.

#### Council

means the governing body of the municipality formed and operating under the authority of the Municipal Act, 2001, S.O. 2001, Chapter 25. Council membership is composed of a mayor and twelve councillors. The mayor and councillors are each elected for a four-year term.

#### First Capital Place

means a central gathering place that includes Memorial Hall, Springer Market Square, Confederation Park, Flora MacDonald Confederation Basin and the roads, sidewalks and buildings which surround and connect the four properties: Brock Street, King Street, Market Street and Ontario Street.

#### Mayor

means the person appointed by the City as the Head and chief executive officer of the municipality in accordance with section 226(1) of the Municipal Act, 2001