

**ASSET PUBLISHER**

Flag Display Policy

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

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. The City of Kingston recognizes that flags are symbolic of the pride of the people they represent and strives to impart dignity and respect on these groups through this policy.

2.0 Persons Affected

2.1 This policy applies to all employees and stakeholders including:

- 2.1.1 Council;
- 2.1.2 the Clerk;
- 2.1.3 the Mayor;
- 2.1.4 the Chief Administrative Officer (CAO);
- 2.1.5 the Director of Facilities Management and Construction Services.
- 2.1.6 the Director of Communications & Customer Experience;
- 2.1.7 the Director of Heritage Services; and
- 2.1.8 the Manager of Equity, Diversity, and Inclusion

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 City 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 City Clerk at least two weeks prior to the requested display date;
 - iv. the related flag is provided to the City Clerk by the applicant at least five days prior to the requested display date;
 - v. a previous request for the same cause has not been processed in the previous 12 months;
 - vi. a previous request has not been processed by the same group in the previous 12 months;
 - vii. the requested display date is not one of the dates listed under section 3.2;
 - viii. an identical digital copy of the flag is provided to the City Clerk by the applicant at least 14 days prior to the requested display date for online promotional and messaging purposes;
 - ix. the flag is in as new condition with suitable fasteners as determined by Facilities Management & Construction Services;
 - x. the request complies with this policy and the law; and
 - xi. the organization requesting a flag raising is responsible for submitting the Flag Raising Application (www.cityofkingston.ca > Resident > Memorials > Apply Now) and for complying with all criteria prescribed in sections 3.1.3 and 3.1.4.

- 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;

3.2 First Capital Place

- 3.2.1 the flags displayed in Confederation Park shall be the flags of The Government of Canada, The Province of Ontario, the City of Kingston, the Anishinaabeg, the Haudenosaunee, the Huron-Wendat, the Métis, and the Franco-Ontarians 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 City Clerk, for a maximum of one day. All other flags shall be displayed permanently and shall not be replaced other than if necessitated due to damage or approved by Council. Council may approve requests to replace the City flag with flags that are recognized by the Federal Department of Foreign Affairs;
- 3.2.2 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 and Labrador; The Northwest Territories; The Yukon Territory; and The Nunavut Territory;
- 3.2.3 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;
- 3.2.4 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;
- 3.2.5 the two flags displayed in the Council Room shall be the flag of The Government of Canada and The Corporation of The City of Kingston;

3.3 Battery Park

- 3.3.1 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;

3.4 Lion Civic Gardens

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

3.5 Other Locations

- 3.5.1 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;

3.6 Flag at Half-Mast

- 3.6.1 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. the reigning Monarch and members of the 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 current City employee;
 - v. a current Kingston Police officer, as requested by the Chief of Police; and
 - vi. a fallen soldier stationed at the Canadian Forces Base Kingston, as requested by the Base Commander or delegate;
- 3.6.2 flags shall be lowered to half-mast for the day before, the day of the funeral, and upon receiving the announcement of death;
- 3.6.3 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.
- 3.6.4 to commemorate the following occasions, flags will be flown at half-mast, from sunrise to sunset on the following days:
- i. April 9 - National Day of Remembrance of the Battle of Vimy Ridge

- ii. April 28 - National Day of Mourning for Persons Killed or Injured in the Workplace (Workers' Mourning Day)
- iii. May 31 - Honoring the Children Lost at Residential Schools
- iv. June 23 - National Day of Remembrance for Victims of Terrorism
- v. Second Sunday of September - Firefighters' National Memorial Day
- vi. Last Sunday of September - Police and Peace Officers' National Memorial Day
- vii. November 8 - Indigenous Veterans Day
- viii. November 11 - Remembrance Day
- ix. November 20 - Transgender Day of Remembrance
- x. December 6 - National Day of Remembrance and Action on Violence Against Women

3.7 Flags of Nations

3.7.1 the City may fly the flag of a nation on its national day, provided that:

- i. the nation has active diplomatic relations with Canada;
- ii. the flag is official and is recognized by the Federal Department of Foreign Affairs; and
- iii. the requesting organization follows all policies prescribed in section 3.1.3 at least 4 weeks prior to the national day, on an annual basis;

3.8 Disposal of Flags

3.8.1 if a flag becomes visibly worn or otherwise damaged, it shall be disposed of in a dignified and respectful manner.

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

3.10 On national/provincial days and observances in Canada/Ontario, which have been deemed through ongoing public consultation, and requests from the community groups, the most relevant to the Kingston community in the area identified in 3.1.5 the city flag shall be replaced by following:

- i. March 31 - International Transgender Day of Visibility - Transgender Flag
- ii. June 15 - Kingston Pride - Progressive Pride Flag
- iii. June 21 - National Indigenous Peoples Day - "Every Child Matters" Flag
- iv. September 30 - National Day for Truth and Reconciliation - "Every Child Matters" Flag

Employees

- 3.11 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 City Clerk that are outside of the scope of this policy; and
- 4.1.3 approving requests to display The Government of Canada flag at half mast on City-owned properties in accordance with this policy.

4.2 The City 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;
- 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; and
- 4.2.4 coordinating with the Mayor and the CAO in case of an issue or conflict and any unique request not covered by this policy.

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;
- 4.3.2 disposing of faded or otherwise damaged flags in a respectful and dignified manner; and
- 4.3.3 displaying flags on City property as prescribed by this policy and as instructed by the City Clerk or Council.

4.4 The Director of Communications & Customer Experience, in consultation with the Manager of Equity, Diversity and Inclusion, is responsible for promoting and communicating flag raising and lowering to the public as approved in sections 3.1 and 3.2.

- 4.5 4.5 The Mayor or the CAO, in consultation with the City Clerk, the Director of Heritage Services, and the Manager of Equity, Diversity, and Inclusion, is responsible for finding a resolution in case of an issue or conflict and any unique request not covered by this policy.

Breach of Policy

- 4.6 4.6 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.

Breach of Policy

- 4.7 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

Role	Position	Date Approved
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

Effective Date	Revision #	Description of Change
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.
28/7/2022	2	<p>Section 1.0 add "The City of Kingston recognizes that flags are symbolic of the pride of the people they represent and strives to impart dignity and respect on these groups through this policy."</p> <p>Section 2.1 add "2.1.6 the Director of Communications & Customer Experience; 2.1.7 the Director of Heritage Services; and 2.1.8 the Manager of Equity, Diversity, and Inclusion."</p> <p>Section 3.1.3 add: "v. a previous request for the same cause has not been processed in the previous 12 months; vi. a previous request has not been processed by the same group in the previous 12 months; vii. the requested display date is not one of the dates listed under section 3.2; viii. an identical digital copy of the flag is provided to the City Clerk by the applicant at least 14 days prior to the requested display date for online promotional and messaging purposes; ix. the flag is in as new condition with suitable fasteners as determined by Facilities"</p>

Management & Construction Services; xi. the organization requesting a flag raising is responsible for submitting the Flag Raising Application (www.cityofkingston.ca > Resident > Memorials > Apply Now) and for complying with all criteria prescribed in sections 3.1.3 and 3.1.4.”

Section 3.1.5 add “the Anishinaabeg, the Haudenosaunee, the Huron-Wendat, the Métis, the Inuit, and the Franco-Ontarians.”

Section 3.1 add “3.1.9 the two flags displayed in the Council Room shall be the flag of The Government of Canada and The Corporation of The City of Kingston;”

Section 3.1.13 i. change “Her Majesty the Queen” to “the reigning Monarch”

Section 3.1 add: “3.1.16 To commemorate the following occasions, flags will be flown at half-mast, from sunrise to sunset on the following days:” (see table in Section 3.1.16)

Section 3.1 add: “3.1.17 Flags of Nations The City may fly the flag of a nation on its national day, provided that:

- i. the nation has active diplomatic relations with Canada;
- ii. the flag is official and is recognized by the Federal Department of Foreign Affairs;
- iii. the requesting organization follows all policies prescribed in section 3.1.3 at least two weeks prior to the national day, on an annual basis.”

Section 3.1 add: “3.1.18 Disposal of Flags If a flag becomes visibly worn or otherwise damaged, it shall be disposed of in a dignified and respectful manner.”

Add Section 3.3: “On national/provincial days and observances in Canada/Ontario, which have been deemed through ongoing public consultation, and requests from the community groups, the most relevant to the Kingston community in the area identified in 3.1.5 the city flag shall be replaced by following:” (see table in section 3.3)

Add Section 4.2.4: “coordinating with the Mayor and the CAO in case of an issue or conflict and any unique request not covered by this policy.”

Section 4.3 add: “4.3.2 disposing of faded or otherwise damaged flags in a respectful and dignified manner; and”

Add Section 4.4: “The Director of Communications & Customer Experience, in consultation with the Manager of Equity, Diversity and Inclusion, is responsible for promoting and communicating flag raisings

		and lowerings to the public as approved in sections 3.1 and 3.2.”
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7.0 Appendix

Information for this section has not yet been provided.

Related Definitions



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.

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

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