



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: September 7, 2021

TO: Mayor Ellen Zoppo-Sassu
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: DPW/ City Flag Flying Policy

Please find attached a proposed policy developed by the City's Corporation Counsel to process request to display commemorative or organizational flags on City flagpoles.

Based on a review of the proposed policy the DPW recommends the following BPW action:

Forward a recommendation to the City Council recommending approval of the Flag Flying Policy, as presented.

Please feel free to contact me with any question at 860-584-6113.

FLAG FLYING POLICY

I. Purpose

- A. The City of Bristol establishes the following guidelines regarding the display of Commemorative or Organizational Flags on a City flagpole located at the City Hall, or City-owned or City-maintained facilities.
- B. In adopting this Policy, the City Council declares that flagpoles owned or maintained by the City of Bristol are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of Commemorative or Organizational Flags authorized by the City Council as an expression of the City Council's official sentiments which shall constitute government speech.

II. Policy

- A. As expression of the City's official government speech, the City Council may authorize the display of a Commemorative or Organizational Flag at the flagpole located at the Bristol City Hall or other City-owned or City-maintained facilities.
- B. The City Council shall only consider a request to display a Commemorative or Organizational Flag if the request is made by a member of the Bristol City Council and a majority of the City Council members agrees to place the discussion on the agenda for a regular or special City Council meeting. Further procedural requirements are outlined in Section III.
- C. At a noticed and agendaized City Council meeting, a majority of Council members would need to agree to fly the Commemorative or Organizational Flag.
- D. Each Commemorative or Organizational Flag cannot be flown more than once a year and will be displayed for a period of time that is reasonable or customary for duration of the event or fourteen (14) continuous days. Only one Commemorative or Organizational Flag will be allowed to be displayed during any time period.
- E. Commemorative or Organizational flags must be temporarily donated for the City's use and be clean, without holes and tears, and be made of an all-weather fabric. Commemorative or Organizational Flags must be the same size or smaller than the United States and Connecticut flags that are flown. The City will not be responsible for the condition of the Commemorative or Organizational Flag once flown and may dispose of any such flag not picked up within thirty (30) days after it has been flown. The City will not purchase the Commemorative or Organizational Flags.
- F. If any other flag is flown at half-staff, the Commemorative or Organizational Flag will also be flown at half-staff.

- G. A Commemorative or Organizational Flag as defined in this Policy shall mean a flag that identifies with a specific historical event, cause, nation or group of people that the City Council chooses to honor or commemorate consistent with the City's mission and priorities. The following are not allowed as Commemorative or Organizational Flags and will not be considered by the City Council.
- a. Flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed;
 - b. Flags of a political party to avoid the appearance of City government, endorsing a political party;
 - c. Flags advocating a certain outcome in an election, to avoid the appearance of City government endorsing an electoral outcome.
 - d. Flag of a commercial organization, to avoid the appearance of City government endorsing any particular business; and
 - e. Flags that enable violence, discrimination, prejudice, or racism, to avoid the appearance of City government endorsing such actions.

III. Procedure

- A. An individual or group who would like City Council members to request a Commemorative or Organizational Flag to be adopted by the City should make a request to the Mayor. The Mayor should distribute any requests made by the public to all members of the City Council. Any City Council member who receives such request can choose in his or her own sole discretion to request that the full City Council vote to adopt a certain Commemorative or Organizational flag as the City's government speech. At the request of a City Council member, such discussion will be placed on the agenda for a regular or special City Council meeting and the City Council member's request will be considered pursuant to Section II.
- B. The City Council will only display Commemorative or Organizational flags that is approves as its own government speech at the request of individual City Council members.
- C. Flags will be flown according to the U.S. Flag Code.