

CHAPTER 2.07 FLAG DISPLAY POLICY

§ 2.07.010. Policy.

1) PURPOSE

The purpose of this policy is to provide procedural guidance for the displays of National, State, and other flags. In adopting this policy, the City Council declares that City of Stockton flagpoles, flagpoles located at City-owned buildings and facilities, are not intended to serve as a forum for free expression of the public.

2) FLAGS

- i) United States Flag and State of California Flag. The United States Flag and the State of California Flag shall be displayed in accordance with Federal and State law, including Title 4 and Title 36 of the United States Code and Sections 430 through 439 of the California Government Code.
- ii) City of Stockton Flag. The City of Stockton Flag, if displayed on a City flagpole with the United States Flag and California State Flag, shall be placed in the third position of honor below the United States Flag and California State Flag.
- iii) Sister City Flags. The flags of the City of Stockton's Sister Cities ("Sister City Flags") may be displayed in accordance with this policy.
- iv) Commemorative Flags.
 - (1) "Commemorative Flag" shall mean any flag which identifies with a specific date, historical event, cause, nation or group of people, whereby the City honors or commemorates the date, event, cause, nation or people by flying the flag.
 - (2) The City shall display Commemorative Flags only if authorized by the City Council as an expression of the City's Official speech in accordance with the procedures outlined in this policy.

3) CITY FLAGPOLES

- i) The City's flagpoles are not intended to serve as a forum for free expression by the public.
- ii) Display of Flags.
 - (1) City flagpoles will only display flags that may be safely accommodated on the respective pole.
 - (2) The City Council may, by resolution, direct City staff to display Commemorative Flags as an expression of the City's official sentiments.
 - (a) Commemorative Flags may be displayed on the flagpole(s) outside of Stockton City Hall provided a flagpole(s) is available for such use.

- (b) Other than those flagpoles identified in subsection (a) above, no other City flagpoles shall fly Commemorative Flags.
 - (c) Commemorative Flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than thirty (30)~~seven~~ continuous days.
 - (d) Commemorative Flags shall be of sufficient quality for outdoor display. Commemorative Flags will not be displayed on days when the weather is inclement, except when all-weather flags are used.
 - (e) If a Commemorative Flag is displayed with the United States Flag or the State of California Flag, it shall not be larger in size than the United States Flag or the State of California Flag.
 - (f) The City Council shall only consider a request to display a Commemorative Flag if the request is made by a member of the Stockton City Council. Requests to display Commemorative Flags may be placed on the City Council's meeting agenda in accordance with City Council Policy Chapter 4.02. The City will not display a Commemorative Flag based on a request from a third party.
- iii) The City Manager shall maintain a policy to provide uniform guidelines for flying flags at half-staff. This half-staff policy will be consistent with Federal laws, including Title 4 of the United States Code.

4) FLAGS INSIDE CITY HALL LOCATIONS

- i) Flags inside Stockton City Hall Lobby.
 - (1) The United States Flag and Sister City Flags may be displayed in the lobby area of Stockton City Hall, provided there is sufficient space available to display the flags.
 - (2) Other than the flags identified in subsection (1) above, no Commemorative Flags shall be displayed in the lobby area of Stockton City Hall.
- ii) Flags inside City Council Chambers.
 - (1) The United States Flag, the California State Flag, the City of Stockton, and a Military Service Support Flag shall be the only flags displayed in the City Council Chambers.
 - (2) The flags in the City Council Chambers shall be displayed in the following order:
 - (a) The United States Flag shall be displayed on the Mayor and City Council's right as they face the audience.
 - (b) The California State Flag shall be displayed on the Mayor and City Council's left as they face the audience.
 - (c) The City of Stockton flag shall be displayed between the United States Flag and the California State Flag.

- (d) A Military Service Support Flag shall be displayed to the left of the California State Flag, to the Mayor and City Council's far left as they face the audience.

§ 2.07.020. Responsibilities.

Public Works: Maintain the City flagpole located at City Hall. Raise and lower flags in accordance with City policies and/or Council resolution.

Clerk's Office: Display Sister City Flags in the City Hall Lobby and provide City of Stockton flags for display.

City Manager: Maintain a policy to provide uniform guidelines for flying flags at half-staff.

City Council: Request, consider, and adopt resolutions for the display of Commemorative Flags as government speech.

§ 2.07.030. Relevant authority.

United States Code, Title 4 and Title 36.

California Government Code Sections 430 through 439.

§ 2.07.040. Related administrative directive, city policy, city procedure.

Administrative Directive – Flying Flags at Half Staff<AD.11.06>

§ 2.07.050. Related forms, documents, or links.

City of Stockton, Sister Cities: <http://www.stocktongov.com/discover/sister.html>

§ 2.07.060. Frequently asked questions.

Not applicable.

§ 2.07.070. Update history.

11/05/19 - Adopted by Resolution No. 2019-11-05-1103