

# POLICY 1

## CITY OF ROSEVILLE POLICY ON DISPLAY OF FLAGS

The Roseville City Council (hereinafter “City Council”) desires to establish a “Policy on Display of Flags” (hereinafter “Policy”). In adopting this Policy, the City Council declares that the City of Roseville’s flagpoles are not intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and City of Roseville flags, consistent with applicable law and past practice.

### I. Purpose

- A. The purpose of this Policy is to establish clear guidance from the City Council regarding the indoor and outdoor display of flags at City of Roseville (hereinafter “City”) owned properties.
- B. In adopting this Policy, the City Council desires to memorialize the past practice of displaying only nationally and congressionally recognized flags, consistent with required law.
- C. In adopting this Policy, the City Council declares that flagpoles owned or maintained by the City are not intended to serve as a forum for free expression by the public. Rather, such flagpoles are a non-public forum for the display of Federal, State, and City of Roseville flags, as authorized by this Policy, as an expression of the City Council's official sentiments (government speech).
- D. The City will not display a commemorative flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

### II. Policy

- A. Conformance with Federal and State Regulations. Flags shall be displayed in accordance with all Federal and State statutes and regulations, including, but not limited to United States Code, Title 4, Chapter 1, et seq., and California Government Code sections 430 et seq., as may be amended from time to time, and this Policy.
- B. For all City owned properties (including parks). If there is an outside flagpole, the United States Flag may be displayed and the State of California Flag may be displayed, as described in section II(A) above. The City of Roseville Flag may also be displayed from such flagpole. If flags are displayed indoors, those flags are limited to the United States Flag, State of California Flag, and City of Roseville Flag. Commemorative flags may not be displayed.

If such City owned property is leased or licensed to a third party, that third party shall not be bound by this Policy, but must comply with any Federal, State, or local laws related to display of flags.

In addition, Veteran’s Memorial Park North and Maidu Regional Park, may

allow the display of the nationally and congressionally recognized prisoner-of-war/missing-in-action ("POW-MIA") flags. (See 36 U.S.C. § 902, Federal Public Law §116-67, Federal Public Law §94-344.)

### III. **Procedures**

- A. Consistent with section II(A), no other flag shall be placed above the United States Flag and no other flag shall be larger than the United States Flag.
- B. Flags should be hoisted briskly and lowered ceremoniously. The United States Flag should be hoisted first and lowered last.
- C. Flags shall be displayed during operating hours on all days on which the City is open for business, and on national and state holidays. Flags may be displayed twenty-four (24) hours a day as long as they are illuminated during darkness.
- D. Flags shall not be displayed during inclement weather, unless all- weather flags are used and are illuminated during darkness.
- E. When flags are displayed on a single pole, the order from top to bottom shall be: the United States Flag, the California State Flag, if displayed, the City of Roseville flag, and, if displayed, the POW-MIA flag.
- F. When the flags are displayed from adjacent flag poles, the United States Flag shall be displayed at the highest point of honor. The California State Flag shall be placed in the second position of honor.

## **POLICY 2**

### **CITY OF ROSEVILLE POLICY ON DISPLAY OF FLAGS**

The Roseville City Council (hereinafter "City Council") desires to establish a "Policy on Display of Flags" (hereinafter "Policy"). In adopting this Policy, the City Council declares that the City of Roseville's flagpoles are not intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and City of Roseville flags, and any "commemorative flag" as may be authorized by this Policy and the City Council as an expression of the City Council's official sentiments.

#### **I. Purpose**

- A. The purpose of this Policy is to establish clear guidance from the City Council regarding the indoor and outdoor display of flags at City of Roseville (hereinafter "City") owned properties.
- B. In adopting this Policy, the City Council declares that flagpoles owned or maintained by the City are not intended to serve as a forum for free expression by the public. Rather, such flagpoles are a non-public forum for the display of Federal, State, and City of Roseville flags, and any commemorative flag (as defined by section II(C)(1) below), as authorized by the City Council and this Policy as an expression of the City Council's official sentiments (government speech).
- C. The City will not display a commemorative flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

#### **II. Policy**

- A. Conformance with Federal and State Regulations. Flags shall be displayed in accordance with all Federal and State statutes and regulations, including, but not limited to United States Code, Title 4, Chapter 1, et seq., and California Government Code sections 430 et seq., as may be amended from time to time, and this Policy.
- B. For all City owned properties (including parks), other than the Civic Center, located at 311 Vernon Street, Roseville. If there is an outside flagpole, the United States Flag may be displayed and the State of California Flag may be displayed, as described in section II(A) above. The City of Roseville Flag may also be displayed from such flagpole. If flags are displayed indoors, those flags are limited to the United States Flag, State of California Flag, and City of Roseville Flag. Commemorative flags may not be displayed.

If such City owned property is leased and/or licensed to a third party, that third party shall not be bound by this Policy, but must comply with any Federal, State, or local laws related to display of flags.

In addition, Veteran's Memorial Park North and Maidu Regional Park, may allow the display of the nationally and congressionally recognized prisoner-of-

war/missing-in-action (“POW-MIA”) flags. (See 36 U.S.C. § 902, Federal Public Law §116-67, Federal Public Law §94-344.)

C. Civic Center, located at 311 Vernon Street, Roseville. Regarding the flagpole outside of the Civic Center, located on the corner of Vernon Street and S. Grant Street, the United States Flag shall be displayed and the State of California Flag shall be displayed, as described in section II(A) above. The City of Roseville Flag may also be displayed from such flagpole, as well as a “commemorative flag” (as defined by section II(C)(1)). If flags are displayed indoors of the Civic Center, those flags are limited to the United States Flag, State of California Flag, and City of Roseville Flag.

1. Commemorative Flag

- a. As expression of the City’s official government speech, the City Council may authorize the display of a “commemorative flag” to be displayed below any other flags on the Civic Center flagpole, located on the corner of Vernon Street and S. Grant Street. Only commemorative flags that comply with this Policy may be displayed.
- b. A commemorative flag is any flag that is consistent with this Policy and not the United States Flag, State of California Flag, City of Roseville Flag, and/or the nationally and congressionally recognized POW-MIA flag.
- c. The City Council shall only consider a request to display such a commemorative flag if the request is made by a member of the City Council and a majority of the City Council members agree to place the discussion on the agenda for a regular or special City Council meeting. Requests to display a commemorative flag by members of the public will not be considered.
- d. A majority of the City Council must agree to display the commemorative flag as part of an official City Council action at a duly noticed, Ralph M. Brown Act compliant, regular or special City Council meeting.
- e. 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-one (31) continuous days.
- f. If any other flag is displayed at half-staff, the commemorative flag will also be displayed at half-staff, height limits permitting.
- g. A commemorative flag will only be considered by the City Council if it is commonly identified with, and consistent with, the current City Council recognized goals and priorities and City strategic plan. The following are not allowed as commemorative flags and will not be considered by the City Council:
  - i. Flags of a particular religious movement or creed, to avoid the

appearance of City government endorsing religion or a particular religious movement or creed;

ii. Flags of a political party, to avoid the appearance of City government endorsing a political party; and

iii. Flags advocating a certain outcome in an election.

h. Any approved commemorative flag will be obtained by the City.

### III. **Procedures**

A. Consistent with section II(A), no other flag shall be placed above the United States Flag and no other flag shall be larger than the United States Flag.

B. Flags should be hoisted briskly and lowered ceremoniously. The United States Flag should be hoisted first and lowered last.

C. Flags shall be displayed during operating hours on all days on which the City is open for business, and on national and state holidays. Flags may be displayed twenty-four (24) hours a day as long as they are illuminated during darkness.

D. Flags shall not be displayed during inclement weather, unless all- weather flags are used and are illuminated during darkness.

E. When flags are displayed on a single pole, the order from top to bottom shall be: the United States Flag, the California State Flag, if displayed, the City of Roseville Flag, if displayed the POW-MIA flag, and if displayed and allowed by this Policy, the commemorative flag.

F. When the flags are displayed from adjacent flagpoles, the United States Flag shall be displayed at the highest point of honor. The California State Flag shall be placed in the second position of honor.