

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A POLICY FOR THE DISPLAY OF FLAGS AT CITY HALL

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS
FOLLOWS:

Section 1. The City Council of the City of Fullerton hereby finds, determines and declares that the City's flagpoles are not intended to serve as a forum for free expression by the public, but rather for the display of federal, state, and city flags, the POW-MIA Flag, and any commemorative flag as may be authorized by resolution of the City Council as an expression of the City's official sentiments.

Section 2. The City Council of the City of Fullerton hereby adopts the following policy for the display of flags at City Hall:

Policy

Purpose: This policy provides the procedural guidance for the display of flags at City Hall.

Procedures: Flags shall be displayed in conformance with Federal and State statutes, including Title 4, Chapter 1 of the United States Code and Sections 430 through 439 of the California Government Code.

Standards:

A. POW/MIA Flags

1. The POW/MIA Flag is a nationally recognized flag, created in 1971 and recognized by an act of Congress through the adoption of U.S. Public Law 101-355, to represent concern of individuals who are identified as prisoners of war or missing in action. The POW-MIA Flag has become a symbol of commitment to achieving the fullest possible accounting for those in the future who may become prisoners of war, missing in action, or otherwise unaccounted for as a result of hostile action.
2. In accordance with the City's longstanding tradition, the POW/MIA flag shall continue to be displayed at City Hall.

B. Commemorative Flags

1. Commemorative flags may be displayed only as authorized by resolution of the City Council and as an expression of the City's official sentiments.

2. 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 45 continuous days.
3. Commemorative flags shall be displayed at City Hall, exclusively.
4. 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.

C. Display of Flags

Flags shall be displayed as follows: The United States flag shall be displayed in the first position of honor. The California flag shall be placed in the second position of honor. The POW/MIA flag shall be displayed in the third position of honor. The City of Fullerton flag, if displayed, shall be placed in the fourth position of honor. Commemorative flags shall be displayed in positions of honor following the aforementioned flags unless otherwise directed by the City Council and to the extent such protocol does not conflict with Federal or State law.

ADOPTED BY THE FULLERTON CITY COUNCIL on March 19, 2019.

Jesus J. Silva, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date