

CITY OF MANTECA FLAG 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 Manteca flagpoles, which include flagpoles located at City-owned buildings and facilities, are not intended to serve as a forum for free expression of or by the public, but instead only represent the speech of the City of Manteca.

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 Manteca Flag (Reserved). The City of Manteca Flag (or City of Manteca department flags), 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) Commemorative Flags.

(A) “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. Commemorative flags shall not include flags of other nations/countries.

(B) The City shall display Commemorative Flags only if authorized by the City Manager as an expression of the City’s Official speech in accordance with the procedures outlined in this policy and the Municipal ~~Code~~Code and shall be carried out as set out in section (iv) below.

(C) The City’s flagpoles are not intended to serve as a forum for free expression by or for the public.

(D) Display of Flags. City flagpoles will only display flags that may be safely accommodated on the respective pole.

(E) Commemorative Flags may be displayed on the flagpole(s) outside of the City Administration Building under the California State Flag, if one is flown.

(F) Only one Commemorative Flag will be flown at a time.

(G) Other than those flagpoles identified in the subsection above, no other City Flagpoles shall fly Commemorative Flags.

(H) 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 seven (7) continuous days.

ATTACHMENT 3

(I) 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.

(J) 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.

(K) The City Manager shall have sole discretion to consider whether a Commemorative Flag should be displayed.

(L) The City will not display a Commemorative Flag based on a request from a third party, resident(s), or outside entity/individual. To be clear, the display of a Commemorative Flag by the City shall only represent the speech of the City of Manteca. No requests, petitions, and/or demands from a third party, resident(s), or outside entity/individual shall be considered.

(iv) Annually, at the same City Council meeting when the City presents the proposed dates for City Council meetings for the following calendar year, the City Manager shall provide (as an informational item only for purposes of receive and file) a list of Commemorative Flags and dates when such flags will be flown, consistent with this policy, for the following calendar year. After the submission of this item to the City Council by the City Manager, there may be no changes, additions, deletions, and/or amendments to the list submitted by the City Manager for the following calendar year.

(iv) 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 and state laws.

(v) Flags Inside City Hall.

(A) Flags inside the City Hall Lobby (Administration Building). The United States Flag, California State Flag, City of Manteca Flags, or any Sister City Flags (which the City Council finds are not Commemorative Flags) may be displayed in the lobby area of Manteca City Hall.

(vi) Flags inside City Council Board Chambers.

(A) The United States Flag and the California State Flag shall be the only flags displayed behind the dais in the City Council Chambers.

(viii) Leased City Properties. Only after notice and a request are provided to the City Manager, and the City Manager approves such a request, entities that lease City properties may fly flags other than the United States, State of California, and/or City of Manteca flags.

(viii) Responsibilities

(A) Public Works staff shall maintain the flags located on City property, in conjunction with the City Manager's Office.

(A)(B) Inquiries about this flag policy shall be directed to and addressed by the City Attorney's Office.