

BY-LAW NO. 68-2021

**A BY-LAW OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF
CARLETON PLACE TO ADOPT A FLAG POLICY**

WHEREAS it is deemed appropriate and desirable to adopt a new Flag Policy for the Corporation of The Town of Carleton Place; and

WHEREAS Section 9 of the Ontario Municipal Act grants to local municipalities the powers of a Natural Person for the purposes of exercising its authority;

NOW THEREFORE, The Council of The Corporation of The Town of Carleton Place hereby enacts as follows;

1. That Schedule 'A' as attached hereto be adopted as the official Flag Policy for The Corporation of The Town of Carleton Place.
2. That By-laws 58-2018 and 29-2019 be rescinded.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED
THIS 27TH DAY OF APRIL 2021.

Doug Black, Mayor

Stacey Blair, Clerk

SCHEDULE A TO BY-LAW 68-2021

FLAG POLICY

1. Purpose

The purpose of this Policy is to ensure that all flags at Town facilities are flown and displayed in a consistent and appropriate manner.

2. Application and Scope

This Policy applies to the display, maintenance and disposal of flags flown at Town facilities.

A community flag raising is limited and specific to the Community Flagpole.

2.1 Exceptions

This Policy is not meant to impede the standards of practice of the OPP/Fire Facility in honouring their members or other fire and emergency personnel who have died in the line of duty.

3. Definitions

3.1 “Town sites” means facilities, properties, building and parks managed or owned by the Town of Carleton Place.

3.2 “Community Flagpole” means the Community Flagpole at Sinclair Square.

3.3 “Flag” means a piece of cloth (usually rectangular) of distinctive colour, design, emblem or symbol to represent nations, provinces, states or municipalities. “Flag” is also used to describe a banner which looks like a flag bearing a symbol, logo, slogan or other message to represent charitable or non-profit organizations but does not have a flag status.

3.4 “Half-masting” means the position of a flag, approximately halfway up the post or pole. Flying flags at half-mast is a symbol of respect or mourning or to commemorate significant dates.

3.5 “Order of Precedence” means the positioning of flags in priority of importance, order or rank.

4. Outcomes

4.1 All flags at Town facilities are flown, displayed and disposed of in a consistent and appropriate manner and are positioned in Order of Precedence in accordance with the [National Flag of Canada etiquette](#).

4.2 Community flag raisings honouring Carleton Place's diversity and important community events shall occur in a fair, inclusive and equitable manner.

5. Displaying the Flag(s)

5.1 The Town follows the [Order of Precedence](#) established by Canadian Heritage when flying flags.

5.1.1 The National Flag will always be displayed in the position of honour, unless a Royal Standard is to be displayed.

In compliance with the flag policy, an observer facing the display would find these flags positioned in the following manner beginning at the extreme left:

One pole Canadian flag



Two poles 1st Canadian flag - 2nd Town flag



Three poles 1st Provincial flag, 2nd Canadian flag, and 3rd Town flag



Four poles 1st Canadian flag, 2nd Provincial flag, 3rd Town flag, 4th other flag



5.2 The Town of Carleton Place flag takes precedence over all charitable and non-profit organization and community flags unless otherwise established by Canadian Heritage.

5.2.1 The Town of Carleton Place flag will be flown at all Town buildings or facilities where there are sufficient flagpoles to do so.

5.2.2 The Town of Carleton Place flag may be displayed indoors, in the Council Chambers, the Mayor's Office, and at special events or ceremonies where flags have a specific purpose and are required.

5.2.3 The Town of Carleton Place flag shall not be used for commercial purposes by any external organization.

5.2.4 The Town of Carleton Place reserves the right to refuse, deny or restrict the use of the Town flag.

5.3 Consistent with the [National Flag of Canada etiquette](#):

- a) Flags shall be flown on separate poles;
- b) Flags shall be flown at the same height;
- c) Flags flown in a group shall all be the same size; and
- d) Flags flying at half-mast will follow Town guidelines and standard operating procedures.

5.4 Flags Flown Permanently at Town Hall

The National Flag of Canada, the Province of Ontario and the Town of Carleton Place flags shall be flown at the Town Hall, along with any other flags approved by Council.

5.5 Town Facilities

5.5.1 Departments shall consult with the Manager of Recreation of Culture when planning to add or remove flags or flagpoles outside the premise(s) of existing or new Town facilities.

5.5.2 Where external tenants are located at Town properties and facilities and wish to fly flags outside the buildings, they shall consult with the Manager of Recreation and Culture, prior to displaying their flags, and

are subject to approval by the Town.

- 5.6 When a flag becomes worn, noticeably faded or otherwise unfit for service, it must be disposed of privately by burning.
- 5.7 Facility Managers are responsible for ensuring that flags are replaced when they become worn or unfit for service.

6. Half-Masting

6.1 General

- 6.1.1 Flags are flown at the half-mast position as a symbolic expression of collective mourning.
- 6.1.2 Half-masting may occur at all municipal facilities or specific locations, subject to the provisions of this policy.
- 6.1.3 The duration of half-masting may be:
 - a) From time of notification of death until sunset on the day of the funeral or memorial service, or
 - b) From notification of death until sunset the next day and from sunrise to sunset on the day of the funeral or memorial service, or
 - c) From sunrise to sunset on the day of the funeral or memorial service.
- 6.1.4 Unless otherwise prescribed in this Council Policy, the Mayor and CAO will determine and direct the extent of flags to be flown at half-mast including the locations and duration, and will send formal notice to all relevant departments with specific instructions.
- 6.1.5 Consistent with Section 4.9, when flags are to be lowered, all flags flown at Town facilities shall be flown at half-mast.
- 6.1.6 This Council Policy is not meant to impede the standards of practice of the Fire, Police with regards to honouring their members at their facility.

6.2 Rationale for Half-masting

- 6.2.1 Half-masting at all Town of Carleton Place facilities will occur in the event of the death of:
 - a) The Sovereign or a member of the Canadian Royal Family
 - b) The current or former Governor General of Canada
 - c) The current or Prime Minister of Canada
 - d) The current or former Lieutenant Governor of Ontario
 - e) The current or former Premier of Ontario
 - f) A current or former local Member of Parliament or local Member of Provincial Parliament representing the Town of Carleton Place

- g) A current member of the County of Lanark County Council
- h) A current or former member of Carleton Place Town Council
- i) A current Town of Carleton Place employee or former CAO
- j) An officer, paramedic, firefighter or other person who dies in the line of duty or by reason of the position occupied from the County of Lanark or fire departments within Lanark County or the Lanark County OPP.

6.2.2 Half-masting at the Community flagpole facility will occur in the event of the death of:

- a) A resident of Carleton Place, who is a member of the Canadian Armed Forces killed while deployed on operations
- b) Current or former Citizen of the Year
- c) Special events recognized by the Canadian Government that recognize the death of a universal major figure(s)

6.2.3 Half-masting at Town of Carleton Place facilities in respect of a person or person not specifically identified in this section may occur at the discretion of the Mayor in consultation with the CAO as a symbolic gesture of collective community mourning.

6.3 Special Days

Flags at the Carleton Place Town Hall and Community Flagpole will be half-masted from sunrise to sunset on the following days:

- April 9: Vimy Ridge Day
- November 11: Remembrance Day

Flags at the Carleton Place Community Flagpole will be half-masted from sunrise to sunset on the following days:

- April 28: National Day of Mourning for Persons Killed or Injured in the Workplace (Workers' Mourning Day)
- Second Sunday in September: Firefighters' National Memorial Day
- Last Sunday in September: Police and Peace Officers' National Memorial Day
- December 6: National Day of Remembrance and Action on Violence Against Women

7. National and Community Flag Raising

7.1 General

7.1.1 The Town may fly flags on its premises on a temporary basis to mark special and ceremonial occasions. Discretion rests with the Mayor in consultation with the CAO and Manager of Recreation and Culture for such requests not identified in this policy.

7.1.2 Dignitaries

a) Royal Family or Her Majesty's representatives:

When a member of the Royal Family or her Majesty's representatives visits a Town facility or is hosted by the Town, the Department of Recreation and Culture may determine if and where the appropriate Royal Standard flag is to be flown. The Royal Standard flags take precedence over the National Flag of Canada flag.

b) Other dignitaries:

As a gesture of respect and friendship, the CAO may direct if and where the appropriate flag be flown on the occasion of a visiting foreign dignitary.

7.2 Community Flag Raisings

- a) All community flag raisings shall take place on the Community Flagpole.
- b) It is the responsibility of the requesting organization to submit an application for a community flag raising to the Department of Recreation and Culture.
- c) Requests will be confirmed on a first come, first served basis.
- d) Organizations with approved flag raising requests are required to provide a flag and other information pertaining to their flag raising program in advance of the flag raising in accordance with standard operating procedures.
- e) Should a community flag raising be requested as part of a larger event to be held at Sinclair Square, applicants must make arrangements to rent the space in accordance with Town policies and procedures.
- f) The Department of Recreation and Culture will assess and approve community flag raising requests from charitable and non-profit organizations based on the following criteria:
 - i. The Town may fly flags on the Community Flagpole of:
 - a. nations recognized by the Government of Canada to celebrate a country's national day or on the anniversary of a special occasion;
 - b. charitable or non-profit organizations to help increase public awareness of their programs and activities;
 - c. organizations that have achieved national or international distinction or made a significant contribution to the community; and
 - d. organizations that have a presence in the Carleton Place community, except those outlined in section f) ii. below.
 - ii. The Town will not approve requests for flag raisings on the Community Flagpole requested by:
 - a. Organizations or groups that are political or partisan in nature, including political parties or political organizations;

- b. Organizations that promote hatred, violence, racism, or discrimination of any kind;
 - c. Religious organizations;
 - d. Organizations that have already flown a flag on the Community Flagpole within the same calendar year; or
 - e. Commercial entities.
- iii. The Town will not approve requests for use of the Community Flagpole for flags that:
- a. Belong to nations not recognized by the Government of Canada;
 - b. Represent political causes;
 - c. Celebrate religious events;
 - d. Celebrate corporate events;
 - e. Support of groups, organizations, or events that promote beliefs contrary to any other Town policy or pose a reputational risk to the Town; or
 - f. Belong to nations that have already flown on the Community Flagpole within the same calendar year.
- g) The Mayor, in consultation with the CAO and Manager of Recreation and Culture, may apply discretion to approve or deny a request for a flag raising based on reputational risk to the Town.
- h) When requests do not meet the criteria outlined in this Policy, the Manager of Recreation and Culture will advise Council.
- i) The Town reserves the right to cancel a flag raising in the case of an unforeseen circumstance.
- j) Flags may be flown for a maximum of two (2) weeks.
- k) When more than one flag raising request occurs for the same day, staff will make best efforts with the applicants to accommodate all requests.
- l) When the same flag raising is requested by more than one community organization, the Town will try to coordinate the requests and reserves the right to determine the lead organization.

8. Roles and Responsibilities

8.1 Town Council

Approve community flag raising requests that fall outside of the criteria of this Policy.

8.2 Mayor

- Discretion for half-masting and discretion for flying flags for special or ceremonial occasions not identified in the Policy
- Discretion to approve a community flag raising request that does not meet the criteria, and discretion to deny a community flag raising request that has reputational risk to the Town.

8.3 Chief Administrative Officer

- Provide advice to the Mayor on half-masting protocols not identified in policy
- Provide advice to the Mayor for dignitary and other requests not identified in this Policy.

8.4 The Department of Recreation and Culture

- Interpret and administer this Policy and associated standard operating procedures
- Provide advice to the Mayor and/or CAO on half-masting protocols, flag protocol for dignitary visits, or other requests not identified in this Policy.

9. Monitoring and Compliance

The Clerk in consultation with the Manager of Recreation and Culture shall ensure this Policy is reviewed as per governing policy and remains relevant to the needs of the Town, in accordance with legislative requirements and good business practices.