

RESOLUTION NO. 18-8597

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
ADOPTING A DISPLAY OF FLAGS POLICY**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, establishing a policy on the display of flags will provide guidelines for the exhibition of the United States of America flag, the California State flag, and the City of Santa Clara flag at Santa Clara City Hall and City facilities;

WHEREAS, establishing the Display of Flags policy will help ensure that flags will be displayed in conformance with Federal and State laws and regulations;

WHEREAS, the Display of Flags policy affirms that that the City of Santa Clara's flagpoles are not intended to serve as a forum for free expression by the public;

WHEREAS, the Display of Flags Policy, attached hereto as Attachment 1, provides guidance and the procedure for the display of federal, state, and City flags, as well as the display of ceremonial flags including, but not limited to: flags of governments recognized by the United States, flags of official Sister Cities of the City of Santa Clara, flags of significance to the City's history, and flags that commemorate special observances.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Display of Flags Policy, attached hereto as Attachment 1, is hereby approved and adopted, and the City Manager is directed to number (and renumber, as appropriate) the Council Policy Manual such that they are organized in a logical fashion.

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2. Effective date. This resolution shall become effective immediately

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED
AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING
THEREOF HELD ON THE 28th DAY OF AUGUST, 2018, BY THE FOLLOWING VOTE:

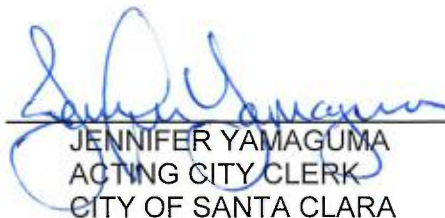
AYES: COUNCILORS: Davis, Kolstad, Mahan, O'Neill, and Watanabe and
Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:


JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Display of Flags Policy



DISPLAY OF FLAGS POLICY

PURPOSE

To establish clear guidelines for: 1) the exhibition of the United States of America flag, the California State flag, the City of Santa Clara flag at City facilities and at City Hall, and 2) the display of ceremonial flags.

POLICY

It is the policy of the City of Santa Clara that flags should be displayed in conformance with Federal and State laws and policies, as stated in the Federal "The Flag" publication of the Congress, Title 4, Chapter, 1 of the United States Code, and the State of California Government Code Sections 430 and 437.

The City's flagpoles are not intended to serve as a forum for free expression by the public. The City will not display a ceremonial flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

PROCEDURE

Federal, State, and City Flags

1. Outdoor flags will be flown at City facilities in the following order of precedence: first, the United States of America flag; second, the California State flag; third, the City of Santa Clara flag;
2. The City of Santa Clara flag will be flown wherever there are sufficient poles to do so. The City flag may be displayed on the same pole with, and underneath the State flag, whenever the pole is of sufficient height. The Federal, State, and City flags shall not be flown on a single pole of any height.
3. Indoor City flags shall be displayed at a minimum in the City Hall Council Chambers and in the Mayor's Office.

Ceremonial Flags

1. Flags of governments recognized by the United States may be displayed upon the request of the Mayor, a member of the City Council, or the City Manager. If flags of two or more nations are flown, the foreign flag(s) must be of equal size and displayed on staffs of equal height as the United States flag.
2. The flags of official Sister Cities of the City of Santa Clara may be displayed in conjunction with an event involving the Sister City or Cities, and shall follow the City flag in the order of precedence of Federal, State, and City flags.



DISPLAY OF FLAGS POLICY

3. Ceremonial flags of significance to the City's history may be displayed as designated by City Council by adoption of a resolution in conjunction with official actions or proclamations of the City Council.
4. Ceremonial flags that commemorate special observances must be approved by City Council by adoption of a resolution prior to the observance and 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 30 continuous days.
5. All ceremonial flags shall be no larger than three feet by five feet and no smaller than two feet by four feet.