

EXTERIOR PLACEMENT OF FLAGS

Adopted by City Council September 12, 2022.

RESOLUTION OF THE CITY OF MADISON HEIGHTS CITY COUNCIL REGARDING THE DISPLAY AND PLACEMENT OF FLAGS ON CITY-OWNED FLAG POLES OUTSIDE AND/OR INSIDE OF CITY-OWNED BUILDINGS

The Madison Heights City Council determines that the display and placement of flags, on City-owned flag poles, outside and/or inside of City-owned buildings, constitutes government speech only and is not designated or intended as a public forum or limited public forum; and,

The Madison Heights City Council determines that the display and placement of flags, on City-owned flag poles, outside and/or inside of City-owned buildings conveys the policies and values of the City government and has the potential to affect the image and perception of the City;

NOW, THEREFORE BE IT RESOLVED that the City of Madison Heights City Council determines:

1. This is the policy governing the display and placement of flags, on City owned flag poles, outside and/or inside of City owned buildings and shall supersede all other policies related to flags previously adopted by City Council.
2. The City of Madison Heights may display the United States flag, the State of Michigan flag, the City of Madison Heights flag, and City Departmental flags on City owned flag poles, outside and/or inside of City owned buildings.
3. The City of Madison Heights may also display any flag that, within the last five (5) years from the date of this Resolution, the City has flown on City owned flag poles, outside and/or inside of City owned buildings, any flag that Oakland County has flown on the flag poles outside of the Oakland County Executive and Courthouse Complex in Pontiac, Michigan, any flag that the State of Michigan has flown on the flag poles outside of the State Capitol Building in Lansing, Michigan, or any flag that the U.S. Government has flown on the flag poles on or outside of the White House in Washington, D.C., including but not limited to the POW/MIA flag, the Juneteenth flag and the Pride or Progressive Pride flag.
4. Other governmental flags meeting the above criteria, but not specifically named in paragraph three (3), shall be considered for approval by a committee consisting of the City Manager, Chief of Police, Fire Chief and City Attorney with a right of appeal to City Council, if not approved by the committee.
5. The City of Madison Heights shall honor all the flags, displayed or placed on City-owned flag poles, outside and/or inside of City owned buildings, in compliance with national and state protocols for flag display and etiquette.

6. This policy pertains to the display and placement of flags, on City owned flag poles, outside and/or inside of City owned buildings, and constitutes government speech, only and is not designated or intended as a public forum or limited public forum.
7. Further, nothing herein is intended to prohibit or prevent people, groups, or organizations from bringing, using, and waving their own flags at events held at City owned parks or on City owned property.
8. If any section or portion of this Resolution is determined to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this Resolution.