

CITY OF ORLAND FLAG DISPLAY POLICY

EXHIBIT A TO RESOLUTION NO. 2025-____

I. PURPOSE AND INTENT

A. Purpose. The City of Orland ("City") hereby establishes this Flag Display Policy to provide clear and consistent guidelines for the display of flags on City property and City-maintained rights-of-way.

B. Government Speech Designation. The City Council declares that all flagpoles on City property and City-maintained rights-of-way are designated exclusively for government speech and do not constitute public forums for private expression. Through the display of flags, the City expresses its official governmental messages, values, and sentiments.

C. Constitutional Authority. This policy is adopted pursuant to the government speech doctrine recognized by the United States Supreme Court, which permits governmental entities to express their own views and messages without being subject to First Amendment restrictions that apply to the regulation of private speech.

D. Equal Representation. By limiting flag displays to official government flags, this policy ensures that all residents, regardless of origin, ethnicity, religion, or political affiliation, are equally represented under the unifying symbols of our federal, state, and local government.

II. APPLICABILITY

A. Covered Locations. This policy applies to all flag displays on:

1. City-owned buildings and facilities, including but not limited to City Hall, police and fire stations, parks and recreation facilities, and public works facilities
2. City-maintained rights-of-way where the City has authority to control displays
3. City-owned flagpoles in parks and other public spaces

B. Excluded Locations. This policy does not apply to:

1. Property owned or controlled by other governmental entities (federal, state, county, or special districts)
2. Rights-of-way under the jurisdiction of other agencies
3. Private property

III. AUTHORIZED FLAGS AND BANNERS

Only the following flags and banners may be displayed on City property and City-maintained rights-of-way:

A. United States Flag. The flag of the United States of America, which shall be displayed in accordance with the United States Flag Code (4 U.S.C. §§ 1-10) and applicable federal law.

B. California State Flag. The flag of the State of California, which shall be displayed in accordance with California Government Code Sections 430-439.

C. City of Orland Flag. If adopted by the City Council, an official City of Orland flag may be displayed.

D. Prisoners of War/Missing in Action (POW/MIA) Flag. The POW/MIA flag may be displayed in accordance with applicable federal and state law.

E. City Event and Program Banners. Banners announcing or promoting City-sponsored events, programs, and activities may be displayed on City property and City-maintained rights-of-way, including on street light poles and other appropriate locations. Such banners constitute government speech and shall be approved by the City Manager or designee. Banners must relate to official City business, City-sponsored events, or programs in which the City is an official partner or sponsor.

IV. DISPLAY STANDARDS AND PROTOCOLS

A. Order of Precedence. When multiple flags are displayed:

1. The United States Flag shall always be displayed in the position of highest honor
2. The California State Flag shall be displayed in the second position of honor
3. The City of Orland Flag, if adopted, shall be displayed in the third position
4. The POW/MIA Flag, if displayed, shall be displayed below all other flags

B. Size and Condition Requirements.

1. No flag shall be larger than the United States Flag
2. When displayed together, the United States Flag and California State Flag should be of equal size
3. All flags must be clean, in good repair, and suitable for display
4. Worn or damaged flags shall be promptly replaced and retired respectfully

C. Time of Display.

1. Flags should normally be displayed from sunrise to sunset
2. Flags may be displayed 24 hours per day if properly illuminated during darkness
3. Flags should not be displayed during inclement weather unless all-weather flags are used

D. Half-Staff Displays.

1. The United States Flag shall be flown at half-staff in accordance with Presidential proclamations, federal law, and orders from the Governor of California
2. The California State Flag shall be flown at half-staff whenever the United States Flag is at half-staff
3. The City Manager may order flags to be flown at half-staff upon the death of a City official or employee in accordance with established protocols

E. Raising and Lowering.

1. Flags should be raised briskly and lowered ceremoniously
2. The United States Flag should be raised first and lowered last
3. When displayed at half-staff, flags shall first be raised to the peak momentarily before being lowered to half-staff

V. PROHIBITION ON UNAUTHORIZED FLAGS AND BANNERS

A. No Other Flags or Banners Permitted. No flags, banners, or pennants other than those specifically authorized in Section III shall be displayed on City property or City-maintained rights-of-way.

B. No Third-Party Requests. The City will not consider or accept requests from individuals, organizations, or groups to display flags or banners other than those authorized in this policy. This includes banners for non-City events, private organizations, or commercial enterprises.

C. Enforcement. City staff shall remove any unauthorized flag or banner displays and may take appropriate enforcement action for violations of this policy.

VI. ADMINISTRATION

A. Responsibility. The City Manager or designee shall be responsible for:

1. Implementation and enforcement of this policy
2. Procurement and maintenance of authorized flags
3. Training staff on proper flag display protocols
4. Coordination with other agencies regarding jurisdictional issues

B. Flag Procurement. All United States and California State Flags purchased by the City shall be made in the United States in accordance with California Government Code Section 434.7.

C. Maintenance. The Public Works Department shall regularly inspect and maintain all City flag displays to ensure compliance with this policy.

VII. SEVERABILITY

If any provision of this policy is held invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

VIII. AMENDMENTS

This policy may be amended by resolution of the City Council.

Adopted: _____, 2025