

CITY OF SAN MATEO
RESOLUTION NO. ____ (2024)

APPROVING A FLAG POLICY GOVERNING HOW FLAGS ARE TO BE DISPLAYED AT CITY FACILITIES

WHEREAS, the City of San Mateo displays governmental flags in accordance with Title 4, Chapter 1 of the United States Code (Flag Code) and California Government Code Sections 430-439; and

WHEREAS, the City Council of San Mateo may on occasion call for the display of non-governmental flags to express official sentiments of the City; and

WHEREAS, the proposed Flag Policy shall standardize the manner in which flags are displayed at City-owned facilities.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. This policy adoption is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)
2. The Flag Policy attached as Exhibit A to this resolution is approved, and the City Manager is authorized to make non-substantive changes.



Staff Policies Manual

Title: **Flag Policy**
Policy #: XXX
Sponsored by: City Clerk's Office
Approved by: City Council
Date: Issued: 09/__/2024

Purpose

This policy provides guidelines to standardize the manner in which the Flag of the United States of America, the Flag of the State of California, and other flags are to be displayed at City of San Mateo facilities.

Policy

1. The Flag of the United States of America together with the Flag of the State of California shall be displayed daily on exterior flag poles at major City facilities and other City property where flag poles exist. Additional governmental flags and the POW/MIA flag may be displayed with the express permission of the City Council or the City Manager of the City of San Mateo.
2. Proper respect for the Flag of the United States of America and the Flag of the State of California shall be demonstrated at all times.
3. The City's flagpoles are not intended to serve as a forum for free expression by the public. Flags other than the Flag of the United States of America, the Flag of the State of California or other governmental flags ("Non-Governmental Flags") shall only be displayed upon approval by the City Council of the City of San Mateo by adoption of a resolution.

Scope

This policy shall apply to all City employees unless a department policy addresses the same subject. If there is a conflict between the requirements of this policy or the procedures implementing the policy and the department's policy, the more restrictive shall apply, unless compliance with the more restrictive requirement would conflict with federal or state law.

Responsibility

1. Department Heads
 - A. Department Heads will designate City staff to maintain flag displays at City facilities.

2. City Manager's Office

- A. The City Clerk's Office and/or City Manager's Office shall coordinate the proper display of flags.

Procedures

1. Outdoor Display

The Flag of the United States of America and other governmental flags may be flown from separate staffs or may be flown from the same flag staff as follows:

- A. When two flags are displayed from separate staffs, on the same level, the flag of the United States of America should be placed in the honor position to the right of the other flags as observed while standing directly in front of a building and facing out toward the flags (to an observer facing a building, the flag of the United States should be to the observer's left).
- B. When two or more flags are flown from the same staff, the Flag of the United States of America should always be at the peak of the staff with the Flag of the State of California flying directly below the United States flag in such a manner as to not interfere with any part of the United States flag. Any other flags should be flown at a position subordinate to the State flag.
- C. When flags of two or more nations are displayed, they should be flown from separate staffs of the same height. If only two flags are displayed, the Flag of the United States of America, as the host flag, should be displayed in the position of honor to the right of the other flag (refer to Section 1.A). If three flags are displayed, two of which are from different nations, the Flag of the United States of America should be displayed to the left of an observer facing the building (refer to Section 1.A), the flag of the other nation should be displayed in the center, and the Flag of the State of California should be displayed to the viewer's right as they face the building. International usage prohibits the display of the flag of one nation above that of another nation in a time of peace.
- D. When three or more flags of states, localities, or pennants of societies are grouped and displayed from separate staffs, the flag of the United States should be at the center and at the highest point. The Flag of the State of California is accorded the next place of honor on the viewer's left as they face the building. Staffs shall be of equal height and the flags shall be of equal size.
- E. Flags should be displayed between 8:00 a.m. and 5:00 p.m. Illuminated flags may be displayed 24 hours a day. Flags should not be flown in inclement weather, except when all-weather flags are utilized.
- F. Proper respect for the Flag of the United States of America and the Flag of the State of California shall be demonstrated at all times.

- G. The Flag of the United States of America and the Flag of the State of California shall be hoisted briskly and lowered slowly and ceremoniously.

2. Indoor Display

A. The City Council Chambers

The Flag of the United States of America should be displayed on a staff in the position of honor on the right side of the City Council dais (to an observer facing the dais, the Flag of the United States should be on the observer's left). Any other flag should stand on the left side of the City Council dais. All flags should be on the same riser as the dais.

B. Auditoriums, Meeting Halls

- i. When the Flag of the United States of America is displayed on a staff, the national flag should hold the position of superior prominence, in advance of the audience, and in the position of honor to the right of the speaker as the speaker faces the audience (to an observer facing the speaker, the Flag of the United States should be on the observer's left), with any other flag located to the speaker's left (to an observer facing the speaker, any other flag should be on the observer's right).
- ii. When the Flag of the United States of America is displayed either horizontally or vertically against a wall or other flat surface, the union should be uppermost and to the flag's own right (to an observer, the union should be uppermost and to the observer's left).

3. Flying Flags at Half-Staff

A. Hoisting Procedure:

- i. When flown at half-staff, the Flag should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.

B. Federal or State Occasions:

- i. Flags shall be flown at half-staff on the death of prominent Federal or State officials or on instructions from the President of the United States or Governor of California.

C. Memorial Day

- i. Flags shall be flown at half-staff until noon on this day, then raised to full staff for the remainder of the day at City facilities operating on Memorial Day.

D. Local Prerogative

- i. Presidential Proclamation 3044 allows for the display of the flag at half-staff "in accordance with recognized customs and practices not inconsistent with law."
- ii. Accordingly, the City Manager may direct the flags at all City facilities to be flown at half-staff upon the death of a City employee, whether killed in the line of duty or not.
- iii. The City Manager may direct the flags at all City facilities to be flown at half-staff upon the death of a prominent City of San Mateo resident, a current or former City of San Mateo City Councilmember, or a current or former City of San Mateo resident killed in the line of military duty.
- iv. The Police Chief or the Fire Chief of the San Mateo Consolidated Fire Department may direct flags at all City fire stations and police stations be flown at half-staff upon the death, in the line of duty, of any public safety members in the State of California or upon an extraordinary loss of life of public safety members nationwide.
- v. Flags should be flown at half-staff until the burial of the deceased.
- vi. Flags may also be flown at half-staff at all City facilities on an occasion befitting a local day of mourning or remembrance as determined by the City Manager or the City Council of the City of San Mateo. The length of time that the flags remain at half-staff shall be prescribed by the City Manager.

4. Care of Flags

A. Stowing or disposing of the Flag of the United States of America

- i. Flags should be folded in the traditional triangle for stowage.
- ii. Flags are to be dry-cleaned or replaced when they have been soiled.
- iii. Flags that are torn are not to be flown but are to be burned.
- iv. When disposing a worn flag, the flag should be folded in its customary manner, then burned in a fire that is of sufficient intensity to ensure complete burning of the flag. After the flag is completely consumed, the fire should then be safely extinguished and the ashes buried.

B. The Flag of the United States of America should never touch the ground.

C. Any Flag of the United States of America or the Flag of the State of California purchased by the City of San Mateo shall be made in the United States.

5. Display of Non-Governmental Flags

- A. Non-Governmental Flags may be displayed on City property as an expression of the City Council's official sentiments only upon adoption of a resolution by the City Council. Such resolution may be adopted in conjunction with official actions, ceremonial items, or proclamations of the City Council.
- B. Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

The City will take responsibility for obtaining and paying for any approved Non-Governmental Flags.

Related Policies

- 1. The City's Policy is established in accordance with United States Code, Title 4 (Flag Code) and California Government Code, Sections 430-439, and may be modified by the City Manager to comply with any changes to these codes.

Contact for this Policy

City Clerk

City Manager's Office

Approval

This policy was approved by the City Council on _____ by Resolution No. ____.