

THE CORPORATION OF THE TOWNSHIP OF PERRY

BY-LAW 2019-87

Being a by-law to adopt the Flag Protocol Policy

WHEREAS Section 9 of the *Municipal Act, S.O. 2001, c. 25, as amended*, provides a municipality with the authority to undertake the actions set out in this by-law;

AND WHEREAS Section 11 of the *Municipal Act, S.O. 2001, c. 25, as amended*, provides that a municipality may pass by-laws in regard to the governance structure of the municipality and its local boards;

AND WHEREAS Section 11 of the *Municipal Act, S.O. 2001, c. 25, as amended*, provides that a municipality may pass by-laws for the accountability and transparency of the municipality and its operations and of its local boards and their operations;

AND WHEREAS the Council of the Township of Perry deems it desirable and necessary to possess a Flag Protocol Policy;

NOW THEREFORE the Council of the Township of Perry enacts as follows:

1. That Council hereby adopts the Flag Protocol Policy as presented in Schedule "A".
2. That this By-law shall come into force and take effect upon its third and final reading thereof.

READ a First and Second Time this 18th day of December, 2019.



Norm Hofstetter, Mayor



Beth Morton, Clerk/Administrator

READ a Third and Final Time and Enacted in Open Council this 18th day of December, 2019.



Norm Hofstetter, Mayor



Beth Morton, Clerk/Administrator



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1. Definitions & Interpretation Rules

Wherever a word is used in this Policy with its first letter capitalized, the term is being used as it is defined in this Section. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended. Defined terms may be used throughout this policy in different grammatical contexts.

Authorized Flags: Include the National Flag of Canada, the Flag of the Province of Ontario, Flags of the Provinces and Territories of Canada, Municipal Flag (if applicable), National Flag of the United States of America, or any other flag approved by the Township to be flown on a Township flagpole.

Community Flagpole: The series of flagpoles located at the Township Office (1695 Emsdale Road). The Community Flagpole will be used as the location for all *discretionary* Half-masting of flags.

Flag(s): The collective word for all Flags being flown on Township flagpoles.

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Flag Etiquette Guideline: The [guideline](#) for the National Flag of Canada, as provided by the Government of Canada.

Flag of the Province of Ontario: The current Ontario Flag as proclaimed by the Flag Act on May 21, 1965.

Half-mast: The position of the Flag when flying at Half-mast will depend on its size, the length of the mast and its location; but generally, the centre of the Flag should be half-way down the mast.

National Flag of Canada: The Canadian Flag of Canada as approved by Parliament and proclaimed by Her Majesty Queen Elizabeth II, Queen of Canada, on February 15, 1965.

Specialty Flag: A flag supporting or bringing awareness to a local organization or association (e.g. Autism Awareness)

Township: The Corporation of the Township of Perry.

Township Flagpole: Includes all flagpoles on Township property under the care and control of the Township.

2. Purpose

The Township of Perry acknowledges that flags are a symbol of honour and pride and wishes to institute a policy which will show respect and dignity for the flags while providing opportunities to bestow an honour or express a collective sense of sorrow through the action of lowering flags to Half-mast.

The intent of the policy is to provide clear guidance and direction to Township staff as to the appropriate times and processes for raising, displaying and Half-masting of flags on Township flagpoles.

3. General Scope

Flag Etiquette in Canada (Canadian Heritage)

Flags are symbols that identify people belonging to a group. The National Flag of Canada and the flags of the Provinces and Territories are symbols of honour and pride to all Canadians. They should be treated with respect.

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The National Flag of Canada should be displayed only in a manner befitting this important national symbol; it should not be subject to indignity or displayed in a position inferior to any other flag or ensign.

The manner in which flags may be displayed in Canada is not governed by any legislation but by established practice. The etiquette outlined in this policy is an adaptation of customs the federal government has been observing for years. Should Federal or Provincial Legislation pertaining to Flag Etiquette in Canada be introduced, it will take precedence over this policy.

Location of Township Flagpoles

(see Schedule "A")

4. Guiding Principles

a. Displaying of Flags

- i. The only Flags flown on Township flagpoles are those authorized by the Township (see Authorized Flags under Definitions).
- ii. The National Flag of Canada should always be flown on its own mast. No Flag will be flown or displayed above the National Flag of Canada.
- iii. Flags flown together should be approximately the same size and flown on separate flagpoles at the same height.
- iv. Where there is only one flagpole, the National Flag of Canada will be flown.
- v. The National Flag of Canada will always be given the place of honour when flown or displayed with other Flags (see "Exceptions" under '4.a.vi. '), including:
 - a) When two or more flags are flown together, the National Flag of Canada should be on the left as seen by spectators in front of the flags; if a number of countries are represented, the Canadian Flag may be flown at each end of the line of flags;
 - b) When three flags are flown together, the National Flag of Canada should occupy the central position, with the next ranking flag to the left and third ranking to the right, as seen by the spectators in front of the flag;

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- c) When there are flag poles of differing heights, the flag with the highest priority and honour shall be flown on the highest flag poles, and the remaining flags shall revert to flag priority on the shorter flag poles;
 - d) Where more than one flag is flown in a series and it is impossible to hoist or lower at the same time, the National Flag of Canada should be hoisted first and lowered last;
 - e) In all circumstances, the order of the flags shall reflect the hierarchy of the levels of government being represented;
 - f) Where the National Flag of Canada is being displayed vertically, horizontally, projected from a building, or on a speakers platform, the Township will follow the 'Rules for Flying the National Flag of Canada' within the Flag Etiquette Guideline.
- vi. Further to "4.a.v.", it is important to note that the following flags take precedence over the National Flag of Canada on buildings where one of the following dignitaries are in residence and/or where they are attending a function:
- a) The Sovereign's (Her Majesty, Queen Elizabeth II) Personal Canadian Flag;
 - b) The standards of members of the Royal Family;
 - c) The standard of the Governor General; and
 - d) The standard of the Lieutenant Governor (in his or her province of jurisdiction and when assuming the duties of the representative of the Sovereign (Her Majesty, Queen Elizabeth II).
- vii. At Township facilities where flag poles are not present, there shall be no requirement to install poles to fly flags. The flags displayed is dependent upon the number of flagpoles available (see Schedule "A").
- viii. Wherever possible, the Township will adhere to the Flag Etiquette Guideline for the display of Flags.

b. Half-Masting of Flags

Flags are flown at the Half-mast position as a sign of mourning. The act of Half-masting is a dramatic visual statement that speaks to the sense of loss that is shared by all residents.

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c. Procedure of Half-Masting

- i. For all **mandatory** Half-masting's, **all** Flags on Township flagpoles will be **lowered**;
- ii. For all **discretionary** Half-masting's, the **Flags on the Community Flagpole, only, will be lowered**;
- iii. At no time will only one flag on a series of flagpoles be lowered to Half-mast, all the Flags flown together should be at Half-mast. At no time should the National Flag of Canada be flown lower than any other flag;
- iv. When a flag is lowered to Half-mast, it should be first raised to masthead. If already lowered, the flag should still first be raised to the masthead;
- v. The position of the flag when flying at Half-mast will depend on the size of the flag and the length the flagpole. However, it must be lowered at least to a position recognizable as "Half-mast" to avoid the appearance of a flag which has fallen. A satisfactory position for Half-masting is to place the centre of the flag exactly half-way down the flagpole;
- vi. Flags will be lowered to Half-mast as soon as possible after the time of notification of an event or passing of person(s) under Section "4.d." of this policy, until the business day after the funeral or memorial;
- vii. Flags will be lowered to Half-mast for days listed under Additional Dates in Section "4.e." of this policy from the business day before until the business day after said date;
- viii. In all circumstances, the Clerk-Administrator or designate shall direct the lowering of the Flags to the appropriate department;
- ix. The Clerk-Administrator or designate will prepare and distribute a notice to the public (via social media) and staff of the reason, general information and/or resources, and duration of the Half-mast;
- x. The decision to Half-mast Flags remains at the sole discretion of the Clerk-Administrator or designate, unless it is a mandatory Half-masting as per the customs of the Government of Canada (see Section 4.d.i. below).

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d. When a Flag is to be Half-Masted

i. **Mandatory Half-Masting (Government of Canada)**

Flags **shall** be lowered to Half-mast upon notification of the death for the following dignitaries:

- a) The Sovereign or a member of the Sovereign's immediate family, including but not limited to the Sovereign's spouse, the Heir to the Throne, and the Heir of the Heir to the Throne;
- b) The current or former Governor General, Prime Minister, Lieutenant Governor of Ontario, Premier of Ontario, Chief Justice of Canada; or
- c) A current member of the Cabinet of Canada (Canadian Ministry).

For mandatory Half-masting, all Flags on Township Flagpoles will remain lowered as soon as possible from notification until the business day after the funeral or memorial service, unless a different duration is advised by the Government of Canada or decided upon by the Clerk-Administrator or designate.

ii. **Discretionary Half-Masting**

Flags will be lowered to Half-mast upon notification of:

- a) The death of a current or past Member of Council or Township of Perry staff member, including active or retired firefighters/volunteer firefighters;
- b) Any day declared by the Federal Government, the Province of Ontario, or the Council of the Township of Perry as a day of mourning.

Flags may be lowered to Half-mast upon notification of:

- c) A current member of the Ontario Provincial Police, dispatched from a local detachment who serviced the Township of Perry (e.g. Burk's Falls Detachment), killed in the line of duty;
- d) A current resident of the Township of Perry or member of a local Regiment who is a member of the Armed Forces of Canada, killed in the line of duty;
- e) A tragic catastrophic event in Ontario, Canada, or the world consistent with the Department of Canadian Heritage;

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- f) The passing of a citizen of the Township of Perry who had a significant impact on the community, at the discretion of the Clerk-Administrator or designate.

Note: The passing of every citizen of the Township of Perry will not be recognized by the Half-masting of Flags on the Community Flagpole.

Notwithstanding the above, the Township Fire Chief or designate may, as a symbol of mourning, lower the flag to Half-mast at the Perry Township Fire Hall, for:

- g) The passing of a retired Township firefighter/volunteer firefighter;
h) The death of an active Township firefighter/volunteer firefighter;
i) The death of a firefighter from another municipal jurisdiction, in the line of duty.

For discretionary Half-masting, Flags on the Community Flagpole will be lowered to Half-mast as soon as possible from notification for a period of one week or up to and including the date of the funeral or memorial service, whichever comes first.

When a funeral or memorial service will **not** be scheduled within one week of the notification, Flags on the Community Flagpole will be lowered to Half-mast as soon as possible from notification for a period of 72 hours and then again on the date of the funeral or memorial service, or for a different duration as decided upon by the Clerk-Administrator or designate.

iii. **Mandatory Full-mast**

Notwithstanding the above-noted periods of Half-mast, the Flags on all Township flagpoles must be flown at Full-mast on Victoria Day and Canada Day, as per the *Holiday Act*.

Note: This does not apply if the Flag is Half-masted for the death of a Sovereign, but the Flag is flown at Full-mast on the day on which the accession of the new monarch is proclaimed. This also does not apply if the Flag is Half-masted for the death of the current Governor General or the current Prime Minister.

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e. Additional Dates to lower Flags to Half-mast

Flags **will** be lowered to Half-mast on the Community Flagpole as a symbol of mourning, from the business day before until the business day after, on the following days:

Date	Special Day
April 28	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
September 30	National Day for Truth and Reconciliation
November 11	Remembrance Day* <i>*the Half-masting of the National Flag at the Perry Township Cenotaph is overseen by the local Royal Canadian Legion, as it is located on private property.</i>

At this time, Flags **will not** be lowered to Half-mast on the Community Flagpole on the following days:

Date	Special Day
June 23	National Day of Remembrance for Victims of Terrorism
December 6	National Day of Remembrance and Action on Violence Against Women

For all Half-mast and non-Half-mast events ("Special Days"), the Clerk-Administrator or designate will prepare and distribute a notice to the public (via social media) and staff of the significance of the Special Day, provide additional information and/or resources, and indicate the duration of the Half-mast (where applicable), to increase community awareness.

f. Proclamations or Public Awareness Campaigns and Special Requests for Flag Raisings

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i. Proclamations and Public Awareness Campaigns

The Council of the Township of Perry recognizes the important contributions local organizations and associations provide to our community. As such, Council promotes the issuance of Proclamations and Public Awareness Campaign(s) to support these organizations and associations.

- a) A request for the issuance of a Proclamation or support of a Public Awareness Campaign shall be submitted, in writing, to the Clerk-Administrator or designate no less than (30) days prior to the first day of the Proclamation or Public Awareness Campaign. The request shall include:
 - i. the organization name, address, telephone number, email, details of the Proclamation or Public Awareness Campaign, and any supporting documentation;
 - ii. Specific text of the Proclamation or Public Awareness Campaign.
- b) These requests will be considered by Council at the next available regular Council meeting. Council will, via resolution, issue its support or non-support of the Proclamation or Public Awareness Campaign.
- c) The Clerk-Administrator or designate will notify the organization or association, in writing, of Council's support or non-support of the requested Proclamation or Public Awareness Campaign.
- d) The Township will advise the general public of its support of a Proclamation or Public Awareness Campaign via the Township's website, social media, and on the bulletin board at the Township office.
- e) The Township will not approve a Proclamation or Public Awareness Campaign that relates to: political parties or political organizations, religious organizations or religious events/celebrations, campaigns or events intended for profit making purposes, attempting to influence government policy, or supporting discrimination, hatred, violence, or prejudice;

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- f) Township initiated or National Proclamations or Public Awareness Campaigns (e.g. Fire Prevention Week) are not subject to this process.

ii. Special Request for Flag Raising & Ceremonies

The Council of the Township of Perry recognizes the important contributions local organizations and associations provide to our community. As such, Council promotes the raising of flags to acknowledge these organizations and associations.

- a) A special request from a local organization or association wishing to raise their flag on the designated flagpole at the Municipal Office to mark an event will be reviewed and processed by the Clerk-Administrator or designate, who will present a report for the request to Council for their consideration and approval.
- b) A special request in writing to the Clerk-Administrator must be made at least four (4) weeks prior to the requested date and will be processed on a first-come first-serve basis. The written request must include the following information:
 - i. Name of the requesting organization;
 - ii. Contact information;
 - iii. Requested event or occasion;
 - iv. Date or time period of event or occasion;
 - v. Explanation or purpose of the event or occasion;
 - vi. Description of the applicant organization including any local, national or international affiliation, brief history, and any other relevant information.
- c) Specialty Flags shall be supplied by the requesting organization or association.
- d) Specialty Flags shall be flown on the designated flagpole located at the Township Office, 1695 Emsdale Road.
- e) A Specialty Flag shall be flown for the duration that the request is granted or for an appropriate period specified by the Clerk-Administrator or designate. For greater certainty,

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Specialty Flags shall be flown for no more than one (1) month per calendar year.

- f) A Specialty Flag shall be flown no more than once per calendar year; organizations or associations shall be required to submit flag raising requests on an annual basis.
- g) Subsequent to Section 4.f.ii.b), should there be a conflict between requests, the request received from organizations or associations located within Almaguin Highlands shall take precedent over a request received from organizations or associations from a surrounding area, at the discretion of the Clerk-Administrator.
- h) At no time shall the Township display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, political or religious movements.
- i) Specialty Flags shall only be raised and lowered during regular business days.
- j) Township initiated Flag Raisings (e.g. "Every Child Matters" flag) are not subject to this process.

g. Disposal of Flags

When a flag becomes tattered and is no longer in a suitable condition for use, it should be destroyed in a dignified way by burning it privately.

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Schedule "A"

Location

The following are the locations of all Township flagpoles.

(this list may be amended from time to time as flagpoles are installed and/or removed)

Location	Number of Poles	Flag
Township Office/Information Centre <i>**Community Flagpole</i>	3	National Flag of Canada, National Flag of the United States of America, and the Flag of the Province of Ontario
Township Office/Information Centre <i>**Special Request Flagpole</i>	1	Specialty Flags, as requested and approved by Council
Emsdale Community Centre/Outdoor Rink	1	National Flag of Canada
Perry Township Fire Hall	1	National Flag of Canada
Novar Community Centre	1	National Flag of Canada
Novar Memorial Parkette (144 Main Street)	1	National Flag of Canada

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