

## Report to Council

<b>Report Title:</b>	Amended Flag Etiquette and Protocol Policy		
<b>Prepared By:</b>	Sarah Johnson, Jr. Deputy Clerk and Fiona Hamilton, Clerk		
<b>Department:</b>	Clerk's		
<b>Date:</b>	April 27, 2021		
<b>Report Number:</b>	CLK2021-13	<b>File Number:</b>	C11CL, A09, C01
<b>Attachments:</b>	Email from Department of Canadian Heritage – Flag Etiquette Clarification Amended Flag Etiquette and Protocol Policy		

### Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number CLK2021-13 - Amended Flag Etiquette and Protocol Policy, prepared by Sarah Johnson, Jr. Deputy Clerk and Fiona Hamilton, Clerk and in doing so approves a By-Law coming forward to amend the Flag Etiquette and Protocol Policy,

And further approves ordering a Brockton Municipal flag to be displayed at the community flag pole located at the intersection of Jackson and Yonge Streets in Walkerton.

### Report:

#### Background:

In May 2020, staff brought forward Report CLK2020-14, and Council enacted By-Law 2020-057 adopting a Flag Etiquette and Protocol Policy for the Municipality of Brockton. In June 2020, the policy was further amended by By-Law 2020-074 with the exception of raising the Pride Flag annually.

The Municipality has participated in several community flag raisings as per the policy, and received inquiries on the community flag raising process. Some community members have expressed concerns with having the Nation Flag of Canada removed to accommodate the other flags. As a result, staff have consulted with the Department of Canadian Heritage to clarify the use of the community flag pole at the intersection of Jackson and Yonge Streets in Walkerton.

#### Analysis:

Currently, the Municipality's policy states in Section 6.3 Applications for Use of the Community Flag Pole, that "Flags flown by special request will take the place of the Municipal Flag, or National Flag for the duration that the request is granted, or for an appropriate period specified by the Clerk to mark an event."

Upon consultation with the Department of Canadian Heritage, the Municipality's obtained the following advice:

"The regulations established by the Government of Canada regarding flag display, position of honour, and flag precedence are only obligatory on federal properties. We do certainly consider them to be examples of best practice and encourage others to follow their example. However, the Municipality of Brockton has the freedom to determine its own usage within its jurisdiction.

This means that, technically speaking, the municipality's current practice of replacing the National Flag of Canada with another flag, temporarily, does not break any laws or rules. If the municipality should decide on this practice within its own flag display protocols, it is free to do so.

- a. If there is only one flagpole, the municipality can use it to display whichever flag it chooses.
- b. There is no conflict with the National Flag of Canada if there is only one flagpole, and consequently only one flag that is flown at any given time. Potential conflict might arise if another flag were displayed simultaneously, for example on an adjacent flagpole, in a way that did not respect the [position of honour and proper order of precedence for flags](#).
- c. In any case, [two flags should not be flown on the same flagpole.](#)"

The Municipality was also provided the suggestion of installing two (2) flagpoles at the intersection of Jackson and Yonge Streets in order to use one flag pole to display the National Flag, and the second flag pole acting as the community flag pole, displaying a Municipal Flag and being replaced with a community flag. However, staff feel that this solution would not be appropriate due to the location of the intersection, and given the guidance from the Department of Canadian Heritage, can resolve any optics of the community flag raising process by clarifying the designation of the community flag pole by only displaying a Municipal flag on the pole.

The Department of Canadian Heritage have advised that this proposal would be appropriate:

"Should the option of erecting one or more additional flagpoles be impossible for reasons of timing, space, or other material concerns, and should a single flagpole remain in use, one way to avoid questions of precedence concerning the National Flag of Canada would be to fly the flag of the municipality, if one exists, as a regular flag, rather than the National Flag of Canada.

- a. As there is technically no requirement for the municipality to fly the National Flag of Canada in any given location that is not federal property, this infringes no rules.
- b. A municipal flag, for example one displaying the municipal logo, would be an appropriate emblem to represent a common municipal space."

Staff proposes to remove the National Flag from the community flag pole, and only display a Municipal Flag on the community flag pole in future in order to resolve this conflict. Therefore, staff have obtained a quote for a Brockton Municipal flag (displaying the Municipality's logo) to be ordered and installed on the community flag pole.

The quote for an appropriately sized 45"x90" flag is approximately \$145.19 plus H.S.T.

In the meantime, the In It Together Flag can be raised on the community flag pole until such time as the Brockton Municipal Flag is ordered and delivered.

Staff have amended the Flag Etiquette and Protocol Policy to state the following in order to provide additional clarification on the community flag pole:

**Section 3: Display of Flags**

“Only the Municipal Flag shall be displayed at the Community Flag Pole located at the Jackson Street and Yonge Street South intersection in Walkerton, and shall be replaced with flags flown by special request in accordance with Section 6.3.”

**Section 6.3: Applications for Use of the Community Flag Pole**

“Flags flown by special request will take the place of the Municipal Flag, ~~or National Flag~~ for the duration that the request is granted, or for an appropriate period specified by the Clerk to mark an event.”

The draft amended Flag Etiquette and Protocol Policy has been attached to this report, and staff recommend its approval by By-Law.

**Sustainability Checklist:**

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- |   |     |
|---|-----|
| • Do the recommendations help move the Municipality closer to its Vision? | Yes |
| • Do the recommendations contribute to achieving Cultural Vibrancy?       | Yes |
| • Do the recommendations contribute to achieving Economic Prosperity?     | N/A |
| • Do the recommendations contribute to Environmental Integrity?           | N/A |
| • Do the recommendations contribute to the Social Equity?                 | Yes |

**Financial Impacts/Source of Funding:**

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

**Reviewed By:**



Trish Serratore, Chief Financial Officer

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**Respectfully Submitted by:**



Sarah Johnson, Jr. Deputy Clerk

A handwritten signature in black ink, appearing to be 'S. Johnson'.

Fiona Hamilton, Clerk

**Reviewed By:**

A handwritten signature in black ink, appearing to be 'Sonya Watson'.

**Sonya Watson, Chief Administrative Officer**