

**RESOLUTION NO. 3028**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE CITY OF WILSONVILLE FLAG POLICY.**

WHEREAS, on July 18, 2022, the Wilsonville City Council (“Council”) approved Resolution No. 2979 that adopted the Diversity, Equity and Inclusion Committee Strategic Plan (the “Plan”); and

WHEREAS, the Plan includes a Strategic Action item of “Visual representation (flags, symbols, holiday decor on City property);” and

WHEREAS, a flag policy is necessary to provide clear expectations and guidelines for the use of flags on City property; and

WHEREAS, in December 2021, the League of Oregon Cities published its *Guide to the Public Display of Flags on Government Buildings*, which aided the creation of the proposed Flag Policy that is attached hereto and incorporated by reference herein as **Exhibit A**; and;

WHEREAS, the proposed Flag Policy also incorporates the City’s current internal policy on banners; and

WHEREAS, on December 13, 2022, the Diversity, Equity, and Inclusion Committee of the City of Wilsonville recommended the Council approve the proposed Flag Policy attached hereto as Exhibit A.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Findings. The Council adopts the above-stated recitals and the staff report accompanying this Ordinance as if fully set forth herein

Section 2. The Council hereby approves the proposed Flag Policy attached hereto and incorporated by reference herein as **Exhibit A**.

Section 3. Effective Date. This Resolution is effective beginning March 1, 2023.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 5<sup>th</sup> day of January, 2023, and filed with the Wilsonville City Recorder this date.

DocuSigned by:  
*Julie Fitzgerald*  
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JULIE FITZGERALD MAYOR

ATTEST:

DocuSigned by:  
*Kimberly Veliz*  
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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Linville	Yes
Councilor Berry	Yes
Councilor Dunwell	Yes

EXHIBIT:

A. City Flag Policy



## City of Wilsonville Flag Policy

### 1. Purpose

The City of Wilsonville seeks to codify a flag policy for City-owned property that incorporates federal and State of Oregon flag display requirements, along with City-specific requirements. Additionally, the City adopted the Diversity, Equity and Inclusion (DEI) Strategic Plan on July 18, 2022 via Resolution No. 2979. The DEI Strategic Plan includes a strategic action item of “visual representation,” and references flags in that strategic action item. This Flag Policy establishes the framework for the City to engage in visual representation through flags.

### 2. United States Flag

#### 2.1. General Requirements

The City must procure for each City-owned building a United States flag (“US Flag”) of suitable size, as determined by the City Manager or designee. The City will comply with the federal flag regulations as provided in 4 USC § 1-10, as may be amended and as summarized herein. The City may also consult the US Department of Veterans Affairs’ *Guidelines for Display of the Flag* attached as **Exhibit 1** for any further guidance regarding displaying the US Flag.

#### 2.2. Time and Occasions for Display

##### 2.2.1. Outdoor Flags

The US Flag must be placed upon or near each City-owned building and displayed from sunrise to sunset and on stationary flagstaffs in the open, except as otherwise provided herein. The US Flag may be displayed for 24 hours a day if properly illuminated during the hours of darkness. The US Flag should not be displayed on days of inclement weather unless an all-weather US Flag is displayed.

##### 2.2.2. Indoor Flags

The US Flag must be displayed, at a minimum, in the City Council Chambers. The City Manager or designee may authorize the display of the US Flag in other City buildings.

##### 2.2.3. Displaying at Half-Staff

The US Flag should be displayed at half-staff on each Memorial Day until noon and should be displayed at half-staff when otherwise ordered by the President of the United State or the Oregon Governor.

### **2.3. Position and Manner of Display**

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag (if one is created), and finally any other authorized flag. If one other flag is displayed on a staff next to the US Flag, the US Flag should be displayed on the left-most staff and positioned higher than the other flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point. When the flags are flown from adjacent staffs, the US Flag should be hoisted first and lowered last.

The US Flag should be hoisted briskly and lowered ceremoniously.

## **3. State of Oregon Flag and POW/MIA Flag**

### **3.1. General Requirements**

The City must procure for each City-owned building a State of Oregon flag (“Oregon Flag”) and, except as provided herein, a National League of Families' POW/MIA flag (“POW/MIA Flag”), each of suitable size, as determined by the City Manager or designee. The City will comply with the Oregon flag regulations as provided in ORS 186.110 and 186.120, as may be amended and as summarized herein.

The City is required to purchase and display a POW/MIA Flag only with respect to public buildings that have existing flagpoles or other infrastructure installed to properly display all three flags (US Flag, Oregon Flag, and POW/MIA Flag), except that any newly constructed City building must include sufficient infrastructure to properly display all three flags.

### **3.2. Time and Occasion for Display**

#### **3.2.1. Outdoor Flags**

The City will display the Oregon Flag and the POW/MIA Flag with the US Flag upon or near the City buildings during the hours when the US Flag is customarily displayed, except in inclement weather, and at such other times as seems proper, as determined by the City Manager or designee.

#### **3.2.2. Indoor Flags**

The Oregon Flag must be displayed, at a minimum, in the City Council Chambers. The City Manager or designee may authorize the display of the Oregon Flag in other City buildings.

#### **3.2.3. Displaying at Half-Staff**

The Oregon Flag and POW/MIA Flag should be displayed at half-staff when the US Flag is also displayed at half-staff or if otherwise ordered to be displayed at half-staff by the Oregon Governor.

### **3.3. Position and Manner of Display**

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag, and finally any other authorized flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point.

## **4. City of Wilsonville Flag**

If the City approves an official City of Wilsonville flag, the following regulations will apply to such flag.

### **4.1. General Requirements**

The City must procure for City Hall and, as authorized by the City Manager or designee, at any other City-owned building a City of Wilsonville flag (“Wilsonville Flag”) of suitable size, as determined by the City Manager or designee.

### **4.2. Time and Occasion for Display**

#### **4.2.1. Outdoor Flags**

Where the City displays the Wilsonville Flag, it must be displayed with the US Flag upon or near the City building during the hours when the US Flag is customarily displayed, except in inclement weather, and at such other times as seems proper, as determined by the City Manager or designee.

#### **4.2.2. Indoor Flags**

The City Manager or designee may authorize the display of the Wilsonville Flag in any City buildings.

#### **4.2.3. Displaying at Half-Staff**

The Wilsonville Flag should be displayed at half-staff when the US Flag is also displayed at half-staff or if otherwise ordered to be displayed at half-staff by the Mayor or the City Manager.

### **4.3. Position and Manner of Display**

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag, and finally any other authorized flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point.

## **5. Commemorative Flags**

A commemorative flag is a flag that identifies with a specific historical event, cause, nation, or group of people that the City Council chooses to honor or commemorate consistent with the City's mission and priorities. A commemorative flag may include, but is not limited to, a Sister City flag; the World flag; flags received for awards for which the City has applied (e.g., Tree City USA flag); or flags displayed in conjunction with official actions, ceremonies, or proclamations of the City.

### **5.1. General Requirements**

As an expression of the City's official government speech, the City Council may authorize the display of a commemorative flag to be displayed at City buildings. The City's flagpoles are not to serve as a forum for free expression by the public. The City Council will only consider a request to display a commemorative flag if the request is made by any one of the following: (1) the City Manager; (2) a member of Council; or (2) a recommendation from one of the City's committees, boards, or commissions. Requests directly by members of the public to display a commemorative flag will not be considered.

### **5.2. Time and Occasion for Display**

#### **5.2.1. Generally**

Commemorative flags will be displayed for a period of time that is reasonable or customary for the subject that is be commemorated, which period of time may be permanent or temporary. Commemorative flags must be either purchased by the City or temporarily donated for the City's use and must be clean, without holes and tears. Commemorative flags must be the same size or smaller than the US Flag and Oregon Flag that are displayed.

#### **5.2.2. Outdoor Flags**

If a commemorative flag is displayed with the US Flag, it must be displayed for no longer than the hours when the US Flag is customarily displayed, except in inclement weather, and at such other times as seems proper, as determined by the City Manager or designee.

#### **5.2.3. Indoor Flags**

The City Manager or designee may authorize the display of any approved commemorative flag in any City buildings.

#### **5.2.4. Displaying at Half-Staff**

If any other flag is displayed at half-staff, the commemorative flag will also be displayed at half-staff.

### **5.3. Position and Manner of Display**

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag, and finally any other authorized flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point.

## **6. Banners**

### **6.1. Generally**

As an expression of the City's official government speech, the City Manager may authorize the display of banners to be displayed adjacent to City streets attached to public street lights or utility poles. The street lights and utility poles are not to serve as a forum for free expression by the public, except as otherwise provided in WC 6.150(2) for certain permitted Large Special Events. The length of display of banners is at the discretion of the City Manager.

#### **6.1.1. Location of Public Streetlights and Utility Poles**

The City has three districts/corridors where banners are displayed by the City or allowed on public streetlight or utility poles:

##### **6.1.1.1. Wilsonville Road Gateway Corridor**

This corridor between the railroad tracks on the west side of I-5 and Boeckman Creek Bridge on the east side of I-5 serves as a Gateway to the City. The City installs and rotates City-owned seasonal banners along this corridor to enhance the gateway. However, the City may select to substitute the seasonal banners with another theme. Select streetlight poles along the corridor may be available to organizations hosting Large Special Events pursuant to WC 6.150 (2).

##### **6.1.1.2. Town Center Loop**

Town Center Park is one of the City's premier gathering places and the space is used for many of the City's Large Special Events. Pursuant to WC 6.150 (2) organizations requesting Large Special Events are eligible to place banners on certain streetlight poles along SW Town Center Loop East and West, as well as Memorial Drive and Courtside Drive. Spacing is determined by the Public Works Department based on the number of banners being installed.

##### **6.1.1.3. Villebois Village**

Villebois has a specific banner program approved as part of the Master Sign and Wayfinding Plans approved as a component of each Sub Area Plan (SAP). Outside of ensuring compliance with the Master Sign and Wayfinding Plans, the City does not operate, manage, or maintain banners within Villebois.

### **6.1.2. Banner Design**

6.1.2.1. Special Event banners will be designed and produced in a color scheme complementary to the existing city seasonal banners.

6.1.2.2. City seasonal banners will have the following color schemes, which may be modified as authorized by the City Manager or designee:

6.1.2.2.1. Spring: Lavender, Yellow, White

6.1.2.2.2. Summer: Dark Blue, Sky Blue, Yellow

6.1.2.2.3. Fall: Yellow, Purple, Rust, Orange

6.1.2.2.4. Winter: Blue, Yellow, White

### **6.1.3. Banner Production**

#### **6.1.3.1. Sizes**

6.1.3.1.1. Wilsonville Road (West of I-5), Boones Ferry Road: Banners must meet the following dimensional requirements: 28.5 inches wide and 48 inches long.

6.1.3.1.2. Wilsonville Road (East of I-5), Town Center Loop, Elligsen Road, Courtside Drive, Memorial Drive: Banners must meet the following dimensional requirements: 28.5 inches wide and 96 inches long.

#### **6.1.4. Post Sleeves**

Banners shall be installed on upper and lower posts securely attached to the pole. All banners will include an upper and lower sleeve of 4 to 6 inches wide, double stitched, for banners being installed by Public Works, and widths as required by the installer for signs being installed by contractors. Banners shall include grommets on side of banner that will be next to pole for attachment to pole with zip ties. There must be one grommet on top and one on the bottom, 4 inches from the top or bottom of the banner.

#### **6.1.5. Clearance Requirements**

For banners extending over a vehicle travel lane, bike lane, or curb area, the minimum clearance is fourteen feet (14'). For all other banners the minimum clearance is eight feet (8').

## **6.2. Time and Occasion for Display**

6.2.1. Special Event banners must be installed no earlier than fourteen days before the start of the Special Event and removed no later than fourteen days after the end of the Special Event, unless as otherwise provided in the Special Event Permit.

6.2.2. City seasonal banners will be installed consistent with the following schedule:

6.2.2.1. Spring: March 1

6.2.2.2. Summer: June 1

6.2.2.3. Fall: September 1

6.2.2.4. Winter: December 1

6.2.3. Except in Villebois, placement and removal of all banners will be done only by Public Works employees or contractors agreed upon by the Public Works Department.

## **6.3. Installation Fee and Responsibility.**

The City Manager may charge a fee for the installation of Special Event banners, which is currently set at \$1,300 per Special Event (\$650 to install and \$650 to remove), payable in advance. This fee covers installation and removal only, and does not cover banner construction, maintenance, or storage, which the City does not provide. Banners must be installed by City Public Works employees only, as provided in WC 6.150(2)(b). The City of Wilsonville is not responsible for any damage to non-City banners from vehicles, vandalism, or any other cause.

## **7. Amendments to Flag Policy and Other Regulations**

The City Manager is authorized to amend this Flag Policy to reflect any changes in federal or state law regarding the U.S. Flag, the State of Oregon Flag, or the POW/MIA Flag. Any other revisions to this Flag Policy must be approved by the City Council.



U.S. Department of Veterans Affairs  
Washington, D.C. 20420

## CELEBRATING AMERICA'S FREEDOMS

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### **Guidelines for Display of the Flag**

Public Law 94-344, known as the Federal Flag Code, contains rules for handling and displaying the U.S. flag. While the federal code contains no penalties for misusing the flag, states have their own flag codes and may impose penalties. The language of the federal code makes clear that the flag is a living symbol.

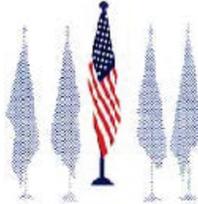
In response to a Supreme Court decision which held that a state law prohibiting flag burning was unconstitutional, Congress enacted the Flag Protection Act in 1989. It provides that anyone who knowingly desecrates the flag may be fined and/or imprisoned for up to one year. However, this law was challenged by the Supreme Court in a 1990 decision that the Flag Protection Act violates the First Amendment free speech protections.

#### **Important Things to Remember**

Traditional guidelines call for displaying the flag in public only from sunrise to sunset. However, the flag may be displayed at all times if it's illuminated during darkness. The flag should not be subject to weather damage, so it should not be displayed during rain, snow and wind storms unless it is an all-weather flag.

It should be displayed often, but especially on national and state holidays and special occasions.

The flag should be displayed on or near the main building of public institutions, schools during school days, and polling places on election days. It should be hoisted briskly and lowered ceremoniously.

Image	Description
	<p>When carried in procession with other flags the U.S. flag should be either on the marching right (the flag's right) or to the front and center of the flag line. When displayed on a float in a parade, the flag should be hung from a staff or suspended so it falls free. It should not be draped over a vehicle.</p>
	<p>When displayed with another flag against a wall from crossed staffs, the U.S. flag should be on its own right (left to a person facing the wall) and its staff should be in front of the other flag's staff.</p>
	<p>In a group of flags displayed from staffs, the U.S. flag should be at the center and the highest point.</p>
	<p>When the U.S. flag is displayed other than from a staff, it should be displayed flat, or suspended so that its folds fall free. When displayed over a street, place the union so it faces north or east, depending upon the direction of the street.</p>
	<p>When the U.S. flag is displayed from as projecting from a building, the union of the flag should be placed at the peak of the unless the flag is at half-staff. When suspended from a rope extending from the building on a pole, the flag should be hoisted out, union first from the building.</p>
	<p>When flags of states, cities or organizations are flown on the same staff, the U.S. flag must be at the top (except during church services conducted at sea by Navy chaplains)</p>

The flag should never be draped or drawn back in folds. Draped red, white and blue bunting should be used for decoration, with the blue at the top and red at the bottom.

The flag may be flown at half-staff to honor a newly deceased federal or state government official by order of the president or the governor, respectively. On Memorial Day, the flag should be displayed at half-staff until noon.

### **Other Things Not to Do with the Flag**

Out of respect for the U.S. flag, never:

- dip it for any person or thing, even though state flags, regimental colors and other flags may be dipped as a mark of honor.

- display it with the union down, except as a signal of distress.

- let the flag touch anything beneath it: ground, floor, water, merchandise.

- carry it horizontally, but always aloft.

- fasten or display it in a way that will permit it to be damaged or soiled.

- place anything on the flag, including letters, insignia, or designs of any kind.

- use it for holding anything.

- use it as wearing apparel, bedding or drapery. It should not be used on a costume or athletic uniform. However, a flag patch may be attached to the uniform of patriotic organizations, military personnel, police officers and firefighters.

- use the flag for advertising or promotion purposes or print it on paper napkins, boxes or anything else intended for temporary use and discard.

During the hoisting or lowering of the flag or when it passes in parade or review, Americans should stand at attention facing the flag and place their right hand over the heart. Uniformed military members render the military salute. Men not in uniform should remove any headdress and hold it with their right hand at their left shoulder, the hand resting over the heart. Those who are not U.S. citizens should stand at attention.

When the flag is worn out or otherwise no longer a fitting emblem for display, it should be destroyed in a dignified way, preferably by burning.