

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee
From: Michael Schulthess, City Clerk
Subject: Council Policy Review – Flags at City Hall and Illumination of City of London Buildings and Amenities
Meeting on: September 11, 2023

Recommendation

That, on the recommendation of the City Clerk, the following actions be taken:

- a) the attached proposed by-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council meeting on September 26, 2023 to amend CPOL.-114-366 being “Flags at City Hall” to repeal and replace Schedule “A”, and;
- b) the attached proposed by-law (Appendix 'B') **BE INTRODUCED** at the Municipal Council meeting on September 26, 2023 to amend CPOL.-127-379 being “Illumination of City of London Buildings and Amenities” to repeal and replace Schedule “A”.

Previous Reports

- Corporate Services Committee – August 14, 2023 – Council Policy Review – Flags at City Hall and Illumination of City of London Buildings and Amenities
- Corporate Services Committee – July 17, 2023 –Staff Report – Council Policy Manual Review 2023
- Corporate Services Committee – September 20, 2021 –Staff Report - Proposed Amendments to Council Policy
- Corporate Services Committee – November 12, 2013 –Staff Report - Council Policy– Illumination Of City Of London Buildings And Amenities With Multi-Colour Capable Led Lighting Installations

Background

Municipal Council, at its meeting held on August 29, 2023 resolved:

That the following actions be taken with respect to the Flags at City Hall and Illumination of City of London Building and Amenities Policies:

- a) the City Clerk **BE DIRECTED** to bring forward to a future meeting of the Corporate Services Committee the necessary by-law to enact the proposed changes to the Flags at City Hall Policy, as appended to the staff report dated August 14, 2023, as Appendix A;
- b) the City Clerk **BE DIRECTED** to bring forward to a future meeting of the Corporate Service Committee the necessary by-law to enact the proposed changes to the Illumination of City of London Buildings and Amenities Policy, including the addition of national Pride month.

Discussion

The proposed amendments to the Flags at City Hall and Illumination of City of London Buildings and Amenities Policies reflect the direction of Council, will help to address resident concerns, and increase access to community recognition processes.

Conclusion

Civic Administration recommends that the Council Policy “Flags at City Hall” be amended to provide for the attached proposed amendments (Appendix “A”) to reflect changes to the process for appeal, to flags permitted to be displayed on the Community Flag Pole, and to the guidelines for half-masting of the Canadian flag at City Hall. The Council Policy “Illumination of City of London Buildings and Amenities” attached as Appendix “B” be amended to reflect changes to the process for appeal and exemptions, including the addition of National Pride Month in June.

Prepared by: Jeannie Raycroft, Manager, Elections, Strategic Integration and Policy

Recommended by: Michael Schulthess, City Clerk

Appendix 'A'

Bill No.
2023

By-law No. CPOL.-114()-___

A by-law to amend By-law No. CPOL.-114-366 being "Flags at City Hall" to repeal and replace Schedule "A".

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-114-366 being "Flags at City Hall" to reflect changes to the process for appeal, to flags permitted to be displayed on the Community Flag Pole, and to the guidelines for half-masting of the Canadian flag at City Hall;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CPOL.-114-366 being "Flags at City Hall" is hereby amended by deleting Schedule "A" in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

PASSED in Open Council on September 26, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – September 26, 2023
Second Reading – September 26, 2023
Third Reading – September 26, 2023

Schedule “A”



London
CANADA

Flags at City Hall

Policy Name: Flags at City Hall

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-114-366); Amended July 24, 2018 (By-law No. CPOL.-114(b)-417); Amended June 11, 2019 (By-law No. CPOL.-114(c)-158); Amended August 10, 2021 (By-law No. CPOL.-114(d)-247); Amended October 5, 2021 (By-law No. CPOL.-114(e)-319), Amended September 26, 2023 (By-law No. CPOL.-114(_)-____)

Last Review Date:

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy sets out the requirements for the flying of flags at City Hall.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to any person or organization seeking to fly a flag at City Hall.

4. The Policy

4.1 Flags on the Community Flag Pole

- a) The following flags shall be permitted to be flown at City Hall on the Community Flag Pole installed at the northwest corner of City Hall, facing Wellington Street:
 - i) the Canadian flag at such times as there is no other approved flag displayed
 - ii) an appropriate flag on the occasion of a visiting dignitary, on the day of the dignitary’s visit to London City Hall, as a gesture of respect and friendship.
 - iii) the flag of a nation on its national day, provided that:
 - (1) the nation has active diplomatic relations with Canada;
 - (2) the flag is official and is recognized by the Department of Foreign Affairs, Trade and Development;
 - (3) the requesting organization follows all policies prescribed in this policy at least 4 weeks prior to the national day, on an annual basis; and
 - (4) requests to use the community flagpole for flying the flag of a nation will be confirmed on a first come first served basis.
 - iv) to celebrate achievement, the flag of a charitable or non-profit organization to help increase public awareness of their programs and activities; an organization that has achieved national or international distinction or made a significant contribution to the community, or an organization that has helped to enhance the City of London in a positive manner;

- v) the “Every Child Matters Flag” to be flown on September 30th of each year to recognize the National Day for Truth and Reconciliation (National Orange Shirt Day); and
 - vi) the “Our London Family” flag will be flown at City Hall on June 6 each year.
- b) The following guidelines shall be observed for the flying of flags permitted under 4.1 a) iv):
- i) the organization’s flag will fly in connection with a particular event by an organization;
 - ii) no flags of commercial, religious or political organizations shall be permitted, except as otherwise provided under s.4.1;
 - iii) no flags of a group or organization whose undertakings or philosophy are contrary to City of London policies or by-laws, or espouse hatred, violence or racism shall be permitted;
 - iv) organizations shall be required to submit requests for their organization’s flag to fly on an annual basis;
 - v) a flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is less;
 - vi) flags shall only be changed and lowered on those business days that City Hall is open; and
 - vii) requests to use the community flagpole will be confirmed on a first come first served basis.

4.2 Canadian Flag at Half-Mast

The following guidelines shall be observed for the half-masting of the Canadian flag at City Hall:

- i) the flying of the Canadian flag at half-mast denotes a period of official mourning or commemoration;
- ii) the City of London will fly the Canadian flag on the at half-mast in the event of a death or to commemorate a solemn occasion. The Canadian flag will be lowered at the direction of the Mayor. In consultation with the Mayor, the City Clerk will provide instruction to lower the Canadian flag on the Flag Pole;
- iii) the position of the Canadian flag when flying at half-mast will depend on its size, the length of the mast and its location; but as a general rule, the centre of the Canadian flag shall be exactly half-way down the mast;
- iv) the official period of mourning is defined as the day of passing until the day of the funeral; and,
- v) the Canadian flag will be flown at half-mast to commemorate the following occasions:

Date	Occasion
April 28	National Day of Mourning for Persons Killed or Injured in the Workplace
June 6	Our London Family
August 9	Peacekeepers’ Day
Last Sunday in September	National Peace and Police Officers’ Memorial Day
November 11	Remembrance Day*

*Half-masting shall occur at 11:00 a.m. or according to the prescribed order of service at the Cenotaph.

December 6

National Day of Remembrance and Action on
Violence Against Women

4.3 Flags over the Back Entrance of City Hall

- a) The following flags shall be permitted to be flown at City Hall on the flag poles over the back entrance of City Hall facing Reginald Cooper Square:
 - i) the flags of all the provinces and territories and the Canadian Flag are hung, in order of confederation, over the back entrance facing Reginald Cooper Square. The Canadian Flag is hung as per the standards outlined in the National Flag of Canada Etiquette issued from the Federal Government.
- b) The precedence for flag order (from left to right) as per the Position of Honour is as follows:
 - i) the National Flag of Canada;
 - ii) the flags of other sovereign nations in alphabetical order (if applicable);
 - iii) the flags of the provinces of Canada (in the order in which they joined Confederation); and,
 - iv) the flags of the territories of Canada (in the order in which they joined Confederation).
- c) The flags are displayed in the spring and removed before winter.

4.4 Flags over the Front Entrance of City Hall

- a) The following flags shall be permitted to be flown at City Hall on the flag poles over the front entrance of City Hall:
 - i) flags deemed by the City Clerk to be in accordance with the flag etiquette of Canada as established by Heritage Canada (restricted to the flag of the City of London, Canadian provinces, the Canadian flag, the personal flags and standards of the Royal Family and the Governor General and the Lieutenant Governors throughout Canada, the Royal Union flag, and the flags of the United Nations, the North Atlantic Treaty Organization and the Commonwealth).

4.5 Flags in City Hall

- a) As an annual observance to recognize the anniversary of the London Township Treaty, the five signatory First Nations (Chippewas of the Thames First Nation, Chippewas of Kettle and Stoney Point First Nation, Walpole Island First Nation, Aamjiwnaang First Nation and Caldwell First Nation) shall be invited to have their flags displayed on September 7th of each year, in City Hall. In the event that September 7th falls on a day on which City Hall is closed, the flags shall be displayed on the first day prior to September 7th that City Hall is open for business.

4.6 General

- a) The City Clerk will administer the policy for the flying of flags at City Hall.
- b) The following guidelines shall apply to resolving conflicts arising from this policy:
 - i) conflicts between the dates requested for flags to be flown by two or more organizations or nations on the Community Flag Pole shall be settled in favour of the organization which first made its request; and,

in the event that a request appears to be in conflict with any of the criteria outlined in this policy the Mayor, in consultation with the City Manager's Office, or designate, may use discretion to approve or deny a community flag request. The Mayor's decision will be final.

Appendix 'B'

Bill No.
2023

By-law No. CPOL.-127()-___

A by-law to amend By-law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities" to repeal and replace Schedule "A".

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities" to reflect changes to the process for appeal and exemptions;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities" is hereby amended by deleting Schedule "A" in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed . subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

PASSED in Open Council on September 26, 2023 . subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – September 26, 2023
Second Reading – September 26, 2023
Third Reading – September 26, 2023

Schedule “A”



London
CANADA

Illumination of City of London Buildings and Amenities

Policy Name: Illumination of City of London Buildings and Amenities

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-127-379); Amended July 24, 2018 (By-law No. CPOL.-127(a)-422); Amended October 5, 2021 (By-law No. CPOL.-127(b)-320), Amended September 26, 2023 (By-law No. CPOL.-127()- ____)

Last Review Date: September 26, 2023

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy sets out the requirements for lighting City of London buildings and amenities for community events and awareness.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to any person or organization seeking the illumination of those City of London buildings and amenities which have multi-colour capable LED lighting.

4. The Policy

- 4.1. The use of multi-colour capable LED lighting installations on some City of London buildings and amenities provides a unique opportunity to display the official colour associated with a charitable or non-profit organization or a City of London event, in order to create awareness of and/or celebrate an organization or a City of London event.

The following guidelines shall be observed:

Eligibility:

- a) Organizations making a lighting request must be charitable or non-profit organizations.
- b) Charitable or non-profit organizations making a lighting request must have undertakings or philosophies that are in keeping with City of London policies or by-laws, and must not espouse hatred, violence, or racism.
- c) City of London buildings and amenities shall not be illuminated for political, religious, or for-profit organizations or purposes.

Frequency and Timing

- e) Lighting may be requested for up to one week, or for the duration of the associated event, whichever is less; noting that conflicts between two or more eligible charitable or non-profit organizations would be settled in favour of the organization which first made its request, with City of London events taking precedence in all instances.

- f) The lighting period will begin and end only on those business days that City Hall is open and staff resources are available to program the lighting. All City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated in a consistent manner to the extent that programming allows.
- g) Charitable or non-profit organizations will be required to submit lighting requests on an annual basis.

Exemptions

- h) The City of London shall not be restricted as to the number of times, or the period for which, lighting is approved.
- i) The City of London may, at its discretion, illuminate each of its buildings or amenities with multi-colour capable LED lighting installations in a manner which is unique from one venue to the next.
- j) Notwithstanding the above, City of London buildings and amenities with multi-colour capable LED lighting installations shall be illuminated on the following occasions:
 - i. June 6: purple and green for Our London Family;
 - ii. the remainder of June: rainbow for national Pride month (noting that individual lighting requests will also be accommodated);
 - iii. July 1: red and white for Canada Day;
 - iv. September 30: orange for National Day for Truth and Reconciliation (National Orange Shirt Day);
 - v. November 10 and 11: red for Remembrance Day;
 - vi. Rest of November: purple for Shine the Light on Woman Abuse;
 - vii. December: red and green for the holidays.

Administration of the Policy

- k) The City Clerk will administer this policy.
- l) In the event that a request appears to be in conflict with any of the criteria outlined in this policy the Mayor, in consultation with the City Manager's Office, or designate, may use discretion to approve or deny an illumination request. The Mayor's decision will be final.