

Bill No. 483  
2018

By-law No. CPOL.-114(b)-417

A by-law to repeal and replace By-Law No. CPOL.-114(a)-63 being "A by-law to amend By-law No. CPOL.-114-366 being "A by-law to revoke and repeal Council policy related to Flags at City Hall and replace it with a new Council policy entitled Flags at City Hall"; and to amend By-law No. 114-366 being "Flags at City Hall.

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" for reformatting into the new Council Policy template and review with the gender equity lens;

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

1. By-Law No. CPOL.-114(a)-63 being "A by-law to amend By-law No. CPOL.-114-366 being "A by-law to revoke and repeal Council policy related to Flags at City Hall and replace it with a new Council policy entitled Flags at City Hall" is hereby repealed.
2. By-law No. CPOL.-114-366 being "Flags at City Hall" is hereby amended by deleting Appendix 'C(32)' in its entirety and by replacing it with the attached new Schedule "A".
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

## Schedule "A"

**Policy Name:** Flags at City Hall Policy

**Legislative History:** Adopted September 19, 2017 (By-law No. CPOL.-112-364); Amended February 13, 2018 (By-law No. CPOL.-114(a)-63)

**Last Review Date:** June 25, 2018

**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(s) at City Hall.

### 4. The Policy

#### 4.1 Flags at 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); and,
  - 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.

#### 4.2 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 7 falls on a day on which City Hall is closed, the flags shall be displayed on the first day prior to September 7 that City Hall is open for business.

#### 4.3 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 flag of a charitable or non-profit organization to be flown as provided for in 4.3a)ii), or at such times as the half-masting of a flag is in order, as provided for under 4.4c), below; and
  - ii) 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.

- b) The following guidelines shall be observed for the flying of flags permitted under 4.3a)ii), above:
- i) flag raisings shall be in connection with a particular event by an organization;
  - ii) no flags of commercial, religious or political organizations shall be permitted;
  - 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) an organization's flag shall be flown no more than once per calendar year;
  - v) organizations shall be required to submit flag raising requests on an annual basis;
  - vi) a flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is less; and,
  - vii) flags shall only be raised and lowered on those business days that City Hall is open.

#### 4.4 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 flying of flags in accordance with 4.1a)i) and 4.1a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.1a)i) and secondly in favour of those flags being flown in accordance with 4.1a)ii);
  - ii) conflicts between the flying of flags in accordance with 4.3a)i) and 4.3a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.3a)i) and secondly in favour of those flags being flown in accordance with 4.3a)ii);
  - iii) conflicts between the dates requested for flags to be flown by two or more organizations on the Community Flag Pole shall be settled in favour of the organization which first made its request;
  - iv) in the event there is a dispute between an organization and the City Clerk as to the eligibility of a request, the appeal process shall be through the Standing Committee of Council whose mandate it is to deal with such matters, with the Municipal Council having full and final say as to whether or not the request to fly a flag will be granted.
- c) The following guidelines shall be observed for the half-masting of flags on the Community Flag Pole:

The flying of flags at half-mast denotes a period of official mourning or commemoration.

The City of London will fly the Canadian flag on the Community Flag Pole 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 Community Flag Pole.

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.

The official period of mourning is defined as the day of passing until the day of the funeral.

The Canadian flag will be flown at half-mast on the Community Flag Pole to commemorate the following occasions:

<b>Date</b>	<b>Occasion</b>
April 28	National Day of Mourning for Persons Killed or Injured in the Workplace
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