

RESOLUTION NO. 2023-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POULSBO,
WASHINGTON, AFFIRMING THAT THE DISPLAY OF FLAGS ON CITY
PROPERTY IS GOVERNMENT SPEECH**

WHEREAS, the Mayor exercises control over the property and facilities of the City of Poulsbo; and

WHEREAS, the City Council has historically approved the raising of commemorative flags identified with a specific event, cause, theme, nation or group of people that the City Council chooses to honor, recognize, or commemorate; and

WHEREAS, the City has not adopted an administrative process, formal policy, or informal policy to allow private parties to raise their own flags on City property or on the public rights-of-way within the City; and

WHEREAS, the City Council declares and affirms that flagpoles on City of Poulsbo property and light or utility poles owned by the City in the public rights-of-way are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of flags as required by law, for the expression of the City's official government speech, or both.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
POULSBO:**

Section 1. Flags displayed on City-owned property and on City-owned light or

utility poles City's in the public rights-of-way shall be displayed in accordance with Federal and State statutes and regulations, including but not limited to, United States Code (4 U.S.C. Ch. 1. 1) and Revised Code of Washington (RCW 35A.21.180, RCW 1.20.017, RCW 1.20.015).

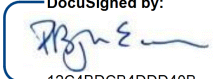
Section 2. The City Council adopts the following guidelines regarding the display of commemorative flags on City-owned property and on City-owned light or utility poles located in the City's public rights-of-way.

- A. The Council shall apply diversity, equity, and inclusion policy in decisions thereon.
- B. As used in these guidelines, a "Commemorative Flag" shall mean a flag that identifies with a specific event, cause, theme, nation, or group of people that the City Council chooses to honor, recognize, or commemorate consistent with the City's official policies, priorities, and sentiments.
- C. Commemorative Flags may be displayed only as authorized by the City Council as an expression of the City's official government speech.
- D. City Council shall only consider requests to display a Commemorative Flag made by the Mayor or a member of City Council. Requests to raise a Commemorative Flag made by members of the public or other private groups shall not be considered.

- E. The Council's decision to approve or deny a request from the Mayor or a member of the City Council to display a commemorative flag shall be made at a publicly noticed City Council meeting.
- F. Commemorative Flags shall be the same size or smaller than the United States or Washington State flags being flown.
- G. If any other flag is being flown at half-staff, the Commemorative Flag flying from an adjustable flagpole shall also be flown at half-staff.

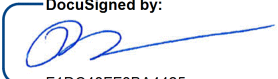
RESOLVED this 7th day of June 2023.

APPROVED:

DocuSigned by:

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MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:

DocuSigned by:

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CITY CLERK, RHIANNON FERNANDEZ

FILED WITH THE CITY CLERK: 06/01/2023
PASSED BY THE CITY COUNCIL: 06/07/2023
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