

Flying of Flags at County Buildings

Objective:	To create a policy for flying flags at County facilities to ensure fair, consistent, and respectful application.	Policy/Procedure Number:	01-46
Reference: (All applicable federal, state, and local laws)	U.S. Code, Title 4, Chapter 1; NYS Executive Law Article 19, Section 403; Congress of the United States, Federal Flag Code, Public Law 94-344; Public Law 107-51	Effective Date:	June 2019
Legislative Policy Statement:	It is the policy of Tompkins County to control the flying of flags at County facilities, including the lowering of flags to half-staff as a sign of mourning.	Responsible Department:	County Administration
General Information:	The official flag of the United States of America can be commonly referred to as the American Flag and is a symbol of freedom around the world. All American flags share the following features: There are thirteen equal horizontal stripes of alternating red and white. There is a blue rectangle in the upper left-hand corner touting fifty small white stars. These stars are five-pointed stars arranged in nine offset horizontal rows of alternating six and six stars in the alternate rows. The fifty stars on the flag represent the fifty American states with the thirteen stripes representing the original thirteen colonies.	Modified Date (s):	
		Resolution No.:	2019-130
		Next Scheduled Review:	June 2024

I. Definitions: **Flag** - Usually a rectangular piece of fabric of distinctive design that is used as a symbol (as of a nation) or as a signaling device

Full-Staff - The position of a flag which is being flown at the top of its staff.

Half-Staff - The position of a flag which is being flown some way below the top of its staff as a mark of respect for a person who has died.

The Union - The top, left blue area with the white stars, may also be referred to as the Canton or the Field

- II. Policy:**
- A.** It is the policy of Tompkins County that the flags of the United States shall be flown at full-staff, during all normal working hours, at all county buildings throughout the County.
 - B.** U.S. flags shall be flown every day of the year, if weather permits. Weather conditions preventing the display of flags on any day include rain, sleet, or high wind. If weather is inclement at the time of flag-raising, flags should not be flown until conditions improve, except when an all-weather flag is displayed.
 - C.** No flag shall be flown at half-staff, or at any position other than full-staff, without the prior approval of the County Administrator or Chair of the Legislature, or in the event of absence or inability to serve by the Vice-Chair, except when otherwise directed by the Governor of New York State or the President of the United States.
 - D.** Display the flag in public only from sunrise to sunset. Flags must be illuminated to fly 24 hours a day.
 - E.** Additional flags (i.e. NYS flag, POW/MIA flag) may be flown with the

American flag if its display follows the rules specified by the Federal Flag Code and prior approval was obtained from the County Administrator or Chair of the Legislature, or in the event of absence or inability to serve by the Vice-Chair, except when otherwise directed by the Governor of New York State or the President of the United States.

- F. Only Flags recognized by the United States through an Act of Congress, Presidential Proclamation, or Executive Order, or Flags nationally or internationally recognized in relation to a national month of observance by the United States through an Act of Congress, Presidential Proclamation, or Executive Order shall be considered for a Community Flag Request (See Section III.D.3.c.)

III. Procedure:

A. Flying of Flags at Full-Staff

1. Flags should be hoisted briskly and lowered ceremoniously.
2. The American Flag should be hoisted first and lowered last when flown with other flags on adjacent staffs.
3. No other flag or pennant should be placed above the American flag. If flown on the same level, no other flag shall be flown to the right of the American flag.
4. The American flag shall not be smaller in size than 3'x5' (standard flag size).
5. When displayed with other flags, the size of the American flag should be larger than the other flags or relatively equal to the size of the largest flag. Other flags should not overshadow the American flag in any way.
6. The American flag should be at the center and at the highest point of the group when a number of flags are grouped and displayed from staffs.
7. When flags of states, cities, or localities are flown on the same halyard with the American flag, the American flag should always be at the peak.

B. Flying of Flags at Half-Staff

1. The U.S. flag should be displayed at half-staff as a sign of respect on the days noted below, or on other days by special proclamation of the United States President or New York State Governor. When the American flag is flown at half-staff, all other flags should be flown at half-staff as well.
 - a) Peace Officers Memorial Day (May 15) (Federal Mandate)
 - b) Memorial Day (last Monday in May) (Federal Mandate)
(Half-staff until noon only, then raised to the top of the staff)
 - c) Patriot Day (September 11) (NYS Mandate)
 - d) National Firefighters Memorial Day (rotating Sunday in October on or before October 9) (Federal Mandate)
 - e) Pearl Harbor Remembrance Day (December 7) (NYS Mandate)

Note: Whenever one of the days listed above falls on a weekend, the flag should be flown at half-staff on the last preceding workday in lieu of the weekend.

2. In addition, federal law specifies the following mandatory periods of mourning for which flags must be flown at half-staff:

- a) Thirty (30) days from the date of death of the President or former President of the United States
- b) Ten (10) days from the date of death of the Vice President of the United States; the Chief Justice, or a retired Chief Justice of the United States; or the Speaker of the House of Representatives
- c) From the date of death until interment of a former Vice President; Associate Justice of the Supreme Court; Secretary of an executive or military department; or a Governor of a state, territory, or possession
- d) The day of death and the following day for a member of Congress
- e) In the event of death of other officials, former officials or other dignitaries, the flag of the United States, as well as the New York State flag, shall be displayed at half-staff in accordance with such orders or instructions as may be issued by or at the direction of the President of the United States in accordance with recognized customs not inconsistent with the law.
- f) In addition, New York State law provides that flags may be flown at half-staff during special periods of mourning designated by the President of the United States or New York State Governor, and to commemorate the death of a personage of national or state standing, or of a local serviceperson, official or public servant who, in opinion of the local agency concerned, contributed to the community.
- g) The Chair of the County Legislature may specify a one (1) day period of mourning for which flags may be flown at half-staff in the event of a death of a County resident, past or present, who has at any time rendered significant public service as a local serviceperson, official, or public servant who, in the opinion of the County, contributed to the community.
- h) When flown at half-staff, the flag should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.
- i) When a flag is lowered, no part of it should touch the ground or any other object.
- j) The Facilities department is responsible for the raising or lowering of flags, as determined by the County Administrator or his/her designee.

C. Additional Manners of Display (See Appendix A)

1. When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff.
2. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.
3. When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or

to the east in a north and south street.

4. When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
5. When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a public auditorium, the flag should hold the position of superior prominence, in advance of the audience, and in the position of honor at the speaker's right as (s)he faces the audience. Any other flag so displayed should be placed on the left of the speaker or to the right of the audience.
6. When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

D. Flag Raising Criteria












1. Flags may be flown to celebrate art, heritage, culture, diversity and inclusion. The flags approved under this Flag Policy are enumerated below. The addition of flags to this list requires a policy amendment.
 - a) The U.S. flag.
 - b) The New York State flag.
 - c) The Tompkins County Flag
 - d) The official flags of the President and Vice President of the U.S.
 - e) The official flags of all branches of the U.S. military and armed forces.
 - f) The Pride (Rainbow) flag (month of June)
 - g) The POW-MIA flag.
 - h) The Black History Month Flag (month of February)
 - i) The Haudenosaunee (Six Nations) Flag
 - j) The Women's Suffrage Flag (month of March)
2. Special Flag Raisings
 - a. As a matter of practice, the County uses special flag raisings to enhance public awareness of activities such as national independence days, multicultural events, County diversity, and historical commemorations important to County residents. In these instances, an approved flag from the list above shall be flown in addition to the U.S. flag.

- b. Special flags will be purchased and provided by the County
- c. Special flags shall be standard flag size 3'x5'
- d. If a special flag is flown below the American flag, it shall not be larger in size than the American flag.
- e. National and State flags will be given higher precedent over non-national and non-state flags if flown on the same pole.
- f. Special flags will be flown at all County-owned flag poles, with the exception of the Tompkins County Public Library and Tompkins County Mental Health Building, both of which pose significant logistical and safety challenges to staff.
- g. Special flags may be publicly displayed using interior flagpoles in facilities where exterior flags cannot be flown.
- h. A special flag shall be flown for the duration of the associated event, up to one calendar month maximum.
- i. A special flag shall be flown no more than once per calendar year (January-December).
- j. No special flags may be flown at such times when half-staffing is in order or on significant dates as deemed appropriate.
- k. Flags shall only be raised and lowered on County business days.
- l. Display of a flag must be in accordance with Federal Flag Code rules
- m. On occasion, the County may receive a request for the flag of another nation to be flown. It is recommended that only during the visit of international dignitaries that flags of other nations be flown. This may avoid the County becoming unknowingly involved in any political issues

3. Flags may **not** be flown:

- a. To promote business or commercial enterprises;
- b. To promote political parties or religious groups;
- c. To support groups or organizations that are political or religious in nature;
- d. In support of groups, organizations, or events that promote beliefs that are contrary to any other County policy or espouse any form of discrimination, violence, or racism;
- e. In support of community groups or organizations with no direct connection to Tompkins County.

Appendix A

 <h3>Bunting</h3> <p>The U.S. flag should never be used as drapery, never festooned, drawn back, nor up, in folds. It should always be allowed to fall free. Bunting should be used for decoration: First blue, then white, then red.</p>	 <h3>Behind a Speaker</h3> <p>When used on a speaker's platform, the flag, if displayed flat, should be above and behind the speaker. Use bunting to decorate a speaker's desk or the front of the platform.</p>	 <h3>Over a Street</h3> <p>When the U.S. flag is displayed other than from a staff, it should be displayed flat, or suspended so its folds fall free. When displayed over a street, place the union so it faces north or east, depending on the direction of the street.</p>
 <h3>From a Building</h3> <p>When the flag is displayed from a staff projecting from a windowsill, balcony or building front, the union of the flag should always be at the peak of the staff unless the flag is half-staff.</p>	 <h3>On a Wall</h3> <p>When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. In a window, the union should be to the flag's right when viewed from outside.</p>	 <h3>On a Staff</h3> <p>When the U.S. flag is flown with flags or pennants of states, cities or societies, it should always be at the peak. When flown from adjacent staffs, the U.S. flag should be hoisted first and lowered last.</p>
 <h3>National Flags</h3> <p>When flags of two or more nations are displayed together, they should be flown from separate staffs of the same height, and the flags should be of approximately equal size.</p>	 <h3>In a Parade</h3> <p>When carried in a parade front with other flags, the U.S. flag should always be to the marching right of the other flags, or to the front and center of the flag line.</p>	 <h3>Showing Respect</h3> <p>When the flag is raised, lowered or is passing in a parade or review, everyone present, except military personnel, should face the flag and place his or her hand over their heart. Men remove their hats. Military personnel salute.</p>
 <h3>Memorial Day</h3> <p>The flag should be briskly raised in the morning to the top, then lowered slowly to half-staff. At noon, the flag should be raised to the top again.</p> <p>A.M. P.M.</p>	 <h3>On a Casket</h3> <p>When the flag is used on a casket, its union should be over the deceased's left shoulder. Carry the casket foot first. The flag should not be lowered into the grave or allowed to touch the ground.</p>	