1. Purpose

The purpose of the City of Minot’s Flag Policy (hereinafter “Policy”) is to establish and adopt the following guidelines relating to the display of flags on the City of Minot’s flagpoles, located at City Hall, or at any City-owned or maintained facility (hereinafter “City Flagpoles”).

In adopting this Policy, the City Council for the City of Minot declares that the City Flagpoles 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 the United States, North Dakota, and City of Minot flags, as well as any Ceremonial Flag or Commemorative or Organizational Flag authorized pursuant to this Policy as an expression of the City of Minot’s official sentiments (government speech).

2. Policy Guidelines

a. Compliance with United States Flag Law. All flags shall fly in accordance with the United States Code, Title 4, or applicable law.

b. Half-Staff Protocol. All flags shall fly at half-staff, in compliance with applicable law, and under the following conditions: when so ordered by the Federal government or President of the United States; or when so ordered by the State government or Governor of the State of North Dakota.

c. Pre-Approved Flags. The following flags are initially approved under this Policy, without further action by the City Council and shall be displayed in the following order of precedence:

i. The United States flag;
ii. The North Dakota flag; and
iii. The City of Minot flag.

d. Ceremonial Flags. The City of Minot may authorize the display of Ceremonial Flags to fly on City Flagpoles.

i. Definition. A Ceremonial Flag as defined in this Policy shall mean a flag of a government recognized by the United States or a flag of an official sister city of the City of Minot flown in conjunction with an event involving the sister city.

ii. Process. The City Council authorizes the City Manager to approve or authorize, on behalf of the City, the display of a Ceremonial Flag as an expression of the City of Minot’s government speech.

e. Commemorative or Organizational Flags. The City of Minot may authorize the display of Commemorative or Organizational Flags to fly on City Flagpoles.

i. Definition. A Commemorative or Organizational Flag as defined in this Policy shall mean a flag that identifies with a specific historical event, cause, nation or group of people that the City Council chooses to honor or commemorate.
The following are not allowed as Commemorative or Organizational Flags and will not be considered by the City Council:

1. Flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed;
2. Flags of a political party to avoid the appearance of City government, endorsing a political party;
3. Flags advocating a certain outcome in an election, to avoid the appearance of City government endorsing an electoral outcome;
4. Flag of a commercial organization, to avoid the appearance of City government endorsing any particular business; and
5. Flags that enable violence, discrimination, prejudice, or racism, to avoid the appearance of City government endorsing such actions.

ii. Process.
1. If a City resident wishes to request approval to fly a Commemorative or Organizational Flag, the City resident shall submit a written request to the City Clerk at least 30 days in advance of the desired date of display. The requests shall be distributed to City Council members and any individual City Council member can add the request to a City Council agenda for consideration by the full City Council as to whether the City Council wants to adopt a certain Commemorative or Organizational Flag as City government speech.
2. The City Council will only display Commemorative or Organizational Flags that it approves, by majority vote, as an expression of the City of Minot’s government speech.

iii. Timing. Each Commemorative or Organizational Flag cannot be flown more than once a year and will be displayed for a period of time that is reasonable or customary for duration of the event, but no more than thirty (30) continuous days. Only one Commemorative or Organizational Flag will be allowed to be displayed during any time period.

iv. Temporary Donation of Flag. Commemorative and Organizational flags must be temporarily donated for the City of Minot’s use and be clean, without holes and tears, and be made of an all-weather fabric. Commemorative or Organizational flags must be the same size or smaller than the flags flown as permitted under subsection (c). The City of Minot will not be responsible for the condition of the Commemorative or Organizational Flag once flown and may dispose of any such flag not picked up within thirty (30) days after it has been flown. The City of Minot will not purchase the Commemorative or Organizational flags.

f. Unauthorized Flags. Unless otherwise allowed or authorized as provided in this Policy, no flag shall be displayed on City Flagpoles.

3. Amendment or Termination of Policy

This Policy may be amended or terminated at any time by a majority of the City Council.