



TOWN OF DOUGLAS

Select Board

Policy for the Exhibition of Flags from Town Buildings and Property

Purpose. This policy provides guidelines for the flying, on property owned by the Town of Douglas, of the flags of the United States of America, the Commonwealth of Massachusetts, and the POW/MIA flag, as well as flags for parades, holidays, and celebrations. The choice of which flag to raise on Town-owned property is hereby declared to be governmental speech, communicating a message to the public, to which the strictures of the First Amendment do not apply. The Town does not, nor has it ever, intended to designate the flying of flags on Town-owned property as a public forum by permitting a non-governmental party to raise a particular flag. Accordingly, the Select Board's choice of whether to raise, or decline to raise, a flag on Town-owned property, the manner in which such a decision is made, and the adoption of this policy, shall not be interpreted as designating any Town-owned property as a public forum for the flying of flags.

Policy. It is the policy of the Town of Douglas that flags exhibited from Town-owned property shall be displayed in conformance with applicable federal, state, and local policies, as stated in the Federal "Our Flag" publication of the Congress, House Document No. 96-144 and the Massachusetts statutes and regulations for flags, including without limitation G.L. c. 2, § 6A, G.L. c. 264, § 5, 950 CMR 34.00 et seq, and this policy. If the President of the United States, Governor of the Commonwealth, or other authority of competent jurisdiction, orders that the United States or Commonwealth flag be flown at half-staff, no other flag shall be flown higher. The Select Board or the Town Administrator as its designee shall ensure the proper execution of this policy, as it may be amended from time to time by the Select Board in its sole discretion.

Standards.

A. Federal, State, and Local Flags

1. **Outdoor:** flags may be flown from Town-owned property, provided that such flags are flown in the following order of precedence: first, the United States flag; second, the Commonwealth flag; and third, a local or POW/MIA flag. The flags of the United States and the State of Massachusetts shall not be flown with other flags on a single pole of any height.
2. **Weather permitting:** flags flown by the Town outdoors may be displayed daily between sunrise and sunset from Town-owned property as may be designated by the Select Board from time to time. Flags shall not be displayed in inclement weather; provided, however, an all-weather flag may be flown on a 24-hour basis if illuminated during the night.

3. Flags shall be displayed inside Town-owned property at a location or locations designated by the Select Board or the Town Administrator as its designee.
4. Any flag flown by the Town shall be clean and serviceable with dimensions no less than (3 ft by 5 ft) and no greater than (4.5 ft by 9 ft), or as may otherwise be approved by the Administrator.

Adopted by vote of the Select Board on: August 29, 2023

Policy to go into effect on: August 30, 2023