

Bylaw No. 1162-2023 FLAGS BYLAW

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A BY-LAW OF THE CITY OF LEDUC IN THE PROVINCE OF ALBERTA, REGARDING THE DISPLAY OF FLAGS OUTSIDE CITY FACILITIES.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, grants a municipality the authority to pass a bylaw respecting things in, on or near a public place or place that is open to the public;

AND the City displays Flags on permanent flagpoles located on City property;

AND Council wishes to provide clarity and direction on the display of such Flags,

NOW THEREFORE, the Council of the City of Leduc in the Province of Alberta duly assembled, hereby enacts as follows:

PART I: BYLAW TITLE

1. This Bylaw shall be known as the “Flags Bylaw”.

PART II: DEFINITIONS

2. In this Bylaw:
 - a) “Administration” means a person or persons employed by the City;
 - b) “Bylaw” means this *Flags Bylaw No. 1162-2023*;
 - c) “City Manager” means the Chief Administrative Officer as appointed pursuant to *City Administration Bylaw No. 872-2014*;
 - d) “City” means the Municipal Corporation of the City of Leduc;
 - e) “City of Leduc Flag” means either of the following:
 - i) the Heraldic Flag, as defined in *City Policy No. 11.00:17. the Armorial Bearings and City Logo Usage Policy*; or
 - ii) a Flag bearing the City of Leduc logo.
 - f) “Council” means the Council of the City;
 - g) “Flag” means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and bearing specific colours and patterns that identify it as the emblem or symbol of a governmental or geographical jurisdiction, or an organization or institution; and

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- h) "Half-Mast" means the position half-way down a flagpole where a Flag may be flown to bestow an honour and/or a collective sense of sorrow.

PART III: APPLICATION

- 3. This Bylaw shall apply to Flags displayed on permanently installed flagpoles located on City property.
- 4. This Bylaw does not apply to:
 - a) indoor Flag displays within City facilities; and
 - b) Flags, banners or other advertising materials displayed on light standards or other City infrastructure.

PART IV: ORDER OF PROMINENCE OF FLAGS

- 5. When multiple Flags may be displayed on multiple flagpoles at a single location, the order of Flag prominence is as follows: :
 - a) personal flags of the Sovereign, other members of the Royal Family, the Governor General, or the Lieutenant Governor, according to protocol;
 - b) national Flag of Canada;
 - c) Flags of other sovereign nations, in English alphabetical order;
 - d) provincial Flag of Alberta;
 - e) Flags of other Canadian provinces, in the order of the date of entry of the province into Confederation, by population at the time of entry into Confederation;
 - f) Flags of Canadian territories, in order of creation;
 - g) City of Leduc Flag;
 - h) Flags of other Alberta municipalities in English alphabetical order;
 - i) Flags of Canadian municipalities outside of Alberta, in English alphabetical order;
 - j) Flags of municipalities outside of Canada, in English alphabetical order;
 - k) Treaty Six Flag;
 - l) Flag of the Metis Nation of Alberta;

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- m) Flags of any other jurisdiction, organization, or institution, in English alphabetical order;
- n) Historical flags.

Two Flagpoles

6. When a Flag display consists of two Flags, the Flag higher in the order of prominence shall be located on the flagpole to the observer's left when facing the display.

Three Flagpoles

7. When a Flag display consists of three Flags:
- a) the Flag that is highest in the order of prominence shall be located on the centre flagpole;
 - b) the Flag that is second highest in the order of prominence shall be located on the flagpole to the observer's left when facing the display; and
 - c) the Flag that is third highest in the order of prominence shall be located on the flagpole to the observer's right when facing the display.

More Than Three Flagpoles

8. When a Flag display consists of more than three Flags, the Flag that is highest in the order of prominence shall be located on the flagpole farthest to the left when the observer is facing the display, followed by the other Flags, arranged in order of prominence, left to right when the observer is facing the display.

PART V: FLAG PLACEMENTS

LEDUC CIVIC CENTRE

9. Notwithstanding Part IV, and subject to alternative resolution of Council, the Flag display located on the east side of the Leduc Civic Centre shall display the following Flags in the positions in the display indicated below, and as shown in Figure 1.
- a) The national Flag of Canada shall be located on the centre flagpole.
 - b) The provincial Flag of Alberta shall be located on the flagpole immediately south of the centre flagpole.
 - c) The City of Leduc Flag shall be located on the flagpole immediately north of the centre flagpole.

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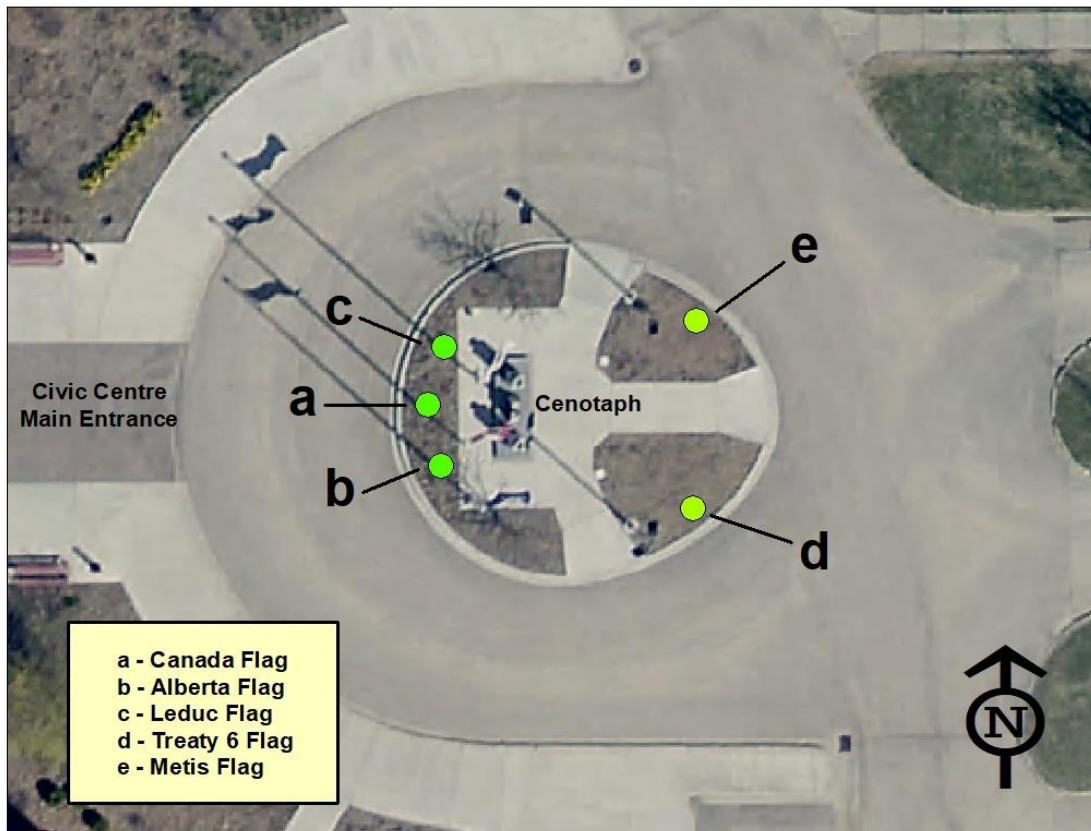
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- d) The Treaty Six Flag shall be located on the flagpole furthest to the south and east of the centre flagpole.
 - e) The Flag of the Metis Nation of Alberta shall be located on the flagpole furthest to the north and east of the centre flagpole.
10. Council may, by resolution, modify the Flags to be displayed in the Flag display located on the east side of the Leduc Civic Centre, and the resolution shall specify:
- a) the period of time during which the modification shall occur; and
 - b) which Flags will be included in the Flag display during the period of modification.
11. If Council, by resolution, modifies the Flags to be displayed in the Flag display located on the east side of the Leduc Civic Centre, the order of prominence for Flags in the Flag display shall be as described below and as shown in Figure 1.
- a) The Flag that ranks highest in the order of prominence shall be located on the centre flagpole.
 - b) The Flag that ranks second highest in the order of prominence shall be located on the flagpole immediately south of the centre flagpole.
 - c) The Flag that ranks third highest in the order of prominence shall be located on the flagpole immediately north of the centre flagpole.
 - d) The Flag that ranks fourth highest in the order of prominence shall be located on the flagpole furthest to the south and east from the centre flagpole.
 - e) The Flag that ranks fifth highest in the order of prominence shall be located on the flagpole furthest to the north and east from the centre flagpole.
 - f) If fewer than five Flags are displayed, some flagpoles may remain empty.

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FIGURE 1
Flagpole locations, east side of Leduc Civic Centre



12. For Flags in the display located on the west side of the Leduc Civic Centre:
- a) the Flag that ranks highest in the order of prominence shall be located on the south flagpole; and
 - b) the Flag that ranks second highest in the order of prominence shall be located on the north flagpole.

OTHER CITY FACILITIES

13. Unless otherwise determined by Council, the Flag display located at all City facilities other than the Leduc Civic Centre shall display the following Flags.
- a) When only one Flag is flown in a Flag display, it shall be the national Flag of Canada.

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- b) When two Flags are flown in a Flag display, they shall be the national Flag of Canada and the provincial flag of Alberta.
- c) When three Flags are flown in a Flag display, they shall be the national Flag of Canada, the provincial flag of Alberta, and the City of Leduc Flag.
- d) When more than three Flags are flown in a Flag display, they shall include the national Flag of Canada, the provincial flag of Alberta, the City of Leduc Flag, and any other Flag(s) approved by Council.
- e) It is not necessary to display a flag on all flagpoles in a display; one or more flagpoles may remain without a flag. Empty flagpoles shall be those in the lowest positions of prominence as defined in sections 7, 8, or 9.

FLAGS OF OTHER JURISDICTION, ORGANIZATION OR INSTITUTION

- 14. Any organization or institution may apply to have a Flag displayed outside a City facility:
 - a) Applications shall be submitted to the Office of the Mayor.
 - b) The Office of the Mayor may refer the request to Administration for research and/or recommendations.
 - c) Council shall decide whether to grant or deny a request from an organization or institution to display a flag outside a City facility.
- 15. The City Manager may establish policy and procedure for applying to have a Flag displayed outside a City facility, and approval of Flag display.
- 16. An organization or institution that applies to have a Flag displayed outside a City facility shall not be authorized to have their Flag displayed outside City facility if their mandate or activities are believed to discriminate against, or otherwise incite or encourage discrimination against, any individual or group.
- 17. Notwithstanding the requirement for Council approval for the display of Flags, the City Manager may approve the displaying of:
 - a) the Flag of a foreign nation or state recognized by Canada when the nation's sovereign or the sovereign's representative is visiting the City; or
 - b) the Flag of a Canadian jurisdiction when an official representative of that jurisdiction is visiting the City.
- 18. When the Flag of a foreign nation or state recognized by Canada, or of a Canadian jurisdiction, is displayed as per City Manager approval, its position in the Flag display shall be consistent with the order of prominence in the Bylaw.

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PART VI: FLAGS AT HALF-MAST

19. When Flags are flown at Half-Mast as a sign of mourning or in observance of a special day, to Half-Mast a flag, the Flag is brought to the Half-Mast position by first raising it to the masthead and immediately lowering it slowly to the Half-Mast position. The Flag should be raised again to the top before lowering for the day.
20. When Flags are flown at Half-Mast as a sign of mourning following a death of a person specified in this Bylaw, they shall be Half-Masted from the time of notification of death until sunset on the day of the funeral or memorial service.
21. Flags displayed outside City facilities will be flown at Half-Mast from sunrise to sunset (or as close as is practicable) on all flagpoles at City facilities to mark a solemn occasion, including the following:
 - a) April 9 - National Day of Remembrance of the Battle of Vimy Ridge.
 - b) April 28 - National Day of Mourning for Those Who Have Suffered and Died in the Workplace.
 - c) June 23 - National Day of Remembrance for Victims of Terrorism.
 - d) The second Sunday in September - Firefighters' National Memorial Day.
 - e) The last Sunday in September - Police and Peace Officers National Memorial Day.
 - f) September 30 - National Day of Truth and Reconciliation.
 - g) November 11 - Remembrance Day.
 - h) December 6 - National Day of Remembrance and Action on Violence Against Women.
22. Flags shall be flown at Half-Mast at all City facilities for the period of time specified in a Half-Masting Notice issued by the Alberta provincial government for all Government of Alberta buildings.
23. Flags shall be flown at Half-Mast at all City facilities from the notice of death to sunset on the day of the funeral on the death of:
 - a) the Sovereign of Canada;
 - b) immediate members of the Royal Family;
 - c) current and former Governors General;
 - d) current and former Prime Ministers;

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- e) current and former Lieutenant Governors of Alberta;
- f) current and former Premiers of Alberta;
- g) current and former Mayors of the City;
- h) current members of Council; or
- i) any other person as determined by Council resolution.

Half-Masting exceptions

- 24. The Canadian Flag must always be flown at full mast on Victoria Day in May and Canada Day on July 1, unless the Flag is at Half-Mast due to the death of:
 - a) the Sovereign of Canada;
 - b) the Canadian prime minister; or
 - c) the Governor General.
- 25. Notwithstanding sections 20, 21 and 22, the Canadian Flag must be flown at full mast on the day a new monarch is proclaimed.

Death of a City Employee

- 26. Upon the death of a City employee, including a City employee on leave as a reservist with the Canadian Armed Forces, Flags at the Leduc Civic Centre, and the building that was the employee's normal place of work if located other than the Leduc Civic Centre, shall be flown at Half-Mast from the time of notification of death until sunset on the day of the funeral or memorial service.
- 27. Flags displayed outside City facilities other than the Leduc Civic Centre and the employee's place of work may also be flown at Half-Mast.

PART VII: ENACTMENT

This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

READ A FIRST TIME IN COUNCIL THIS 30th DAY OF OCTOBER, AD 2023.

READ A SECOND TIME IN COUNCIL THIS 30th DAY OF OCTOBER, AD 2023

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READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 20th DAY OF
NOVEMBER, AD 2023.

“Original Signed”

November 21, 2023

MAYOR

Date Signed

“Original Signed”

November 21, 2023

CITY CLERK

Date Signed