CORPORATION OF THE TOWNSHIP OF JOLY

BY-LAW 2025-014

BEING A BY-LAW TO ESTABLISH A FLAG POLICY

Legal Authority

Scope of Powers
Section 9 of the Municipal Act, S.O. 2001, c. 25, as amended, provides a municipality with authority to undertake the actions set out in this by-law;

Section 11 of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws in regard to the governance structure of the municipality and its local boards;

Powers of a Natural Person
Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council
Section 5(1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council.

Powers Exercised by By-law
Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.

Meetings Open to the Public
Section 239 (1) of the *Municipal Act* provides that all meetings of Council and its Committees shall be open to the public except as related to the exceptions included in Section 239 of *Municipal Act.*

Preamble
The Township of Joly established By-Law 2025-014 being a by-law to establish rules governing the proceedings of Council and staff around the ability to fly flags on Municipal controlled lands.

Decision

Council of the Corporation of the Township of Joly deems it expedient to establish a Flag Policy to ensure compliance with the *Municipal Act* and to provide guidance to the Corporation of the Township of Joly Council and staff as it relates Flags

Direction

NOW THEREFORE the Council of the Corporation of the Township of Joly deems it desirable and necessary to possess a Flag Policy and enacts as follows:

1. That Schedule "A", as attached, being the Flag Policy and Schedule "B", as attached forms part of this by-law.
2. This By-law takes effect on the day of its final passing.

Read and adopted by Resolution 2025-93 this 11th Day of March, 2025.

Mayor

Clerk

Schedule "A" To Bylaw 2025-014

The Corporation of The Township of Joly

Flag & Public Campaign Request Policy 2025

Background

The Township of Joly acknowledges that flags are a symbol of honour and pride and wishes to institute a policy which will show respect and dignity for the flags while providing opportunities to bestow an honour or express a collective sense of sorrow through the action of lowering flags to half-mast.

Purpose

The intent of this policy is to provide clear guidelines and direction to Township staff as to the appropriate times and process for raising, displaying and half-masting of flags on Township flagpoles

Scope

Flags are symbols that identify people to a group. The National Flag of Canada and flags of the Provinces and Territories are symbols of honour and pride to all Canadians. They should be treated with respect.

The National Flag of Canada should be displayed only in a manner befitting this important national symbol; it should not be subject to indignity or displayed in a position inferior to any other flag or ensign.

Definitions & Interpretations

Authorized Flags: Included the National Flag of Canada, Flag of the Province of Ontario, Municipal Flag

Flag(s) The Collective word for all Flags being flown on Township flagpoles.

Flag Etiquette Guideline: The guidelines for The National Flag of Canada, as provided by the Government of Canada

Flag of the Province of Ontario: The current Ontario Flag as proclaimed by the Flag Act on May 21, 1965

Half-mast: The position of the flag when flying at half-mast will depend on its size, the length of the mast and location; but generally, the centre of the Flag should be half-way down the mast.

National Flag of Canada: The Canadian Flag of Canada as approved by Parliament and proclaimed by Her Majesty Queen Elizabeth II, Queen of Canada, On February 15, 1965.

Township: The Corporation of the Township of Joly

Township Flagpole: Includes all flagpoles on Township property under the care and control of the Township pf Joly.

Procedures and Guiding Principles

a) Displaying of Flags

i) The only Flags flown on the Township flagpoles are those authorized by the Township (see Authorized flags under definitions)

ii) The National Flag of Canada should always be flown on its own mast. No flag will be flown or displayed above the National Flag of Canada

iii) Flags flown together should be approximately the same size and flown on separate flagpoles at the same height

iv) Where there is only one flagpole, the National Flag of Canada will be flown and not replaced.

v) The National Flag of Canada will always be given the place of Honour when flown or displayed with other Flags including

a. When two or more flags are flown together, the National Flag of Canada should be on the left as seen by spectators in front of flags; if a number of countries are represented, the Canadian flag may be flown at each end of the line of flags;
b. When three flags are flown together, The National Flag of Canada should occupy the central position, with the next ranking flag to the left and third ranking to the right, as seen by the spectators in front of the flag;
c. When there are flag poles of differing heights, the flag with the highest priority and honour shall be flown on the highest flag poles, and the remaining flags shall revert to flag priority on the shorter flag poles;
d. Where more than one flag is flown in a series and it is impossible to hoist or lower at the same time, the National Flag of Canada should be hoisted first and lowered last;
e. In all circumstances, the order of the flags shall reflect the hierarchy of the levels of government being represented;

f. Where the National Flag of Canada is being displayed vertically, horizontally, projected from a building, or on a speaker's platform, the Township will follow the "Rules for Flying the National Flag of Canada" within the Flag etiquette Guideline.

vi) It is important to note that the following flags take precedence over the National Flag of Canada on building where on of the following dignitaries are in residence and/or where they are attending a function:
   a) The Sovereign's (His Majesty) Personal Canadian Flag;
   b) The standards of member of the Royal Family;
   c) The Standards of the Governor General; and
   d) The standard of the Lieutenant Governor (in his or her province of the jurisdiction and when assuming the duties of the representative of the Sovereign

vii) At Township facilities where flag poles are not present, there shall be no requirement to install poles to fly flags, The flags displayed is dependent upon the number of flagpoles available if any (see schedule "B").

viii) Wherever possible, the Township will adhere to the Flag Policy for the display of flags.

b) Half-Masting of Flags

Flags are flown at the Half-mast position as a sign of mourning. The act of Half-masting is a dramatic visual statement that speaks to the sense of loss that is shared by all residents.

c) Procedure of Half-Masting

i) For all mandatory half-masting's all Flags on Township flagpoles will be lowered;

ii) For all discretionary Half-masting's, the Flags on the Community Flagpole, only will be lowered;

iii) At no time will only one flag on a series of flagpoles be lowered to Half-mast, all the Flags flown together should be at half-mast. At no time should the National Flag of Canada be flown lower than any other flag;

iv) When a flag is lowered to half-mast, it should be first raised to masthead. If already lowered, the flag should still first be raised to the masthead;

v) The position of the flags when flying at Half-mast will depend on the size of the flag and the length flagpole, However, it must be lowered at least to the position recognized as "Half-Mast" to avoid the appearance of a flag which has fallen. Satisfactory position for Half-masting is to place the centre of the flag exactly half-way down the flagpole;

vi) Flags will be lowered to Half-mast as soon as possible after the time of notification of an event of passing of person(s) under this policy, until the business day after the funeral or memorial;

vii) In all circumstances, the Municipal-Administrator or designate shall direct the lowering of Flags to the appropriate department;

viii) The Municipal Administrator or designate will prepare and distribute a notice to the public (via social media) and staff of the reason, general information and/or resources, and duration of the Half-mast;

ix) The decision of Half-mast flags remains at the sole discretion of the Municipal Administrator or designate, unless it is mandatory half—masting as per the customs of the Government of Canada.

d) When a Flag is to be Half-Masted

i) Mandatory Half-Masting (Government of Canada)

Flags shall be lowered to Half-mast upon notification of the death for the following dignitaries:

a) The Sovereign or member of the Sovereigns' immediate family, including but not limited to the Sovereign's spouse the Heir to the Throne and the Heier of the Heir to the Throne;

b) The current or former Governor General, Prime Minister, Lieutenant Governor of Ontario, Premier of Ontario, Chief Justice of Canada; or

c) A current member of the Cabinet of Canada (Canadian Ministry).

For mandatory Half-masting, all Flags on Township flagpoles will remain lowered as soon as possible from notification until the business day after the funeral or memorial service, unless a different duration is advised but the Government of Canada or decided upon by the Municipal Administrator.

ii) Discretionary Half-Masting

Flags will be lowered to Half-mast upon notification of:

a) The death of a current or past Member of Council or Township of Joly staff member, including active or retired firefighter/volunteer firefighters, that service the Township of Joly;

b) Any day declared be the Federal Government, the Province of Ontario, or the Council of the Township of Joly as a day of mourning.

Flags may be lowered to Half-Mast upon notification of:

c) A current member of the Ontario Provincial Police, dispatched from a local detachment who serviced the Township of Joly (e.g. Burk's Falls Detachment, killed in the line of duty;

d) A current resident of the Township of Joly or member of a local Regimen who is a member of the Armed Forces of Canada killed in the line of duty;
e) A tragic catastrophic event in Ontario, Canada, Or the world consistent with the Department of Canadian Heritage;

For discretionary Half-Masting, Flags on the Community Flagpole will be lowered to Half-mast as soon as possible from the notification for a period of one week or up to and including the date of the funeral or memorial service, whichever comes first.

When a funeral or memorial service will not be schedule within one week of the notification. Flags on the Community Flagpole will be lowered to Half-mast as soon as possible from the notification for a period of 72 hours and then again on the date of the funeral or memorial service, or for a different duration as decided upon by the Municipal Administrator.

iii) Mandatory Full-mast

Notwithstanding the above-noted periods of Half-mast, the Flags on all Township flag poles must be flown at Full-mast on Victoria Day and Canada Day, as per the *Holiday Act.*

Note: This does not apply if the Flag is half-masted for the death of a Sovereign, but the Flag is flown a Full-mast on the day on which the accession of the new monarch is proclaimed. This also does not apply if the Flag is half-masted for the death of the currently governor General or the Prime Minister.

For all half-mast and non-half-mast events (Special Days) the Municipal Administrator will prepare and distribute a notice to the public via social media and staff of the significant of the Special Day, provide additional information and/or resources, and indicate the duration of the Half-mast (where applicable), to increase community awareness.

f. **Proclamations or Public Awareness Campaigns and Special Requests**

i) Proclamations and Public Awareness Campaigns

The Council of the Township of Joly recognizes the important contributions local organizations and associations provide to our community. At such time that the Township of Joly has the appropriate flag poles, as such, Council promotes the issuance or Proclamations and Public Awareness Campaign(s) to support these organizations and associations;

a) A request for the issuance of a Proclamation or support of a Public Awareness Campaign shall be submitted, in witting, to the Municipal Administrator no less than (30) days prior to the first day of the Proclamation or Public Awareness Campaign, The request shall include:

i) The Organization names, address, telephone number, email, details of the Proclamation, and any supporting documentation;
ii) Specific text of the Proclamation or Public Awareness Campaign
iii) The Flag at no cost to the Township, unless a specific donation has been requested in time for the donation to be considered in the yearly budget for approval

b) These requests will be considered by Council at the next available regular Council meeting, Council will, via resolution issue its support or non-support of the Proclamation or Public Awareness Campaign.
c) The Municipal Administrator will notify the organization or association, in writing, on Council's Support or non-support of the requested Proclamation or Public Awareness Campaign.
d) The Township will advise the general public of its support or a Proclamation or Public Awareness Campaign via the Township's website, social media, and on the bulletin board at the Township office when print material as been provided by the Organization.
e) The Township will not approve a Proclamation or Public Awareness Campaign that relates to political parties or political organizations, religious organizations or religious events celebrations, campaigns or events intended for profit making purposes, attempting to influences government policy, or supporting discrimination, hatred, violence or prejudice;
f) Township initiated or National Proclamations or Public Awareness Campaigns (e.g. Fire Prevention Week, Crime Stoppers month,) are not subject to this process.

g) ***Special Request for Flag Raising & Ceremonies***
Due to limited availability of Township flagpoles, if any, the Township of Joly does not accept special requested for Flag Raisings at this time. The only Flags that will be flown on Township flagpoles are those authorized by the Township (see Authorized Flag under definitions).

h) Disposal of Flags

When a flag becomes tattered and is no longer suitable condition for use, it should be destroyed in a dignified way by burning it privately.

Schedule "B"

Locations

The Following are the locations of all Township Flagpoles

(this list may be amended from time to time as flagpoles are installed and/or removed)

Location	Number of Poles	Flag
871 Forest Lake Road Sundridge	**1**	**National Flag of Canada**