

**RESOLUTION NO. 2022-13**

**AFFIRMING THAT THE DISPLAY OF FLAGS ON CITY PROPERTY  
IS GOVERNMENT SPEECH**

**WHEREAS**, the Mayor exercises control over the property and facilities of the City of Bellingham; and

**WHEREAS**, the City Council has historically approved the raising of commemorative flags identified with a specific event, cause, theme, nation or group of people that the City chooses to honor, recognize, or commemorate; and

**WHEREAS**, the City has not adopted an administrative process, formal policy, or informal policy to allow private parties to raise their own flags on City property; and

**WHEREAS**, the City Council declares and affirms that flagpoles on City of Bellingham property 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 flags as required by law, for the expression of the City's official government speech, or both.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:**

Flags displayed on City-owned property shall be displayed in accordance with Federal and State statutes and regulations, including but not limited to, United States Code (4 U.S.C. Ch. 1) Revised Code of Washington (RCW 35A.21.180, RCW 1.20.017, RCW 1.20.015)

The City Council adopts the following guidelines regarding the display of commemorative flags on City flagpoles:

- As used in these guidelines, a "Commemorative Flag" shall mean a flag that identifies with a specific event, cause, theme, nation, or group of people that the City Council chooses to honor, recognize, or commemorate consistent with the City's official policies, priorities and sentiments.
- The Mayor may order raising of the PRIDE Commemorative Flag in support of the LGBTQ+ community, in celebration of PRIDE events, and as a statement to the public that discrimination, harassment and harm to LGBTQ+ individuals is not acceptable and will not be tolerated.
- The Mayor may order raising of the Juneteenth Commemorative Flag in honor of the City, State and Federal Juneteenth holiday. Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States. By raising the Juneteenth Flag and through other means, the City encourages employees and community members to learn more about this period in our history and commit to working for a society in which all people are truly free.

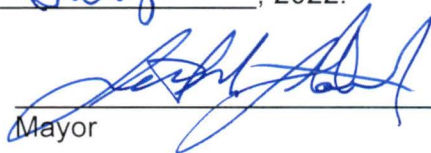
City of Bellingham  
City Attorney  
210 Lottie Street  
Bellingham, Washington 98225  
360-778-8270

- The Mayor may order display of the official flag of the City of Bellingham to create civic pride, denote a sense of place, and reflect the vibrancy of our residents and our community, provided the City Council has not authorized another Commemorative Flag for the same location and period of time.
- The Mayor may order display of the Commemorative Flag of any recognized Sister City of the City of Bellingham to be flown during official visits of representatives of the Sister City, provided that City Council has not authorized another Commemorative Flag for the same location and period of time.
- Except as provided above, Commemorative Flags may be displayed only as authorized by the City Council as an expression of the City's official government speech.
- City Council shall only consider requests to display a Commemorative Flag made by the Mayor or a member of City Council. Requests to raise a Commemorative Flag made by members of the public or other private groups will not be considered.
- The Council's decision to approve or deny a request from the Mayor or a member of the City Council to display a commemorative flag shall be made at a publicly noticed City Council meeting.
- Commemorative Flags must be the same size or smaller than the United States or Washington State flags being flown.
- If any other flag is being flown at half-staff, the Commemorative Flag will also be flown at half-staff.

**PASSED** by the Council this 27th day of June, 2022.

  
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 Council President

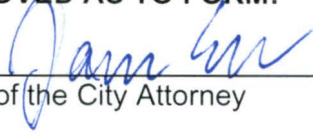
**APPROVED** by me this 12th day of July, 2022.

  
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 Mayor

**ATTEST:**   
 \_\_\_\_\_  
 Finance Director

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 City Attorney  
 210 Lottie Street  
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APPROVED AS TO FORM:



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Office of the City Attorney