

**Town Council
of the
Town of Wakefield, Massachusetts**

Policy: Use of Flagpoles on Town Property
Adopted: October 16, 2022
Revised: **[DATE TBD]**

1. Application. This policy applies to all flagpoles that are, and from time to time may be, in use on real property belonging to the Town of Wakefield (the “Town”) and under the control of the Town Council. Such flagpoles include, without limitation, those located at the Town Hall, the Town Common, the Americal Civic Center and Veterans’ Field. Since the Town’s Home Rule Charter provides, in § 8-4(b), that the custody and control of all real property previously under the control of the School Committee and School Department has been transferred to the Department of Public Works, this policy applies to flagpoles on school grounds; however, in the interest of comity, the Town Council will endeavor to confer with the School Committee prior to any change in the flags approved for use on school grounds. This policy does not apply to flagpoles located on Town property that is under the control of other public bodies, including those located at the Library (which are governed by the Board of Library Trustees) and those at facilities owned by the Wakefield Municipal Gas and Light Department.

2. Expression of Official Sentiment; Not a Public Forum. Town flagpoles are not intended as a forum for free expression by the public. Rather, the decisions of the Town Council concerning which flags to fly, and when, and from which flagpoles, are intended as an expression of official Town sentiment. Flags permitted by this policy reflect the discretionary choice of the Town Council and the will of the Town government, and no group or individual shall have a right to dictate that choice.

3. American Flag. Except during inclement weather, the flag of the United States shall regularly be flown during daylight hours from at least one flagpole at each Town facility that has one or more flagpoles. It shall not be flown at night except when illuminated. It shall be flown at half-staff whenever ordered by the President of the United States, the Governor of Massachusetts or the Town Administrator of the Town to honor the death of a public officer. No flag or banner may be displayed above the flag of the United States, and no flag other than the POW-MIA flag shall be displayed below the American flag, on any Town flagpole (with the exception of the flagpole at the Galvin Middle School, which may display the four-star flag indicating the rank of General John Galvin beneath the American flag). The flag of the United States shall be flown in accordance with all applicable laws, including 4 U.S.C. §§ 1 – 10. In the event of any inconsistency between such laws and this policy, such laws shall take precedence.

4. POW-MIA Flag. In accordance with Mass. Acts 1986, c. 399, § 1, the POW-MIA flag shall regularly be flown during daylight hours from a flagpole on the grounds of at least one Town facility.

5. Other Flags and Commemorations. The following special rules shall apply:

a. On Flag Day, June 14, the Town Council, working in collaboration with the Veterans Advisory Committee, shall host a public event to appropriately commemorate Flag Day, honor the American flag, and recognize Wakefield's veterans and active duty service members. No public events related to other flags shall be hosted by the Town of Wakefield or any Town boards, commissions, or committees on Flag Day, June 14.

b. A flag appropriately commemorating Pride Month shall be flown on one of the flagpoles at the Americal Civic Center on the following dates: June 1 through June 13, June 15 through June 17, and June 25 through June 30.

c. The service flag for the United States Army shall be flown on one of the flagpoles at the Americal Civic Center on June 14 to commemorate the founding of the United States Army.

d. A flag appropriately commemorating Juneteenth shall be flown on one of the flagpoles at the Americal Civic Center on the following dates: June 18 through June 24.

e. The service flag for the United States Coast Guard shall be flown on one of the flagpoles at the Americal Civic Center on August 4 to commemorate the founding of the United States Coast Guard.

f. The service flag for the United States Air Force shall be flown on one of the flagpoles at the Americal Civic Center on September 18 to commemorate the founding of the United States Air Force.

g. The service flag for the United States Navy shall be flown on one of the flagpoles at the Americal Civic Center on October 13 to commemorate the founding of the United States Navy.

h. The service flag for the United States Marine Corps shall be flown on one of the flagpoles at the Americal Civic Center on November 10 to commemorate the founding of the United States Marine Corps.

i. The service flag for the National Guard shall be flown on one of the flagpoles at the Americal Civic Center on December 13 to commemorate the founding of the National Guard.

j. The service flag for the United States Space Force shall be flown on one of the flagpoles at the Americal Civic Center on December 20 to commemorate the founding of the United States Space Force.

6. No Requests. The Town Council shall not entertain any requests to fly other or additional flags.

7. Prior Policies Rescinded. All previous policies regarding Town flags and flagpoles are hereby rescinded.