Borough of Aldan

Ordinance 527

Flag Raising

§1. Mindful that flying flags on government property is government speech, Aldan Borough may allow the raising of flags on municipally-owned flag poles to commemorate an event or occasion. Such allowance, to be approved only by a majority vote of Borough Council, does not intend to create a limited public forum on Borough flagpoles.

§2. A third-party organization or individual may request that the Borough raise a particular flag on a Borough flag pole or poles, except that no request will be accepted to fly the flag of a for-profit business. All accepted requests will be reviewed and processed by the Borough Manager and presented to the Borough Council for a public vote. The Borough Manager will notify the applicant organization or individual whether the flag is approved or denied, such decision to be made in the Borough's sole and complete discretion.

§3. Applicants must complete a flag application downloaded from the Borough website.

§4. Requests to raise flags must be made at least (2) weeks prior to the Aldan Borough Council caucus meeting that is four (4) weeks prior to the requested date and should generally include the following information.

* 1. Name of the requesting organization, or individual
  2. Contact information;
  3. Requested event or occasion;
  4. Date or time period of event or occasion;
  5. Explanation or purpose of the event or occasion;
  6. Name and address of the requesting Aldan resident;
  7. Description of the applicant organization including any local, national or international affiliation, brief history, website address, nonprofit status, and any other relevant information.

§5. Applicants may be required to pay for security, custodial, or other costs, if Borough resources are required.

§6. Please refer to the Aldan Borough Flag Raising Rules found in Exhibit 1.

§7. All ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed to the extent of such conflict. The Borough of Aldan reserves the right at any time by ordinance to amend or otherwise modify or repeal this article.

EXHIBIT 1

Aldan Borough Flag Raising Rules

1. At no time will the Aldan Borough display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, or religious movements.
2. Flag raisings must occur on a normal business work day, generally between the hours of 10:00 am and 3:00 pm. Requests to raise a flag on a Saturday, Sunday or holiday will normally be referred to the business day before or after the weekend or holiday. If an applicant requests a flag-raising outside of the above times, he or she must seek a waiver from the Borough Manager and provide an adequate justification. The decision of the Borough Manager will be final.
3. All flag raising events must be open to members of the public. Guests must adhere to the Aldan Borough policy not to discriminate on the basis of sex, race, religion, etc.
4. The guest must deliver the appropriate size flag to the Borough Building and retrieve the guest flag after the raising. The flag must be clean and serviceable with dimensions no less than 3 feet wide by 5 feet long and no greater than 10 feet wide by 15 feet long. Aldan Borough will not be responsible for guest flags not retrieved.
5. If ordered, flags may be lowered to comply with the U.S. Flag Code. If the President of the United States or the Governor of Pennsylvania or other appropriate authority orders that the U.S. Flag be flown at half-staff, no other flag may be flown higher than the U.S. Flag.
6. Guest flags will normally only be flown for 24 hours or less, unless the applicant asks for a longer time period and that period is approved by the Aldan Borough Council.

Exhibit 1.