



Staff Report

Report Title: Repeal Community Flag Policy

Prepared By: Jennifer White, Manager of Legislative Services, Clerk

Department: Clerk

Date: Aug. 9, 2023

Report Number: CLK-2023-08-46

File Number: C11 CLK 23

Attachments: Community Flag Raising Policy By-law 2018-62, Correspondence from Residents

Recommendation:

THAT the Township of Huron-Kinloss Committee of the Whole hereby receives for information Report CLK-2023-08-46, prepared by Jennifer White, Manager of Legislative Services/Clerk.

Background:

At the June 19, 2023 meeting of Council the following motion was introduced by Councillor McGugan:

WHEREAS the Township of Huron-Kinloss passed By-law 2018-62 being a by-law to Adopt a Community Flag Raising Policy to establish the framework to govern requests for flag raisings and to establish a consistent protocol for flying of flags at the community flag pole at the entrance to Memorial Park and the Ripley-Huron Community Centre;

AND WHEREAS Council no longer supports the raising of flags as a symbol to enhance public awareness or activities, identify significant events and historical commemorations;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Huron-Kinloss direct Staff to bring forward a By-law to repeal By-law No. 2018-62;

AND FURTHER THAT the Township of Huron-Kinloss does not support the raising of community flags on Township property.

A secondary motion was passed to defer the consideration of this motion to the August 9, 2023 Committee of the Whole Meeting.

This report provides Council with an overview of the policy, and information on the frequency and types of requests received under the Community Flag Policy. Additionally, feedback received from the public regarding the motion has been included for Council consideration.

Discussion:

The Community Flag Raising Policy was created in 2018 to establish a framework to govern requests for flag raising. The Policy established a consistent protocol for flying of flags at the community flagpole. The community flagpole is located at the entrance to Memorial Park and the Ripley-Huron Community Centre and is the single pole to which the Policy applies.

The Community Flag Raising Policy (attached to this report) establishes criteria for the types of requests that Council will consider.

Requests for Flag Raising

The requests for flag raising have been included on agendas for Council's consideration using a variety of methods, such as inclusion in a report, as a piece of correspondence, etc. Per the policy, flags are only flown following Council's approval of a submitted request.

In reviewing the quantity of requests, Staff confirm that the Community Flag Policy has been infrequently used. There have been no requests in this term of Council.

The Policy has been utilized since passing to recognize matters or events from the following organizations: Community Living Kincardine & District, Big Brothers & Big Sisters, Alzheimer's Society, Pride, Autism Awareness and the "Every Child Matters" campaign.

The Township has also flown flags to recognize and bring awareness to Cancer Awareness, Community in Bloom, Angelman Syndrome and the Lions Club. It is believed that these requests pre-date the development of the Flag Policy, however they would be acceptable requests within the current Community Flag Raising Policy.

Staff had received no complaints regarding the policy or its application prior to the motion being presented.

The Township received several pieces of correspondence which conflated the Half-Mast Flag policy and the Community Flag Raising Policy. For clarity, neither the motion, nor the Community Flag policy affect how the Canadian Flag is flown on or at municipal properties. Staff provided this information to individuals from whom that correspondence has been received, and those comments are not included with this report.

All other correspondence received by the Township for Council's consideration with respect to this motion has been included in the attachments to this report.

Community Flag Policy

The Community Flag Raising Policy provides a consistent protocol for celebrate achievement, increase public awareness of programs and activities, acknowledge organizations that have achieved distinction, made a significant contribution to the community, or helped to enhance the Township of Huron-Kinloss in a positive manner.

The Policy prohibits the flying of flags used to support political parties or political organizations; religious organizations or religious events or celebrations; celebrations, campaigns or events intended for profit-making purposes; discrimination, hatred, violence or prejudice; and groups, organizations or events that promote beliefs contrary to other Township policies.

Staff are supportive of the current policy. It provides the framework and guidance required for Staff to make consistent and equitable decisions regarding requests for flag raisings. The policy was developed to be open and inclusive in celebrating the community's achievements and promoting awareness of a variety of community issues. The policy provides mechanisms to prevent inappropriate requests while ensuring that it did not discriminate against any individual or group as outlined in the Canadian Charter of Rights and Freedoms or Ontario Human Rights Act or contravene any federal or provincial statute.

The Community Flag Raising Policy is a simple, cost-effective way for the Township to validate and display the following goals outlined in the Huron-Kinloss Sustainability Plan:

We are a vibrant community that values our uniqueness and creativity.

We are a spirited community that takes pride in calling Huron-Kinloss home and welcoming others.

We are an accessible community that offers opportunities for everyone.

Next Steps

At the June 19th meeting of Council, the motion introduced by Councillor McGugan was deferred to the August 9th Committee of the Whole meeting for consideration. As such, the same motion must be considered at this meeting. Council may pass the motion as is, may defeat the motion as is, or may request an amendment or additional deferral or tabling of the motion.

Passing Motion to Repeal

A decision to pass the motion presented, would require a By-law to repeal the policy to be brought forward to the next meeting of Council. Staff would additionally recommend that Council direct Staff to remove the Community Flagpole.

Passing the motion would mean that no community flags would be flown to recognize any organizations or events. Removal of the flagpole would deter organizations from future requests.

Defeating Motion to Repeal

A decision to defeat the motion would maintain the status quo. As per the Community Flag Raising Policy, any requests that met the requirements of the Policy would be brought to Council for consideration.

Amendments

An amendment may be made to the motion provided that it is relevant and considered a minor amendment that does not fundamentally change the intent of the main motion. Amendments may not propose a direct negative to the main motion and only one amendment may be on the floor at any one time.

Deferring or Tabling the Motion

A decision to defer should include the purpose of the deferral or what additional information is required to make the decision and a date when the motion would be considered again.

A decision to table (indefinitely postpone) the motion would maintain the status quo.

Staff have added the deferred motion to the agenda following this report, for consideration.

Financial Impacts:

This decision does not have a direct impact on the current municipal Budget.

Strategic Alignment / Link:

We are a vibrant community that values our uniqueness and creativity.
By creating places where people want to be; By celebrating what makes us unique;
By preserving and protecting our history and heritage; By supporting and growing the arts and creativity.

We are a spirited community that takes pride in calling Huron-Kinloss home and welcoming others.

By supporting a diversity of lifestyles; By maintaining a sense of connection and cohesion with each other; By engaging in our community; By retaining our youth

Respectfully Submitted By:

Jennifer White, Manager of Legislative Services/Clerk

Report Approved By:

Mary Rose Walden, Chief Administrative Officer