

TOWN OF ENFIELD FLAG AND BANNER DISPLAY POLICY
Adopted May 8, 2019 by the Enfield Town Board

1. This policy (the "Flag Policy") shall apply to all flags, banners, signs, and plaques (and similar traditional display devices), all individually and together herein referred to as "Flags," unless otherwise noted by reference or the context hereof.
2. All Flags shall fly in accord with the standards of United States Code, Title 4. All other Flags shall be displayed in accord with applicable law.
3. If placed upon any official Town halyard or flagpole, no more than 2 Flags shall fly below the U.S. flag, and if one of them is the New York State or a recognized local government flag, such shall take the spot on the halyard or flagpole immediately below the U.S. flag (or otherwise in accord with said Article 4 or applicable law).
4. No commercial Flags shall be flown or displayed, and no Flag may be displayed for commercial purposes.
5. Once issued, permits will stay in effect until revoked.
6. Any person or entity wishing to obtain Flag space upon the Town's halyard, flagpole, or other locational display site approved under this Flag Policy shall apply for a permit allowing the same through the Town Clerk's Office. Such application shall be approved and the permit issued by the Town Clerk if the applicant completes the permit and demonstrates compliance with this Flag Policy, including that the proposed Flag is on the approved Flag list, corresponds to a recognized monthly observance, and complies with the other requirements of this Flag Policy. The Town shall maintain an updated list of approved Flags and Observances to assist applicants in preparing permit applications.
7. In the event a Flag is the subject of a permit application and not upon the list of approved Flags, the Town Clerk shall forward the application to the Town Board, which shall determine whether such Flag is generally recognized on a national or international level and is or was: (i) created or issued as an officially recognized Flag of the United States; or (ii) created or issued in relation to a national observance month proclaimed by Act of Congress, Presidential Proclamation, or Executive Order. If affirmatively so determined and the Flag and permit application demonstrate compliance with this Flag Policy, the Town Board shall approve the application and the Town Clerk shall issue the permit.
8. Only Flags recognized by the United States through an Act of Congress, Presidential Proclamation, or Executive Order, or Flags nationally or internationally recognized in relation to a national month of observance by the United States through an Act of Congress, Presidential Proclamation, or Executive Order shall be granted a permit.
9. The Town Clerk shall request such information in the permit application as is deemed necessary to carry into effect this Flag Policy, and this Flag Policy may be updated by Town Board resolution from time-to-time, whether to add federal daily or weekly days of observance, state-recognized observances, to amend procedures, to implement a fee schedule, to repeal this Flag Policy, or otherwise.

10. It shall be the responsibility of each permit applicant to apply at least 30 days in advance of the desired date of display as to allow proper permit review, as well as to supply a Flag that complies with this Flag Policy and U.S.C. Article 4 and federally recognized Flag protocols, rules, and standards.
11. Unless otherwise approved and stated in any permit, no Flag shall fly other than during its period of recognized observance.
12. The locations where Flags may be displayed on Town-owned property include the following locations:
 - a. 168 Enfield Main Rd., Ithaca, NY 14850
13. The Flags initially approved under this Flag Policy include the following:
 - a. The U.S. flag.
 - b. The New York State flag.
 - c. The official flags of the President and Vice President of the U.S.
 - d. The official flags of all branches of the U.S. military and armed forces.
 - e. The Pride (Rainbow) flag.
 - f. The POW-MIA flag.
14. This Flag Policy shall at all times be construed in accord with applicable law. If for any reason at any time any provision herein shall be deemed illegal, unconstitutional, discriminatory against any person, group, or viewpoint, or invalid, this Flag Policy shall be suspended and no permits shall be issued or approved until this Flag Policy is brought back into compliance with applicable law or constitutional requirements, including but not limited to the holdings or determinations of any court or tribunal of competent jurisdiction.