



Town of Erie

Flag and Street Décor Policy

Effective Date: June 10, 2021	Revision Date: June 1, 2022	Prepared By: Gabi Rae, CCE Director
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Policy Purpose:

The purpose of the Town of Erie Flag and Street Décor Policy (the "Policy") is to establish a policy for the display of flags on flagpoles and the display of street décor on property owned or controlled by the Town. This Policy is not intended to create any public forum or limited public forum, and by enacting this Policy, the Town is not intending to regulate the content of flags or street décor except as expressly allowed by applicable law.

Applicability

This Policy applies to flags physically attached to any flagpole owned or controlled by the Town, as well as the painting or other decoration of any public street owned or controlled by the Town.

Definitions:

- **Flag** – any fabric, banner, or bunting containing distinctive colors, patterns, or symbols that is attached to a flagpole.
- **Street Décor** – paint, chalk, writing, or art on streets owned or controlled by the Town, excluding unauthorized graffiti.

Flags

The Town may fly any of the following flags on flagpoles owned or controlled by the Town, at any time:

- The United States flag;
- The Colorado State flag;
- A flag associated with an official proclamation or order of the President of the United States, during the period of time associated with the proclamation or order;
- A flag associated with an official proclamation or order of the Governor of the State of Colorado, during the period of time associated with the proclamation or order;
- A POW/MIA (Prisoner of War/Missing in Action) flag, at any time; and
- A "Fallen Heroes" or similar flag, recognizing a deceased member of the United States Armed Forces, at any time.

The Governor of the State of Colorado is authorized to order that the United States flag and the Colorado State flag be lowered to half-staff at federal and state buildings in Colorado, and in such case, the Town will lower all flags on its flagpoles accordingly.

All flags shall comply with the Town's sign code.

The Town Administrator shall determine the placement of flags and the duration of the placement; provided that, on any flagpole, the United States flag shall always be highest, followed by the State of Colorado flag (if flying), followed by the other flags in any order; and further provided that the flying of the United States flag and the State of Colorado flag shall comply with all other applicable regulations.

Street Décor

The Town Administrator may approve the installation of street décor if the Town Administrator determines that the street décor complies with this Policy and applicable law.

The Town will not allow street décor that is obscene, or that is discriminatory toward any legally protected class, including without limitation race, color, religion, creed, national origin, ancestry, gender identity, sexual orientation, gender expression, pregnancy, age, physical or mental disability, and veteran status. In addition, street décor shall not create a traffic or pedestrian hazard or interfere with traffic control devices.

Street décor may be approved if it relates to the following:

- A nationally recognized heritage celebration, including without limitation Black History Month, Women's History Month, Asian American, Native Hawaiian, and Pacific Islander (AANHPI) American Heritage Month, Pride Month, Hispanic-Latino Heritage Month, and Native American Heritage Month; or
- A state or federally recognized holiday, including without limitation New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Cesar Chavez Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Frances Xavier Cabrini Day, Indigenous Peoples' Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

This policy is hereby approved and adopted on this 1st day of June, 2022.

DocuSigned by:

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Malcolm Fleming, Town Administrator

Revision History

Date of Change	Responsible Party	Summary of Change(s)
June 1, 2022	Kendra Carberry	Policy was revised to incorporate the provisions concerning Street Décor