

Town of Stoughton
Select Board

POLICY REGARDING USE OF TOWN HALL FLAG POLES

VOTED: February 20, 2024
EFFECTIVE : February 20, 2024

Purpose:

This policy provides guidelines for the Town's flying or presenting, on Town of Stoughton-owned properties, the flag of the United States of America, the Commonwealth of Massachusetts, as well as the POW flag. The choice, by the Town, of which flag to raise on Town-owned properties is hereby declared to be government speech, communicating a message to the public, to which the strictures of the First Amendment do not apply. The Town presently does not, nor does it intend to designate the flying of flags on Town-owned properties as a public forum by permitting a non-governmental party to raise a particular flag. Accordingly, it is the Town's choice, acting by and through the Select Board, of whether to raise, or decline to raise, a flag on Town-owned properties. The manner in which such a decision is made, and the adoption of this policy, shall not be interpreted as designating any Town-Owned properties as a public forum for flying of flags. This policy does not apply to the Public Schools of Stoughton on the properties that are controlled thereby.

Policy:

1. The Select Board or the Town Manager as its designee shall ensure the proper execution of this policy, as it may be amended in the future by the Select Board in its sole discretion.
2. The flying or presentation of flags other than the ones stated above, such as ceremonial flags, are not intended to create, or serve as, a forum for free expression by the public as stated above.
3. The private use of Town Hall flag poles and/or the use of any and all surrounding and/or publicly accessible spaces proximate to those flag poles is strictly prohibited. Town Hall flag poles may only be used for official Town of Stoughton business.
4. Nothing in this policy shall be construed to restrict or in any way limit the display of flags displayed on privately held cemetery plots consistent with cemetery regulations. Other than as stated herein, this policy shall not apply to or alter any other existing policies for the private use of other Town of Stoughton property and/or facilities.