



Town of Fairhaven
Massachusetts
Office of the Select Board
40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023
selectboard@Fairhaven-MA.gov

Flag/ Banner Policy

- 1) Any request to fly a flag / banner on Town Property must be made through the Select Board office at least 60 days in advance of the requested flying period. The distinction made that a flag being a cloth attached by one edge to a pole or rope and used as the symbol or emblem of a country or institution or as a decoration during public festivities; a banner bears a slogan or design, hung in a public place or carried in a demonstration or procession
- 2) The Board will only permit flags acknowledging proclamations made by the federal government and/or the Commonwealth of Massachusetts, as well as flags/banners announcing local upcoming events that are open to the public, provided they are not in support of a candidate, political party or ballot question, and are not primarily commercial or religious in nature.
- 3) The Select Board will have final say, at their own discretion, on whether any flag / banner is appropriate to be displayed on any Town Facility.
- 4) Requests will not be granted for flags/banners to be displayed for longer than 30 days.
- 5) The Select Board shall have the right, at their own discretion, and upon a vote of the Board, to remove any flag / banner prior to the end of the approved time period. The Select Board may choose, at the time of approval, to pass this authority to remove any flag / banner on to the Town Administrator, or designee.
- 6) For any time period where multiple requests are made, the time will be shared equally by all approved requests with not more than one flag or banner flown at any time.
- 7) The Town will not be responsible for hanging or taking down the banner but will provide direction on where it may be hung.
- 8) The flag, as displayed, must not interfere with any aspect of the operation of any Town Facility.
- 9) The Town does not, nor has it ever, intended to designate the flagpole as a public forum by permitting a third party to display a particular flag. Accordingly, nothing contained within this policy, the Town's choice of which flag(s) to raise or applications to grant or deny, or the manner in which the Town makes such decisions should be interpreted as designating the flagpole as a public forum
- 10) The requestor must present a signed, dated copy of the attached waiver along with their request to fly a flag/banner, in writing.

**General Release and Indemnity
Flag/Banner Policy**

I/we, _____ in consideration of the approval of my/our request to the Town of Fairhaven to be allowed to display a flag or banner on public property, do hereby agree to release the Town, and its officers, agents, and employees, from any and all liability for damage or injury suffered by me/us including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner: and further I/we agree to indemnify, defend and hold harmless the Town, and its officers, agents, and employees, from any and all claims for damage or injury, including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner.

Date:

Name (print)

Title (if signed on behalf of an organization):

Signed:

Office Use only

Received on _____

By _____

Approved by Select Board _____

Dates to be displayed _____