

Flag Policies in Massachusetts

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Westwood

As a refresher, the following is Westwood’s Interim Flag Policy:

TOWN OF WESTWOOD INTERIM FLAG POLICY

I. INTRODUCTION

This Policy is intended to address flags that are allowed to be flown on the Town of Westwood flagpoles.

II. FLAGS THAT ARE ALLOWED TO BE FLOWN

The Select Board authorize the following flags to be flown on Town-owned flagpoles as an expression of Town’s government speech:

- The Official flag of the United States of America*
- The Official flag of MIA-POW*
- The Official flag of the Purple Heart Award (flown on August 7th of each year)*

In addition, the Select Board authorizes The Pride Rainbow flag to be flown from an outrigger flagpole on Town Hall during the month of June 2023. No other flags shall be allowed to be flown on Town-owned flagpoles as those flag poles and this policy are NOT intended to establish or serve to create a forum for private expression. Adopted by vote of the Select Board at its meeting on June 5, 2023.

SUMMARY:

- Cities and towns around Westwood that currently *do not* have a flag policy include Canton, Dover, Lexington, Holliston, Needham, Norfolk, Norwood, Sherborn, Walpole, and Wayland.
- Around 53 out of 359 towns in Massachusetts have town flag pole policies.
- The three main types of flag policies are:
 - 1) Prohibits all flags except, US Flag, POW/MIA Flag, Commonwealth Flag, and Town Flag
 - 2) Requires residents to submit an application
 - 3) Maintains that only members of the Select Board can make a request
- The latter two policies vary slightly from town to town.

- Examples of policies that prohibit all other flags (1) include:
 - [Chelmsford](#)
 - [Dighton](#)
 - [Hanover](#)
 - [Hingham](#)
 - [Lincoln](#)
 - [Lynnfield](#)
 - [Medfield](#)
 - [Medway](#)
 - [Plymouth](#)
 - [Westborough](#)
 - [Williamstown](#)
- Examples of policies that require residents to submit an application (2) include:
 - [Boston](#)
 - [Dedham](#)
 - [Fairhaven](#)
 - [Maynard](#)
 - [Randolph](#)
 - [Salem](#)
 - [Sharon](#)
- Examples of policies where only the selectboard can make a request (3) include:
 - [Amherst](#)
 - [Bellingham](#)
 - Concord (pdf)
 - [Hamilton](#)
 - [Melrose](#)
 - [Newton](#)

- [Pepperell](#)
- For policies that allow other flags (i.e. Pride Flags, etc.) many include a statement along the following lines: this one was pulled from the Town of Amherst,
 - “In adopting this policy, the Town Council declares that these flagpoles, owned or maintained by the Town of Amherst (‘Town’), are not intended to and do not serve as a forum for free expression by the public, but rather as a nonpublic forum for the display of governmental and nongovernmental flags authorized by the Town Council, either as required by law or as an expression of the Town Council’s official governmental speech and policy sentiments.”
- These statements overall maintain that flagpoles are *not* forums for public speech.
- The Towns of Sharon and Randolph add that requests must be made by residents of their respective towns, non profit organizations, or charitable organizations.
 - The Town of Randolph adds that an organization or resident can submit a proposal only once a year.
- The Towns of Sharon and Randolph also clarify that the town will not fly flags that are “inappropriate or offensive in nature or those supporting discrimination, prejudice, or religious movements.”

Amherst

- **Claims Govt speech** just like Westwood
- Only member of the Select Board can make request to fly ceremonial flag
- Modeled on [San Jose, CA policy](#) (under Section C)
 - Flags of govts recognized by the US
 - Flags of official Sister Cities of San Jose in conjunction with an event with them
 - Flags in conjunction with ceremonial actions, official actions, or proclamations by the city council
 - Flags of professional sports teams
- [Amherst Draft Policy](#)
 - US Flag, Comm Flag, Town Flag, POW/MIA Flag, Commemorative Flag
 - Ceremonial (commemorative) Flags:
 - “1) flags of governments recognized by the United States; 2) flags of the United Nations;
 - 3) flags of sister cities;
 - 4) flags of local, state, or national sports teams; and
 - 5) flags displayed in conjunction with official ceremonial positions of the Town Council when accompanied by an official action, such as a formal vote, proclamation, or resolution of the Town Council”

Aquinnah (Oak Bluffs)

- <https://vineyardgazette.com/news/2023/05/10/oak-bluffs-approves-new-policy-fly-ceremonial-flags>
- May or may not have a policy. Emailed Town Administrator but no reply.

Belchertown

<https://www.there minder.com/localnews/belchertown/belchertown-select-board-approves-flag-policy-after/#:~:text=Based%20on%20the%20new%20policy.in%20conjunction%20with%20official%20proclamations.>

- May or may not have a policy. Emailed Town Administrator but no reply.

Bellingham

<https://mrsc.org/getmedia/062504e3-b7d5-4059-a1d2-2ac95e8cc9b1/b45r2022-13.pdf>

- Establishes that flag poles are expressing **government speech**
- “‘Commemorative Flag’ shall mean a flag that identifies with a specific event, cause, theme, nation, or group of people that the City Council chooses to honor, recognize, or commemorate consistent with the City's official policies, priorities and sentiments.”
- Commemorative flags are **only raised by the City Council**
- BUT Pride Flags, Juneteenth Flags and the City of Bellingham Flag can be flown by choice of the Mayor
- **ONLY members of the city council can request to raise a commemorative flag** (NOT the public or private groups)
- Size limits to that of the American flag

Boston

- https://www.boston.gov/sites/default/files/embed/f/flag_raising_policy_10_26_2018_final.pdf
 - Individual requests a flag is flown
 - Application online, **4 weeks advance**

Brockton

<https://brockton.ma.us/event/lgbtqia-flag-raising/>

- No flag policy but flew the pride flag in June
- Emailed town clerk → said it was **“an executive decision without city council input”**

Burlington

- May or may not have a policy. Emailed Town Administrator but no reply.

Chelmsford

<https://www.townofchelmsford.us/DocumentCenter/View/4372/Select-Board-Policy-Book?bidId=>

- **“The only flags that are allowed to be flown on Town property are: the flag of the United States; the flag of the Commonwealth of Massachusetts; the flag of the Town of Chelmsford; the POW/MIA flag; and any departmental-specific flag”**
- Board can vote on whether to hang *banners* supporting veterans or local businesses

Chicopee

<https://ecode360.com/42258756?highlight=flag.flags&searchId=49573038032448094#42258756>

- Government speech

- Decided on by proclamation by the Mayor or City Council resolution
- Flags of governments recognized by the US
- Flag in conjunction with official events or ceremonies as announced by mayoral proclamation or City Council resolution

Chilmark

<https://vineyardgazette.com/news/2022/05/25/chilmark-will-not-allow-pride-flag-fly#:~:text=The%20Chilmark%20select%20board%20voted,town%20flags%20on%20town%20property.>

- May or may not have a policy. Emailed Town Administrator but no reply.

Concord

- Attached in Concord email
- Government speech
- The select board can vote to raise a flag hung below the American flag

Dedham

<https://www.dedham-ma.gov/home/showpublisheddocument/19708/638073984015830000>

- Government speech

- the flags of the United States of America, the Commonwealth of Massachusetts, and the POW/MIA
- There is a smaller flagpole located at the town hall where other flags are permitted to fly “at the request of the Town Manager or Select Board”
 - Flags of other governments and Flags of sister communities
 - Only on a day that honors or involves that government or community
 - Flags related to ceremonial actions or formal proclamations
 - Sports teams flags (town recognizes significant achievement)
- Residents can submit proposal to petition the town to fly the flag of their choice with special form located on website

<https://www.dedham-ma.gov/home/showpublisheddocument/19710/638073984166930000>

- Select Board or Town Manager has ultimate approval over applications

Dighton

- <https://www.dighton-ma.gov/DocumentCenter/View/2297/November-1-2022---Town-of-Dighton-General-Bylaws-Packet-updated-3-7-23>
- No person shall fly or display a Commemorative or Organizational Flag other than: a.) The United States flag; b.) The Massachusetts State flag; c.) The official Town of Dighton flag; d.) The official flags of all branches of the U.S. military and armed forces; and/or e.) The POW-MIA flag on a Town flagpole located at the Town Hall.

Fairhaven

[https://www.fairhaven-ma.gov/sites/g/files/vyhlf7541/f/uploads/flag-banner_policy-_updated_05.25.2022.pdf#:~:text=2\)%20The%20Board%20will%20only,ballot%20question%2C%20and%20are%20not](https://www.fairhaven-ma.gov/sites/g/files/vyhlf7541/f/uploads/flag-banner_policy-_updated_05.25.2022.pdf#:~:text=2)%20The%20Board%20will%20only,ballot%20question%2C%20and%20are%20not)

- Request 60 days in advance
- Only allows flags acknowledging proclamation of federal or state government or local events (not in favor of political candidate, party or ballot question, or commercial or religion)
- Select Board gets final decision
- Select Board has the right to vote to remove the flag
- Multiple request at one time = shared equally during the time but with no more than one flag on the pole at time
- Flagpole is not a public forum (a lot of them say this!!)

Fitchburg

<http://www.ci.fitchburg.ma.us/652/Heritage-Park-Flag-Policy>

- “it was agreed to research the date of the various ethnic national days and fly the American Flag and appropriate national flags on individual national days...If additional flags are donated, in excess of the number of flag poles, national flags will be flown in in the order in which they are received in a rotation system”
- 30 flagpoles total in the park

Gloucester

- <https://gloucester-ma.gov/DocumentCenter/View/9200/City-of-Gloucester-Flag-Policy>
- Mayor can raise flags of:
 - governments recognized by US,

- flags in conjunction with official events
- or ceremonies by proclamation of mayor or city council
- Town's expression, NOT public expression

Hamilton

<https://www.hamiltonma.gov/wp-content/uploads/2022/09/2022.09.19-Policy-Amended-Display-of-Flags-on-Town-Property.pdf>

- “As an expression of the Town’s official government speech, the Select Board may authorize the display of a commemorative flag to fly on Town-owned flagpoles”
- Only a Select Board member can make the request and then the Select Board must vote on it
- “Commemorative flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, which determination shall be made by the Select Board”

Hanover

<https://www.documentcloud.org/documents/7211794-Flag-policy-7-9-14-20-Draft-Bos-Policy-2-4.html>

- Only can fly American, MA flag, Town of Hanover flag, Hanover schools flag, military flags

Hingham

<https://www.boston.com/news/local-news/2020/07/30/read-hingham-selectmen-statement-on-removal-of-thin-blue-line-flags/#:~:text=Hingham's%20longstanding%20practice%20limits%20the,15th%20of%20each%20year%2C%E2%80%9D%20the>

- Select board statement: “Hingham’s long standing practice limits the flags displayed on town property to the U.S. flag, the Commonwealth of Massachusetts flag, the Town of Hingham flag, “the POW MIA flag, a flag in memory of veterans of World War I, as well as flags flown to commemorate Peace Officers Memorial Day on May 15th of each year.”

Holyoke

- Mayoral proclamation

Hudson

https://www.townofhudson.org/sites/g/files/vyhli3281/f/pages/flag_policy_final_062623.pdf

- Expression of Town free speech, NOT public:

- Military Flags on Memorial Day, Veterans Day, Purple Heart Day
- Hudson Police Department Flag and Hudson Fire Department Flag.
- Flags relating to official Town Ceremonies or Formal Proclamations.
- Flags of other governments and sister communities, upon request of Select Board and in conjunction with an event or day honoring that government or community
- Select board raises or declines to raise the flags
 - No clarification as to if a person can request the selectboard to raise a flag

Lincoln

<https://www.lincnet.org/site/handlers/filedownload.ashx?moduleinstanceid=11405&dataid=26188&FileName=8.4.1%20Flag%20Policy%20100622-1.pdf>

- “Consistent with the Town’s long-standing practice, the Town’s flagpoles may be used to display the United States flag, the flag of the Commonwealth of Massachusetts, and the flag of the Town of Lincoln, and these flags only.”

Lynnfield

https://www.town.lynnfield.ma.us/sites/g/files/vyhlf3391/f/uploads/09_flag_policy_final.pdf

- Permitted flags:
 - American flag
 - POW-MIA Flag
 - Flags that commemorate observed State and Federal holidays
 - “The period for which such commemorative flag will be flown will be determined by the Town Administrator and will in no case exceed seven (7) days.”
 - Application by a resident → no application though
 - No flags other than those described above will be flown

Maynard

<https://www.townofmaynard-ma.gov/DocumentCenter/View/959/Flag-Raising-Policy-PDF?bidId=>

- Person applies to raise any flag on town flag poles, Select Board approves it (“which may do so for any reason or no reason at all.”
- Government speech
- Apply 30 days prior to raising of flag date
- Application in the link^

Medfield

<https://www.town.medfield.net/DocumentCenter/View/5502/Municipal-Flags-Signage-and-Displays-on-Town-Property#:~:text=Standard%20Flag%20Protocol&text=The%20American%20Flag%2C%20the%20Commonwealth,including%20the%20US%20Flag%20Code.>

The only flags approved to be flown on town property:

- The American Flag
- The Commonwealth of Massachusetts
- The Town of Medfield

Medway

https://www.townofmedway.org/sites/g/files/vyhli8006/f/news/flag-policy_final_8-22-22.pdf

- The official flag of the United States of America
- The official flag of the Commonwealth of Massachusetts
- The official flag of the Town of Medway
- The official flags of the various branches of military services of the United States of America
- The official MIA-POW flag.
- Pride Rainbow Flag (month of June)
- No other flags
- Government speech

★ Most similar to Westwood's Interim Policy

Melrose

https://www.cityofmelrose.org/sites/g/files/vyhli3451/f/uploads/city_of_melrose_flag_pole_policy_sp_1_w_1_30_2023.pdf

- Has a separate ceremonial flag pole (what the small flag pole at town hall could be)
- Government speech
- For ceremonial flagpole:
 - 1) In accordance with a proclamation of the President of the United States or the Governor of the Commonwealth;
 - In recognition of governments and/or territories recognized by the United States (2)
 - In honor of or to commemorate a particular holiday or special occasion;
 - (d) In honor of or to commemorate official actions or ceremonial events.
- Only mayoral proclamation → could be applied for towns for only Selectboard

Newton

<https://www.newtonma.gov/home/showpublisheddocument/89855/637965214545889014>

- Separate ceremonial flagpole
- Only mayor, could be only select board
- Government speech
- Flags allowed:
 - “In accordance with a proclamation of the President of the United States or the Governor of the Commonwealth;
 - (b) In recognition of governments and/or territories recognized by the United States1;
 - (c) In honor of or to commemorate a particular holiday or special occasion;
 - (d) In honor of or to commemorate official actions or ceremonial events.”

North Brookfield

<https://www.telegram.com/restricted/?return=https%3A%2F%2Fwww.telegram.com%2Fstory%2Fnews%2F2023%2F06%2F19%2Fpride-flags-removed-from-land-near-north-brookfield-town-hall%2F70334283007%2F#:~:text=But%20after%20the%20event%20from,service%20in%20the%20United%20States.>

- May or may not have a policy. Emailed Town Administrator but no reply.

Pepperell

- <https://town.pepperell.ma.us/850/Flag-Policy>
- Government speech
- “... must be sponsored by a member of the Select Board. The flag must be representative of an organization or message of interest to the community”
- 30 days before the date of flying
- Link contains what the request must have in it

Plymouth

<https://www.plymouth-ma.gov/DocumentCenter/View/3038/Select-Board-Policy---Display-of-Flags-on-Town-Flag-Poles-PDF?bidId=>

- All flags prohibited except US Flag, Military flags, POW/MIA Flags, Town Flag, governments recognized by the US, and “other flags on flagpoles owned and maintained by the town of Plymouth”
- All other flags are “prohibited”

Randolph

<https://www.randolph-ma.gov/DocumentCenter/View/824/Flag-Raising-Policy-and-Application-PDF#:~:text=The%20flag%20must%20be%20a,for%20at%20least%2024%20hours>.

- Individual applies
- “At no time will the Town of Randolph display flags deemed to be inappropriate or offensive in nature or those supporting discrimination or prejudice or religious or political movements”
- Request form needs to be filled with info (in the link)
- Only by resident, non profit or charitable organization
- Only can request one flag
- a year

Rochester

- May or may not have a policy. Need to call town administrator.
- (508) 763-3871 Ext. 110

Salem

https://www.salemma.gov/sites/g/files/vyhlf7986/f/uploads/first_passage_flag_raising_policy.pdf

- Government speech
- Flags of Governments Recognized by the United States
- Flags Displayed in Conjunction With Official Events or Ceremonies as Announced by Mayoral Proclamation or City Council Resolution
- Flags of Professional Sports Teams.
- Application needed

Sharon

https://www.townofsharon.net/sites/g/files/vyhlf3801/f/uploads/flag_and_banner_display_policy_07_14_2020.pdf

- Town can fly a flag to for an event or occasion if requested by “a tax-exempt, non-profit organization, charitable organization, or a Sharon resident”
- There is an application process if a person or organization wishes to fly a flag. They must apply at least 4 weeks before the requested flying date.

- The town will not fly flags that are “inappropriate or offensive in nature or those supporting discrimination, prejudice, or religious movements.”
- The person or organization must deliver the flag to the Town Hall at least 24 hours prior to the flying date.

Somerville

<https://s3.amazonaws.com/somervillema.gov.if-us-east-1/s3fs-public/2022-08/flag-policy.pdf>

- Flags of governments recognized by US
- Flags of sister cities
- Ceremonial events, council or mayor proclamations,
- Sports teams
- No application
- Government speech

Southborough

<https://www.southboroughtown.com/DocumentCenter/View/2167/Southborough-Flag-Policy>

- Government speech
- Specifically outlines does not apply to school buildings
- Approved flags:
 - “the flag of the United States of America,
 - the Commonwealth of Massachusetts,
 - and the POW/MIA
 - as well as flags for parades, holidays, and other events and celebrations.”

Waltham

https://www.city.waltham.ma.us/sites/g/files/vyhlf6861/f/news/promoting_pride_and_visibility_in_waltham_resolution.pdf?fbclid=IwAR1Wy-AOQTM3Das1pGnfDjVa-RWqe_uA4-y8_0VOlgHvMwyRFp6C9soVlm8

- Just for Pride Flag, just for Month of June

Westborough

https://www.town.westborough.ma.us/sites/g/files/vyhlf5176/f/pages/flag_policy_2021.pdf

- Massachusetts state flag
- POW MIA flag
- National and State days of celebration and or remembrance flags
- Westborough Fire Department flag
- Westborough Police Department flag
- No other flags

Westfield

<https://www.cityofwestfield.org/DocumentCenter/View/11103/Municipal-Building-Flag-Policy>

- Mayor's office decides
- Process of petitioning 4 weeks in advance of the date
- Must submit the application in this document "Guest Flag Application"

Whitman

<https://whitmanhansonexpress.com/whitman-board-proclaims-pride-month/>

- Only for Pride month, just a proclamation, not a policy

Williamstown

<https://williamstownma.gov/wp-content/uploads/2023/04/2023-Annual-Town-Meeting-Warrant.pdf>

- Government speech
- Only US, POW/MIA, commonwealth flag

Winthrop

https://www.town.winthrop.ma.us/sites/g/files/vyhlf8421/f/news/flag_policy.4-4-2023.pdf

- Government speech
- Allowed flags:
 - American,
 - POW/MIA, “
 - in Conjunction with Official Events or Ceremonies,”

- “of Local or Professional Sports Teams,”
- “Displayed by Proclamation” of the Town Council
- No more than 14 days
- Displayed at a school (?)

Worcester

[https://www.worcesterma.gov/human-rights/cultural-flags#:~:text=Flags%20are%20typically%20displayed%20for,2\)%20days%20after%20being%20displayed.](https://www.worcesterma.gov/human-rights/cultural-flags#:~:text=Flags%20are%20typically%20displayed%20for,2)%20days%20after%20being%20displayed.)

- “The City of Worcester Human Rights Policy will guide decision making for granting the display of cultural flags.”
- Application on the link