



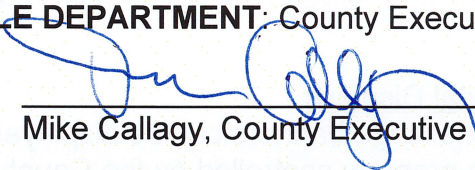
ADMINISTRATIVE MEMORANDUM

COUNTY OF SAN MATEO

SUBJECT: County of San Mateo Flag and Banner Policy

NUMBER: B-34

RESPONSIBLE DEPARTMENT: County Executive Office

APPROVED: 
Mike Callagy, County Executive

DATE: 11-14-22

I. Purpose

The purpose of this administrative memorandum is to establish policies and procedures for the display of flags and banners on County controlled property and to ensure that all such displays are government speech only and not private speech.

II. Policy

A. National and State Flags Displayed Outdoors

The flag of the United States (the National Flag) and the flag of the State of California (the State Flag) shall be displayed during business hours at the entrance or on the grounds of each public building belonging to the County. Cal. Gov't Code § 431. Where both of these flags are used, they shall be of the same size. *Id.* Cal. Gov't Code § 436. If only one flagpole is used, the National Flag shall be above the State Flag and the State Flag shall be hung so as to not interfere with any part of the National Flag. *Id.* If multiple flagpoles are available, the National Flag shall be placed at the center and highest available point in the group, or the flagstaff furthest to the flag's own right. 4 U.S.C. § 7. The National Flag should be hoisted first and lowered last. 4 U.S.C. § 7. The National Flag shall be flown at half-staff only in accordance with lawfully issued proclamations of federal and state officials.

B. National and State Flags Displayed Indoors

The National Flag and the State Flag shall be prominently displayed in all rooms where County commissions that exercise adjudicative or quasi-adjudicative functions regularly hold public sessions (e.g., the Assessment Appeals Board, the Planning Commission, the Civil Service Commission). Cal. Gov't Code § 430. Advisory bodies may fly or display the National Flag and the State Flag at their option.

C. Other Flags

All flags displayed on property controlled by the County are government speech, not private speech. No County department or agency shall make a flagpole or other part of County property available to display a flag except in accordance with this policy and with prior authorization of the County Board of Supervisors.

When the Board of Supervisors has authorized the flying of a flag other than the National Flag or the State Flag, such flags are to be displayed in addition to and not in lieu of the National and State Flags required by Cal. Gov't Code § 431.

D. Message Banners and Digital Displays

All public locations where message banners can be displayed (including digital message boards) on property controlled by the County are reserved for government speech only and not private speech. No County department or agency shall display or offer to display an advertisement, message banner, or digital message on County property except in accordance with this policy.

1. Departments may display in the areas under their control such banners and messages that promote a policy, initiative or service of the County, advertise a County event or seasonal celebration, implement a program of the County, represent an opinion of the County, or relate to the goods and services offered by a tenant or licensee of the County's property.
2. Departments shall prominently include their departmental logo and/or the County logo on all banners displayed on County property. If the banner is prepared by an outside entity facilitating a County program or service, then the banner must clearly indicate County affiliation with words such as "Sponsored by," "A program of," "in partnership with" the County of San Mateo or the department (or similar words to that effect) and include the County or departmental logo.
3. Departments shall not invite or allow members of the public to display private banners, signs or messages on County property except:
 - a. As may be required by law in a traditional public forum such as a banner held by a member of the public in the courtyard of the Courthouse; or
 - b. As an incidental part of an existing program for the public display of artworks in public spaces as administered by the County for that purpose.

4. No messages with words or symbols that are prohibited government speech (including without limitation messages urging the support or defeat of a candidate or ballot measure or displays that would constitute or could be perceived as a government endorsement of a religious viewpoint) shall be allowed.
5. The County Executive shall direct the removal from County property of any messages in violation of this policy or any messages that would, in the judgment of the County Executive, have the effect of turning the area or display into a public forum.

