

RESOLUTION NO. 3105

RESOLUTION REGARDING GOVERNMENTAL SPEECH ON CERTAIN CITY PROPERTIES

WHEREAS, in the case of *Shurtleff v. City of Boston*, the United States Supreme Court held that the City of Boston, by not exercising enough control over flags flown on one of its flagpoles on the plaza outside Boston's City Hall made that flagpole a public forum,

WHEREAS, the City of Alexandria maintains three flagpoles on Market Square, flies a flag on City Hall, and flies other flags on flagpoles surrounding Market Square, down King Street, and in other locations throughout the City,

WHEREAS, flags are symbolic of civilization; they speak for the communities that fly them,

WHEREAS, the content of a flag, and its presence and position, convey important messages about government,

WHEREAS, flying a flag other than the government's own flag conveys a governmental message,

WHEREAS, the symbolism and expression conveyed by the flying of flags by the City on City property is official governmental speech protected by the First Amendment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA

1. The City of Alexandria reserves the use of its flagpoles, or other flag-flying locations owned by the City, for its own official governmental speech;
2. The City of Alexandria's flagpoles, or other flag-flying locations owned by the City, are not intended to serve as a public forum;
3. The following categories of flags may be flown on such locations:
 - a. The flag of the United States of America
 - b. The flag of the Commonwealth of Virginia
 - c. The flag of the City of Alexandria
 - d. Flags of governments recognized by the United States
 - e. Flags of Sister Cities of the City of Alexandria
 - f. Flags displayed in conjunction with or pursuant to official proclamations or resolutions by the City Council of the City of Alexandria;
4. The City Manager is empowered to enact policies consistent with this resolution.

ADOPTED: October 25, 2022



JUSTIN M. WILSON MAYOR

ATTEST:



Gloria A. Sitton, CMC City Clerk