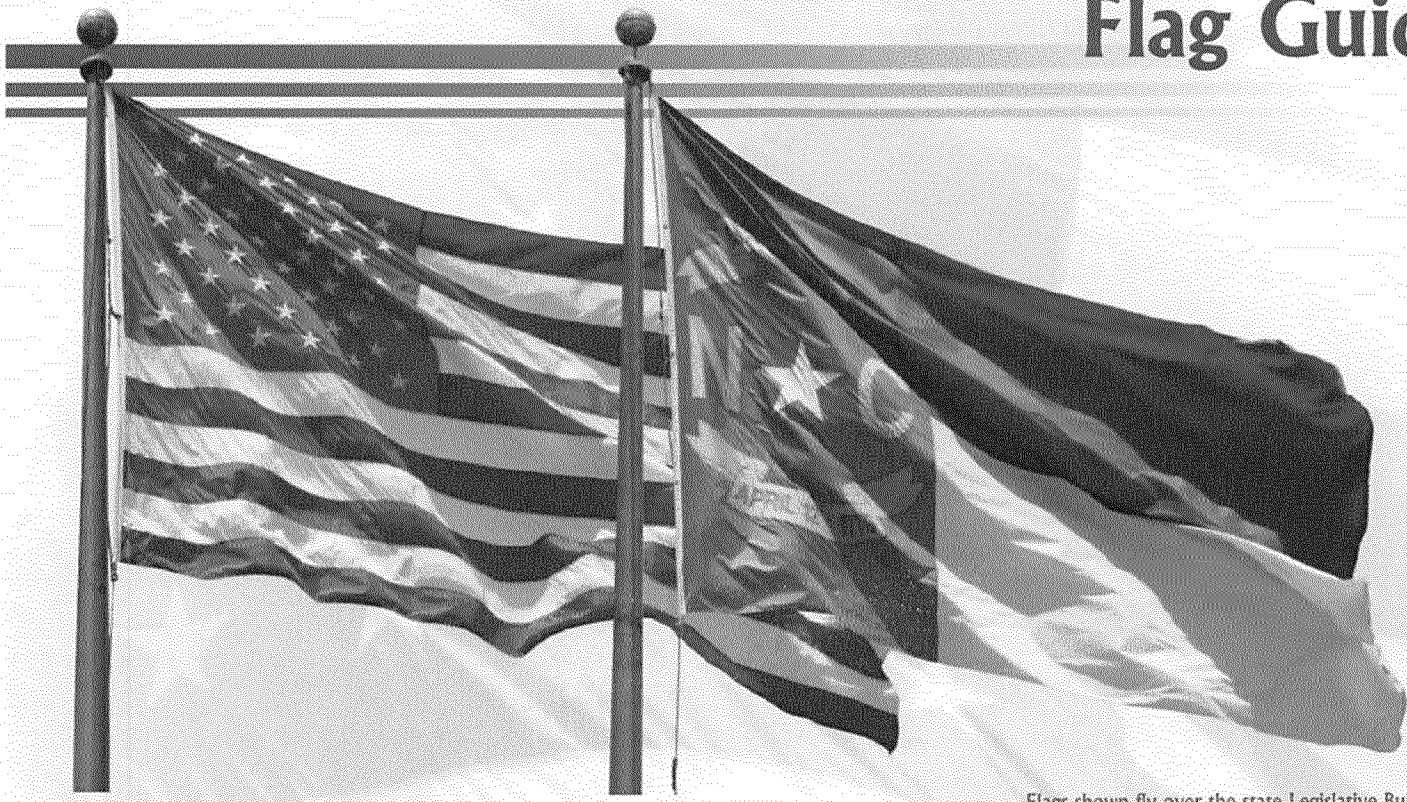
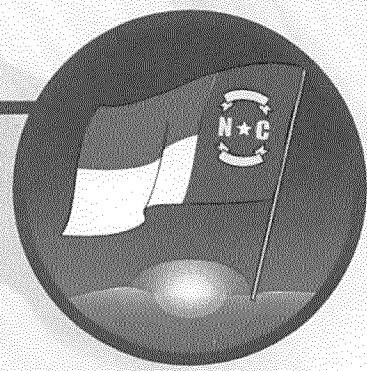
North Carolina State Government Flag Guide



Flags shown fly over the state Legislative Building.

This guide is designed to direct state agencies regarding the flying of the North Carolina and United States flags on state-owned buildings or properties. It also may be used by citizens who wish to make informed decisions about flying flags on private property. The protocols for flying the flags at state facilities are a combination of state and federal statutes and policies.

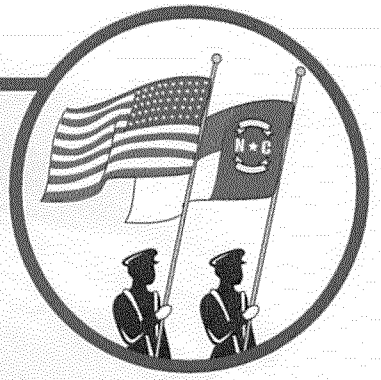
General Policies



It is the custom to display the flag of the state of North Carolina only from sunrise to sunset on state buildings and stationary flagstaffs in front of state buildings. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.

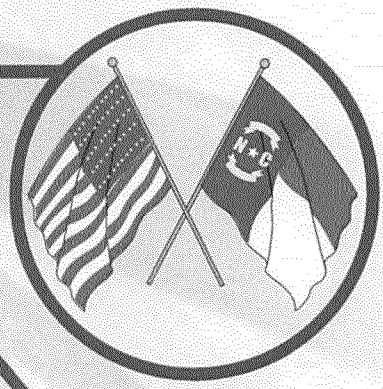
The state flag should NOT be displayed in inclement weather, unless an all-weather flag is used.

The state flag, when carried in a procession with the United States flag, should be on the marching left; that is, to the left of the United States flag.



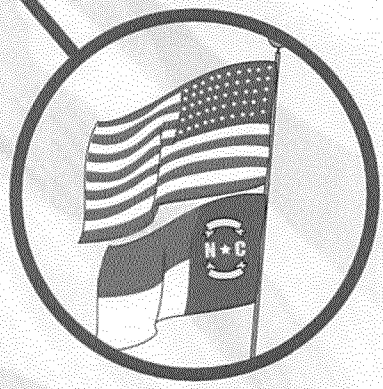
The state flag should never be placed above the United States flag; if on the same level, to the right of the United States flag.

When the state flag is displayed with the United States flag against a wall from crossed staffs, it should be on the left, the state flag's own left, and its staff should be behind the staff of the United States flag.



When the state flag is flown on the same halyard with the United States flag, it should always be under the United States flag. When the state flag is flown from adjacent staffs, the United States flag should always be hoisted first and lowered last.

The President of the United States has authority over all flags at all federal buildings, grounds and naval vessels throughout the United States and its territories or possessions. The Governor has authority over all flags at North Carolina facilities.



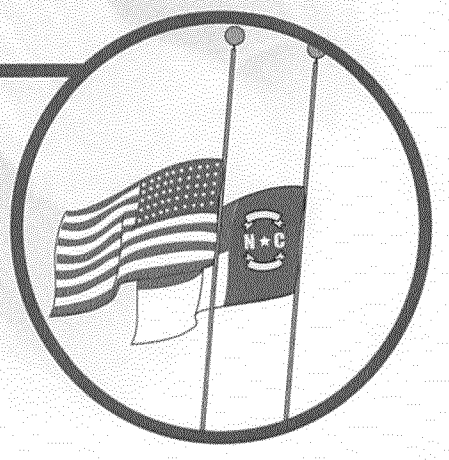
State and Federal Holidays

The flags should be flown each day, and especially on all state and federal holidays.
Note: Whenever the public holiday falls on Sunday, the following Monday is the public holiday.

Flags at Half-Staff

The flag may be flown at half-staff by Presidential proclamation or by the Governor's order. Only the President of the United States and Governors of States, territories or possessions have the authority to lower the United States flag to half-staff.

The Governor has authority over all flags at North Carolina facilities. In this capacity, the Governor may order the flags at state facilities to be flown at half-staff.



In accordance with the U.S. Flag Code, Title 4, section 7 (m), the United States Flag can only be displayed at half-staff on specific days, or under the directive of the President of the United States or the by the Governor of that state. Upon notice from the Governor, below is the list of official days to fly the flag at half-staff in North Carolina:

a. Peace Officers Memorial Day, May 15
b. Memorial Day, Last Monday in May (flag raised back to full staff at noon)
c. Korean War Veterans Day, July 27
d. Patriot Day, September 11
e. Pearl Harbor Day, December 7

The period of time that the United States flag shall be displayed at half-staff shall be determined by the Presidential order, or in the absence of any order or instruction, as defined in Title 36, United States Code, Chapter 10, Section 175.

The flag of the State of North Carolina shall be displayed at half-staff for the same period of time as the flag of the United States.

At no time shall an order be given that would result in the flag of the State of North Carolina being displayed in a manner inconsistent with the various policies governing the display of both the United States and North Carolina flags. As an example, since no flag may ever be flown above the flag of the United States, it shall never be possible for the flag of North Carolina to be displayed at full-staff while the United States flag is at half-staff.

The above North Carolina State Flag policy applies at all times unless otherwise ordered by the President of the United States or the Governor of North Carolina.

The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.

POW/MIA Flag

In honor of their service and in remembrance of their sacrifice, the Department of Administration is authorized by statute to fly the official "Prisoner of War/Missing in Action (POW/MIA)" flag over the State Capitol.

Communications

Any communications to be sent throughout the state in regard to flying the state flag at half-staff will be managed by the N.C. Department of Administration in the following manner:

Upon receipt of an order from the Governor, the Secretary of Administration shall notify the members of the Governor's Cabinet and selected state agencies. The list shall be maintained by the Department of Administration. State agencies not contacted by the Secretary of Administration shall be notified by their respective Governor's Cabinet member.

A decision to fly the flag or flags at half-staff throughout the state shall be made known to the public by email from the North Carolina Flag Alert Listserv. To register for notifications, visit http://lists.ncmail.net/mailman/listinfo/flag.alerts.

All such orders to fly the flag at half-staff will be issued by the Governor in written form indicating the occasion being observed, the flag(s) to be lowered (North Carolina or North Carolina and United States), and the length of time the flag(s) should be at half-staff. In the absence of the Governor, the Secretary of Administration will issue such orders.

Proper Disposal

Dry cleaning a soiled flag is not prohibited, but when it is in such condition that is is no longer a fitting emblem for display it should be destroyed in a dignified manner, preferably by burning. Many veterans' and scouting organizations collect tattered flags for ceremonial disposal.

How to Order a North Carolina Flag

A North Carolina flag may be ordered from the Division of Facility Management of the N.C. Department of Administration. For information, visit
http://www.doa.state.nc.us/facility/welcome.htm
and click on Permit and Flag Request Form, or call 919-733-3514.

Prepared by the North Carolina Department of Administration 12/2010.

Chapter 144.

State Flag, Official Governmental Flags, Motto, and Colors.

§ 144-1. State flag.

The flag of North Carolina shall consist of a blue union, containing in the center thereof a white star with the letter "N" in gilt on the left and the letter "C" in gilt on the right of said star, the circle containing the same to be one third the width of said union. The fly of the flag shall consist of two equally proportioned bars, the upper bar to be red, the lower bar to be white; the length of the bars horizontally shall be equal to the perpendicular length of the union, and the total length of the flag shall be one half more than its width. Above the star in the center of the union there shall be a gilt scroll in semicircular form, containing in black letters this inscription: "May 20th 1775" and below the star there shall be a similar scroll containing in black letters the inscription: "April 12th 1776". (1885, c. 291; Rev., s. 5321; C.S., s. 7535; 1991, c. 361, s. 1.)

§ 144-2. State motto.

The words "esse quam videri" are hereby adopted as the motto of this State, and as such shall be engraved on the great seal of North Carolina and likewise at the foot of the coat of arms of the State as a part thereof. On the coat of arms, in addition to the motto, at the bottom, there shall be inscribed at the top the words, "May 20th, 1775." (1893, c. 145; Rev., s. 5320; C.S., s. 7536.)

§ 144-3. Flags to be displayed on public buildings and institutions.

The board of trustees or managers of the several State institutions and public buildings shall provide a North Carolina flag, of such dimensions and material as they may deem best, and the same shall be displayed from a staff upon the top of each and every such building, at all times except during inclement weather, and upon the death of any State officer or any prominent citizen the flag shall be put at half-staff until the burial of such person has taken place. (1907, c. 838, s. 2; C.S., s. 7537; 2009-570, s. 23.)

§ 144-4. Flags to be displayed at county courthouses.

The boards of county commissioners of the several counties in this State shall likewise authorize the procuring of a North Carolina flag, to be displayed either on a staff upon the top or draped behind the judge's stand, in each and every courthouse in the State, and the State flag shall be displayed at each and every term of court held, and on such other public occasions as the commissioners may deem proper. (1907, c. 838, s. 3; C.S., s. 7538.)

§ 144-5. Flags to conform to law; display and handling of a flag of the United States of America or the State of North Carolina by State institutions and other political subdivisions of the State.

(a) No State flag is allowed in or over any building here mentioned unless the flag conforms to the description of the State flag contained in this Chapter.

(b) A flag of the United States of America or the State of North Carolina that is displayed by a State institution or a political subdivision of the State on the premises of a building of a State institution or a political subdivision of the State shall be handled,

displayed, stored, and respectfully disposed of in accordance with the federal Flag Code, 4 U.S.C. §§ 1-10. (1907, c. 838, s. 4; C.S., s. 7539; 2015-170, s. 2(a).)

§ 144-6. State colors.

Red and blue, of shades as adopted and appearing in the North Carolina State flag and the American flag, shall be, and hereby are, declared to be the official State colors for the State of North Carolina.

The use of such official State colors on ribbons attached to State documents with the great seal and/or seals of State departments is permissive and discretionary but not directory. (1945, c. 878.)

§ 144-7. Display of official governmental flags; public restrictions.

(a) A county, city, consolidated city-county, or unified government shall not prohibit an official governmental flag from being flown or displayed if the official governmental flag is flown or displayed:

(1) In accordance with the patriotic customs set forth in 4 U.S.C. §§ 5-10, as amended; and

(2) Upon private or public property with the consent of either the owner of the property or of any person having lawful control of the property.

(b) Notwithstanding subsection (a) of this section, for the purpose of protecting the public health, safety, and welfare, reasonable restrictions on flag size, number of flags, location, and height of flagpoles are not prohibited, provided that such restrictions shall not discriminate against any official governmental flag in any manner.

(c) For purposes of this section, an "official governmental flag" shall mean any of the following:

(1) The flag of the United States of America.

(2) The flag of nations recognized by the United States of America.

(3) The flag of the State of North Carolina.

(4) The flag of any state or territory of the United States.

(5) The flag of a political subdivision of any state or territory of the United States. (2005-360, s. 1.)

§ 144-8. State salute to the North Carolina flag.

The phrase "I salute the flag of North Carolina and pledge to the Old North State love, loyalty, and faith." is adopted as the official salute to the North Carolina flag. (2007-36, s. 1.)

§ 144-9. Retirement of a flag of the United States of America or the State of North Carolina.

(a) A State institution or a political subdivision of the State in possession of a flag of the United States of America or the State of North Carolina that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged shall make arrangements for its respectful disposal and may deliver the flag to the Department of

Military and Veterans Affairs for disposal. The Department shall accept a flag delivered to it and shall make arrangements for its respectful disposal.

(b) The Department of Military and Veterans Affairs shall accept, at no charge, a worn, tattered, or otherwise damaged flag of the United States of America or the State of North Carolina from a citizen of the State and shall make arrangements for its respectful disposal. The Department shall establish a flag retirement program to encourage citizens to send in or drop off worn, tattered, or otherwise damaged flags at the Department's office in Raleigh and at any Veterans Home or Veterans Cemetery in the State and may establish other locations for flag drop-off as it deems appropriate. The Department shall advertise the flag retirement program on its website and by printed posters placed at all flag drop-off locations. On or before December 31 annually, the Department shall report the number of flags received under the program to the Joint Legislative Committee on Governmental Operations.

(c) An official flag of the State that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged may be respectfully retired by fire. (2010-189, s. 1; 2015-170, s. 2(b); 2021-88, s. 14(b).)

CHAPTER 1—THE FLAG

Sec.
1. Flag; stripes and stars on.
2. Same; additional stars.
3. Use of flag for advertising purposes; mutilation of flag.
4. Pledge of allegiance to the flag; manner of delivery.
5. Display and use of flag by civilians; codification of rules and customs; definition.
6. Time and occasions for display.
7. Position and manner of display.
8. Respect for flag.
9. Conduct during hoisting, lowering or passing of flag.
10. Modification of rules and customs by President.

Editorial Notes

Amendments

1998—Pub. L. 105–225, §2(b), Aug. 12, 1998, 112 Stat. 1498, added items 4 to 10.

§1. Flag; stripes and stars on

The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field.

(July 30, 1947, ch. 389, 61 Stat. 642.)

Statutory Notes and Related Subsidiaries

Short Title of 2018 Amendment

Pub. L. 115–123, div. A, §10101, Feb. 9, 2018, 132 Stat. 64, provided that: "This division [amending section 7 of this title and enacting provisions set out as a note under section 7 of this title] may be cited as the 'Honoring Hometown Heroes Act'."

Short Title of 2017 Amendment

Pub. L. 115–15, §1, Mar. 28, 2017, 131 Stat. 79, provided that: "This Act [amending section 6 of this title] may be cited as the 'Vietnam War Veterans Recognition Act of 2017'."

Short Title of 2009 Amendment

Pub. L. 111–41, §1, July 27, 2009, 123 Stat. 1962, provided that: "This Act [amending section 6 of this title] may be cited as the 'Korean War Veterans Recognition Act'."

Short Title of 2007 Amendment

Pub. L. 110–41, §1, June 29, 2007, 121 Stat. 233, provided that: "This Act [amending section 7 of this title and provisions set out as a note under section 7 of this title] may be cited as the 'Army Specialist Joseph P. Micks Federal Flag Code Amendment Act of 2007'."

Short Title of 2000 Amendment

Pub. L. 106–252, §1, July 28, 2000, 114 Stat. 626, provided that: "This Act [enacting sections 116 to 126 of this title and provisions set out as a note under section 116 of this title] may be cited as the 'Mobile Telecommunications Sourcing Act'."

Executive Documents

EXECUTIVE ORDER NO. 10798

Ex. Ord. No. 10798, Jan. 3, 1959, 24 F.R. 79, which prescribed proportions and sizes of flags until July 4, 1960, was revoked by section 33 of Ex. Ord. No. 10834, set out as a note under this section.

EX. ORD. NO. 10834. PROPORTIONS AND SIZES OF FLAGS AND POSITION OF STARS

Ex. Ord. No. 10834, Aug. 21, 1959, 24 F.R. 6865, provided:

WHEREAS the State of Hawaii has this day been admitted into the Union; and

WHEREAS section 2 of title 4 of the United States Code provides as follows: "On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission."; and

WHEREAS the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended [see chapters 1 to 11 of Title 40, Public Buildings, Property, and Works, and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of Title 41, Public Contracts] authorizes the President to prescribe policies and directives governing the procurement and utilization of property by executive agencies; and

WHEREAS the interests of the Government require that orderly and reasonable provision be made for various matters pertaining to the flag and that appropriate regulations governing the procurement and utilization of national flags and union jacks by executive agencies be prescribed:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and as Commander in Chief of the armed forces of the United States, and the Federal Property and Administrative Services Act of 1949, as amended [see Short Title of 1949 Act note under section 101 of Title 41, Public Contracts], it is hereby ordered as follows:

PART I—DESIGN OF THE FLAG

SECTION 1. The flag of the United States shall have thirteen horizontal stripes, alternate red and white, and a union consisting of white stars on a field of blue.

SEC. 2. The positions of the stars in the union of the flag and in the union jack shall be as indicated on the attachment to this order, which is hereby made a part of this order.

SEC. 3. The dimensions of the constituent parts of the flag shall conform to the proportions set forth in the attachment referred to in section 2 of this order.

PART II—REGULATIONS GOVERNING EXECUTIVE AGENCIES

SEC. 21. The following sizes of flags are authorized for executive agencies:

Size	*Dimensions of Flag*	
	Hoist (width)	*Fly (length)*
	Feet	*Feet*
(1)	20.00	38.00
(2)	10.00	19.00
(3)	8.95	17.00
(4)	7.00	11.00
(5)	5.00	9.50
(6)	4.33	5.50
(7)	3.50	6.65
(8)	3.00	4.00
(9)	3.00	5.70
(10)	2.37	4.50
(11)	1.32	2.50

SEC. 22. Flags manufactured or purchased for the use of executive agencies:

(a) Shall conform to the provisions of Part I of this order, except as may be otherwise authorized pursuant to the provisions of section 24, or except as otherwise authorized by the provisions of section 21, of this order.

(b) Shall conform to the provisions of section 21 of this order, except as may be otherwise authorized pursuant to the provisions of section 24 of this order.

SEC. 23. The exterior dimensions of each union jack manufactured or purchased for executive agencies shall equal the respective exterior dimensions of the union of a flag of a size authorized by or pursuant to this order. The size of the union jack flown with the national flag shall be the same as the size of the union of that national flag.

SEC. 24. (a) The Secretary of Defense in respect of procurement for the Department of Defense (including military colors) and the Administrator of General Services in respect of procurement for executive agencies other than the Department of Defense may, for cause which the Secretary or the Administrator, as the case may be, deems sufficient, make necessary minor adjustments in one or more of the dimensions or proportionate dimensions prescribed by this order, or authorize proportions or sizes other than those prescribed by section 3 or section 21 of this order.

(b) So far as practicable, (1) the actions of the Secretary of Defense under the provisions of section 24(a) of this order, as they relate to the various organizational elements of the Department of Defense, shall be coordinated, and (2) the Secretary and the Administrator shall mutually coordinate their actions under that section.

SEC. 25. Subject to such limited exceptions as the Secretary of Defense in respect of the Department of Defense, and the Administrator of General Services in respect of executive agencies other than the Department of Defense, may approve, all national flags and union jacks now in the possession of executive agencies, or hereafter acquired by executive agencies under contracts awarded prior to the date of this order, including those so possessed or so acquired by the General Services Administration, for distribution to other agencies, shall be utilized until unserviceable.

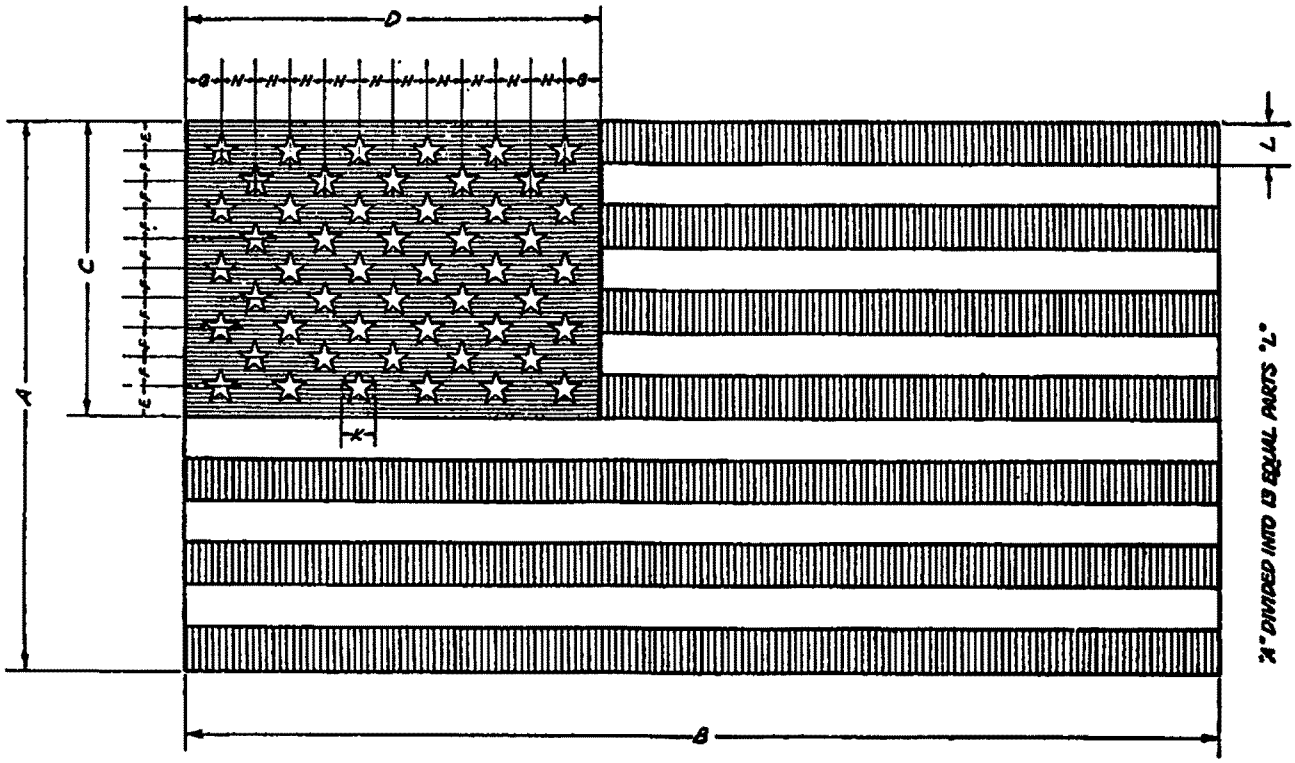
PART III—GENERAL PROVISIONS

SEC. 31. The flag prescribed by Executive Order No. 10798 of January 3, 1959, shall be the official flag of the United States until July 4, 1960, and on that date the flag prescribed by Part I of this order shall become the official flag of the United States; but this section shall neither derogate from section 24 or section 25 of this order nor preclude the procurement, for executive agencies, of flags provided for by or pursuant to this order at any time after the date of this order.

SEC. 32. As used in this order, the term "executive agencies" means the executive departments and independent establishments in the executive branch of the Government, including wholly-owned Government corporations.

SEC. 33. Executive Order No. 10798 of January 3, 1959, is hereby revoked.

DWIGHT D. EISENHOWER.



Standard proportions

Hoist (width) of flag 1.0	Fly (length) of flag 1.9	Hoist (width) of Union 0.5385 (7/13)	Fly (length) of Union 0.76	0.054	0.054	0.063	0.063	Diameter of star 0.0616	Width of stripe 0.0769 (1/13)

§2. Same; additional stars

On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission.

(July 30, 1947, ch. 389, 61 Stat. 642.)

§3. Use of flag for advertising purposes; mutilation of flag

Any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession for sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words "flag, standard, colors, or ensign", as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

(July 30, 1947, ch. 389, 61 Stat. 642; Pub. L. 90–381, §3, July 5, 1968, 82 Stat. 291.)

Editorial Notes

Amendments

1968—Pub. L. 90–381 struck out "; or who, within the District of Columbia, shall publicly mutilate, deface, defile or defy, trample upon, or cast contempt, either by word or act, upon any such flag, standard, colors, or ensign," after "substance on which so placed".

§4. Pledge of allegiance to the flag; manner of delivery

The Pledge of Allegiance to the Flag: "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.", should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute. Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1494; amended Pub. L. 107–293, §2(a), Nov. 13, 2002, 116 Stat. 2060; Pub. L. 113–66, div. A, title V, §586, Dec. 26, 2013, 127 Stat. 777.)

Historical and Revision Notes

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
4	36:172.	June 22, 1942, ch. 435, §7, 56 Stat. 380; Dec. 22, 1942, ch. 806, §7, 56 Stat. 1077; Dec. 28, 1945, ch. 607, 59 Stat. 668; June 14, 1954, ch. 297, 68 Stat. 249; July 7, 1976, Pub. L. 94–344, (19), 90 Stat. 813.

Editorial Notes

Codification

Amendment by Pub. L. 107–293 reaffirmed the exact language of the Pledge, see section 2(b) of Pub. L. 107–293, set out as a Reaffirmation of Language note below.

Amendments

2013—Pub. L. 113–66 inserted at end "Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform."

2002—Pub. L. 107–293 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: "The Pledge of Allegiance to the Flag, 'I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.', should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute."

Statutory Notes and Related Subsidiaries

Findings

Pub. L. 107–293, §1, Nov. 13, 2002, 116 Stat. 2057, provided that: "Congress finds the following:

"(1) On November 11, 1620, prior to embarking for the shores of America, the Pilgrims signed the Mayflower Compact that declared: 'Having undertaken, for the Glory of God and the advancement of the Christian Faith and honor of our King and country, a voyage to plant the first colony in the northern parts of Virginia,'.

"(2) On July 4, 1776, America's Founding Fathers, after appealing to the 'Laws of Nature, and of Nature's God' to justify their separation from Great Britain, then declared: 'We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness'.

"(3) In 1781, Thomas Jefferson, the author of the Declaration of Independence and later the Nation's third President, in his work titled 'Notes on the State of Virginia' wrote: 'God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the Gift of God. That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just; that his justice cannot sleep forever.'

"(4) On May 14, 1787, George Washington, as President of the Constitutional Convention, rose to admonish and exhort the delegates and declared: 'If to please the people we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and the honest can repair; the event is in the hand of God!'

"(5) On July 21, 1789, on the same day that it approved the Establishment Clause concerning religion, the First Congress of the United States also passed the Northwest Ordinance, providing for a territorial government for lands northwest of the Ohio River, which declared: 'Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.'

"(6) On September 25, 1789, the First Congress unanimously approved a resolution calling on President George Washington to proclaim a National Day of Thanksgiving for the people of the United States by declaring, 'a day of public thanksgiving and prayer, to be observed by acknowledging, with grateful hearts, the many signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a constitution of government for their safety and happiness.'

"(7) On November 19, 1863, President Abraham Lincoln delivered his Gettysburg Address on the site of the battle and declared: 'It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that Government of the people, by the people, for the people, shall not perish from the earth.'

"(8) On April 28, 1952, in the decision of the Supreme Court of the United States in Zorach v. Clauson, 343 U.S. 306 (1952), in which school children were allowed to be excused from public schools for religious observances and education, Justice William O. Douglas, in writing for the Court stated: 'The First Amendment, however, does not say that in every and all respects there shall be a separation of Church and State. Rather, it studiously defines the manner, the specific ways, in which there shall be no concern or union or dependency one on the other. That is the common sense of the matter. Otherwise the State and religion would be aliens to each other—hostile, suspicious, and even unfriendly. Churches

could not be required to pay even property taxes. Municipalities would not be permitted to render police or fire protection to religious groups. Policemen who helped parishioners into their places of worship would violate the Constitution. Prayers in our legislative halls; the appeals to the Almighty in the messages of the Chief Executive; the proclamations making Thanksgiving Day a holiday; "so help me God" in our courtroom oaths—these and all other references to the Almighty that run through our laws, our public rituals, our ceremonies would be flouting the First Amendment. A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: "God save the United States and this Honorable Court." '

"(9) On June 15, 1954, Congress passed and President Eisenhower signed into law a statute that was clearly consistent with the text and intent of the Constitution of the United States, that amended the Pledge of Allegiance to read: 'I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.'

"(10) On July 20, 1956, Congress proclaimed that the national motto of the United States is 'In God We Trust', and that motto is inscribed above the main door of the Senate, behind the Chair of the Speaker of the House of Representatives, and on the currency of the United States.

"(11) On June 17, 1963, in the decision of the Supreme Court of the United States in Abington School District v. Schempp, 374 U.S. 203 (1963), in which compulsory school prayer was held unconstitutional, Justices Goldberg and Harlan, concurring in the decision, stated: 'But untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious. Such results are not only not compelled by the Constitution, but, it seems to me, are prohibited by it. Neither government nor this Court can or should ignore the significance of the fact that a vast portion of our people believe in and worship God and that many of our legal, political, and personal values derive historically from religious teachings. Government must inevitably take cognizance of the existence of religion and, indeed, under certain circumstances the First Amendment may require that it do so.'

"(12) On March 5, 1984, in the decision of the Supreme Court of the United States in Lynch v. Donelly, 465 U.S. 668 (1984), in which a city government's display of a nativity scene was held to be constitutional, Chief Justice Burger, writing for the Court, stated: 'There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789 . . . [E]xamples of reference to our religious heritage are found in the statutorily prescribed national motto "In God We Trust" (36 U.S.C. 186) [now 36 U.S.C. 302], which Congress and the President mandated for our currency, see (31 U.S.C. 5112(d)(1) (1982 ed.)), and in the language "One Nation under God", as part of the Pledge of Allegiance to the American flag. That pledge is recited by many thousands of public school children—and adults—every year . . . Art galleries supported by public revenues display religious paintings of the 15th and 16th centuries, predominantly inspired by one religious faith. The National Gallery in Washington, maintained with Government support, for example, has long exhibited masterpieces with religious messages, notably the Last Supper, and paintings depicting the Birth of Christ, the Crucifixion, and the Resurrection, among many others with explicit Christian themes and messages. The very chamber in which oral arguments on this case were heard is decorated with a notable and permanent—not seasonal—symbol of religion: Moses with the Ten Commandments. Congress has long provided chapels in the Capitol for religious worship and meditation.'

"(13) On June 4, 1985, in the decision of the Supreme Court of the United States in Wallace v. Jaffree, 472 U.S. 38 (1985), in which a mandatory moment of silence to be used for meditation or voluntary prayer was held unconstitutional, Justice O'Connor, concurring in the judgment and addressing the contention that the Court's holding would render the Pledge of Allegiance unconstitutional because Congress amended it in 1954 to add the words 'under God,' stated 'In my view, the words "under God" in the Pledge, as codified at (36 U.S.C. 172) [now 4 U.S.C. 4], serve as an acknowledgment of religion with "the legitimate secular purposes of solemnizing public occasions, [and] expressing confidence in the future." '

"(14) On November 20, 1992, the United States Court of Appeals for the 7th Circuit, in Sherman v. Community Consolidated School District 21, 980 F.2d 437 (7th Cir. 1992), held that a school district's policy for voluntary recitation of the Pledge of Allegiance including the words 'under God' was constitutional.

"(15) The 9th Circuit Court of Appeals erroneously held, in Newdow v. U.S. Congress (9th Cir. June 26, 2002), that the Pledge of Allegiance's use of the express religious reference 'under God' violates the First Amendment to the Constitution, and that, therefore, a school district's policy and practice of teacher-led voluntary recitations of the Pledge of Allegiance is unconstitutional.

"(16) The erroneous rationale of the 9th Circuit Court of Appeals in Newdow would lead to the absurd result that the Constitution's use of the express religious reference 'Year of our Lord' in Article VII violates the First Amendment to the Constitution, and that, therefore, a school district's policy and practice of teacher-led voluntary recitations of the Constitution itself would be unconstitutional."

Reaffirmation of Language

Pub. L. 107–293, §2(b), Nov. 13, 2002, 116 Stat. 2060, provided that: "In codifying this subsection [probably should be "section", meaning section 2 of Pub. L. 107–293, which amended this section], the Office of the Law Revision Counsel shall show in the historical and statutory notes that the 107th Congress reaffirmed the exact language that has appeared in the Pledge for decades."

§5. Display and use of flag by civilians; codification of rules and customs; definition

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to sections 1 and 2 of this title and Executive Order 10834 issued pursuant thereto.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1494.)

Historical and Revision Notes

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
5	36:173.	June 22, 1942, ch. 435, §1, 56 Stat. 377; Dec. 22, 1942, ch. 806, §1, 56 Stat. 1074; July 7, 1976, Pub. L. 94–344, (1), 90 Stat. 810.

Editorial Notes

References in Text

Executive Order 10834, referred to in text, is set out as a note under section 1 of this title.

Statutory Notes and Related Subsidiaries

Freedom To Display the American Flag

Pub. L. 109–243, July 24, 2006, 120 Stat. 572, provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Freedom to Display the American Flag Act of 2005'.

"SEC. 2. DEFINITIONS.

"For purposes of this Act—

"(1) the term 'flag of the United States' has the meaning given the term 'flag, standard, colors, or ensign' under section 3 of title 4, United States Code;

"(2) the terms 'condominium association' and 'cooperative association' have the meanings given such terms under section 604 of Public Law 96–399 (15 U.S.C. 3603);

"(3) the term 'residential real estate management association' has the meaning given such term under section 528 of the Internal Revenue Code of 1986 (26 U.S.C. 528); and

"(4) the term 'member'—

"(A) as used with respect to a condominium association, means an owner of a condominium unit (as defined under section 604 of Public Law 96–399 (15 U.S.C. 3603)) within such association;

"(B) as used with respect to a cooperative association, means a cooperative unit owner (as defined under section 604 of Public Law 96–399 (15 U.S.C. 3603)) within such association; and

"(C) as used with respect to a residential real estate management association, means an owner of a residential property within a subdivision, development, or similar area subject to any policy or restriction adopted by such association.

"SEC. 3. RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES.

"A condominium association, cooperative association, or residential real estate management association may not adopt or enforce any policy, or enter into any agreement, that would restrict or prevent a member of the association from displaying the flag of the United States on residential property within the association with respect to which such member has a separate ownership interest or a right to exclusive possession or use.

"SEC. 4. LIMITATIONS.

"Nothing in this Act shall be considered to permit any display or use that is inconsistent with—

"(1) any provision of chapter 1 of title 4, United States Code, or any rule or custom pertaining to the proper display or use of the flag of the United States (as established pursuant to such chapter or any otherwise applicable provision of law); or

"(2) any reasonable restriction pertaining to the time, place, or manner of displaying the flag of the United States necessary to protect a substantial interest of the condominium association, cooperative association, or residential real estate management association."

§6. Time and occasions for display

(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.

(b) The flag should be hoisted briskly and lowered ceremoniously.

(c) The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

(d) The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Martin Luther King Jr.'s birthday, third Monday in January; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; National Vietnam War Veterans Day, March 29; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Father's Day, third Sunday in June; Independence Day, July 4; National Korean War Veterans Armistice Day, July 27; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

(e) The flag should be displayed daily on or near the main administration building of every public institution.

(f) The flag should be displayed in or near every polling place on election days.

(g) The flag should be displayed during school days in or near every schoolhouse.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1494; amended Pub. L. 106–80, §1, Oct. 25, 1999, 113 Stat. 1285; Pub. L. 110–239, §1, June 3, 2008, 122 Stat. 1559; Pub. L. 111–41, §2, July 27, 2009, 123 Stat. 1962; Pub. L. 115–15, §2, Mar. 28, 2017, 131 Stat. 79.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
6	36:174.	June 22, 1942, ch. 435, §2, 56 Stat. 378; Dec. 22, 1942, ch. 806, §2, 56 Stat. 1074; July 7, 1976, Pub. L. 94–344, (2)–(5), 90 Stat. 810.

In subsection (d), the words "Veterans Day" are substituted for "Armistice Day" because of the Act of June 1, 1954 (ch. 250, 68 Stat. 168).

EDITORIAL NOTES

AMENDMENTS

2017—Subsec. (d). Pub. L. 115–15 inserted "National Vietnam War Veterans Day, March 29;" after "third Monday in February;".

2009—Subsec. (d). Pub. L. 111–41 inserted "National Korean War Veterans Armistice Day, July 27;" after "July 4;".

2008—Subsec. (d). Pub. L. 110–239 inserted "Father's Day, third Sunday in June;" after "Flag Day, June 14;".

1999—Subsec. (d). Pub. L. 106–80 inserted "Martin Luther King Jr.'s birthday, third Monday in January;" after "January 20;".

§7. Position and manner of display

The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.

(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.

(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: *Provided*, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.

(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.

(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.

(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.

(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

(l) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.

(m) The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the death of a member of the Armed Forces from any State, territory, or possession who dies while serving on active duty, or the death of a first responder working in any State, territory, or possession who dies while serving in the line of duty, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff, and the same authority is provided to the Mayor of the District of Columbia with respect to present or former officials of the District of Columbia, members of the Armed Forces from the District of Columbia, and first responders working in the District of Columbia. When the Governor of a State, territory, or possession, or the Mayor of the District of Columbia, issues a proclamation under the preceding sentence that the National flag be flown at half-staff in that State, territory, or possession or in the District of Columbia because of the death of a member of the Armed Forces, the National flag flown at any Federal installation or facility in the area covered by that proclamation shall be flown at half-staff consistent with that proclamation. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an

executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. As used in this subsection—

(1) the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff;

(2) the term "executive or military department" means any agency listed under sections 101 and 102 of title 5;

(3) the term "Member of Congress" means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico; and

(4) the term "first responder" means a "public safety officer" as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284).

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.

(o) When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1495; amended Pub. L. 110–41, §3, June 29, 2007, 121 Stat. 233; Pub. L. 115–123, div. A, §10102(a), (b), Feb. 9, 2018, 132 Stat. 64.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
7	36:175.	June 22, 1942, ch. 435, §3, 56 Stat. 378; Dec. 22, 1942, ch. 806, §3, 56 Stat. 1075; July 9, 1953, ch. 183, 67 Stat. 142; July 7, 1976, Pub. L. 94–344, (6)–(11), 90 Stat. 811; Sept. 13, 1994, Pub. L. 103–322, title XXXII, §320922(b), 108 Stat. 2131.

EDITORIAL NOTES

AMENDMENTS

2018—Subsec. (m). Pub. L. 115–123, §10102(a), in sixth sentence of introductory provisions, substituted "possession of the United States," for "possession of the United States or" and "former officials of the District of Columbia," for "former officials of the District of Columbia and" and inserted "or the death of a first responder working in any State, territory, or possession who dies while serving in the line of duty," after "while serving on active duty," and ", and first responders working in the District of Columbia" before the period.

Subsec. (m)(2). Pub. L. 115–123, §10102(b)(1), substituted a semicolon for ", United States Code; and".

Subsec. (m)(4). Pub. L. 115–123, §10102(b)(2), (3), added par. (4).

2007—Subsec. (m). Pub. L. 110–41, in sixth sentence, inserted "or the death of a member of the Armed Forces from any State, territory, or possession who dies while serving on active duty" after "present or former official of the government of any State, territory, or possession of the United States" and substituted ", and the same authority is provided to the Mayor of the District of Columbia with respect to present or former officials of the District of Columbia and members of the Armed Forces from the District of Columbia. When the Governor of a State, territory, or possession, or the Mayor of the District of Columbia, issues a proclamation under the preceding sentence that the National flag be flown at half-staff in that State, territory, or possession or in the District of Columbia because of the death of a member of the Armed Forces, the National flag flown at any Federal installation or facility in the area covered by that proclamation shall be flown at half-staff consistent with that proclamation." for period at end.

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115–123, div. A, §10102(c), Feb. 9, 2018, 132 Stat. 64, provided that: "The amendments made by this section [amending this section] shall apply with respect to deaths of first responders occurring on or after the date of the enactment of this Act [Feb. 9, 2018]."

Finding

Pub. L. 110–41, §2, June 29, 2007, 121 Stat. 233, provided that: "Congress finds that members of the Armed Forces of the United States defend the freedom and security of the United States."

Executive Documents

Proc. No. 3044. Display of Flag at Half-Staff Upon Death of Certain Officials and Former Officials

Proc. No. 3044, Mar. 1, 1954, 19 F.R. 1235, as amended by Proc. No. 3948, Dec. 12, 1969, 34 F.R. 19699, provided:

WHEREAS it is appropriate that the flag of the United States of America be flown at half-staff on Federal buildings, grounds, and facilities upon the death of principal officials and former officials of the Government of the United States and the Governors of the States, Territories, and possessions of the United States as a mark of respect to their memory; and

WHEREAS it is desirable that rules be prescribed for the uniform observance of this mark of respect by all executive departments and agencies of the Government, and as a guide to the people of the Nation generally on such occasions:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America and Commander in Chief of the armed forces of the United States, do hereby prescribe and proclaim the following rules with respect to the display of the flag of the United States of America at half-staff upon the death of the officials hereinafter designated:

1. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions for the period indicated upon the death of any of the following-designated officials or former officials of the United States:

(a) The President or a former President: for thirty days from the day of death.

The flag shall also be flown at half-staff for such period at all United States embassies, legations, and other facilities abroad, including all military facilities and naval vessels and stations.

(b) The Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives: for ten days from the day of death.

(c) An Associate Justice of the Supreme Court, a member of the Cabinet, a former Vice President, the President pro tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives, or the Minority Leader of the House of Representatives: from the day of death until interment.

2. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the metropolitan area of the District of Columbia on the day of death and on the following day upon the death of a United States Senator, Representative, Territorial Delegate, or the Resident Commissioner from the Commonwealth of Puerto Rico, and it shall also be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the State, Congressional District, Territory, or Commonwealth of such Senator, Representative, Delegate, or Commissioner, respectively, from the day of death until interment.

3. The flag of the United States shall be flown at half-staff on all buildings and grounds of the Federal Government in a State, Territory, or possession of the United States upon the death of the Governor of such State, Territory, or possession from the day of death until interment.

4. In the event of the death of other officials, former officials, or foreign dignitaries, the flag of the United States shall be displayed at half-staff in accordance with such orders or instructions as may be issued by or at the direction of the President, or in accordance with recognized customs or practices not inconsistent with law.

5. The heads of the several departments and agencies of the Government may direct that the flag of the United States be flown at half-staff on buildings, grounds, or naval vessels under their jurisdiction on occasions other than those specified herein which they consider proper, and that suitable military honors be rendered as appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of March in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

[SEAL]

DWIGHT D. EISENHOWER.

§8. Respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

(a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

(c) The flag should never be carried flat or horizontally, but always aloft and free.

(d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.

(e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.

(f) The flag should never be used as a covering for a ceiling.

(g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

(h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

(i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

(j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.

(k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1497.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
8	36:176.	June 22, 1942, ch. 435, §4, 56 Stat. 379; Dec. 22, 1942, ch. 806, §4, 56 Stat. 1076; July 7, 1976, Pub. L. 94–344, (12)–(16), 90 Stat. 812.

§9. Conduct during hoisting, lowering or passing of flag

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present in uniform should render the military salute. Members of the Armed Forces and veterans who are present but not in uniform may render the military salute. All other persons present should face the flag and stand at attention with their right hand over the heart, or if applicable, remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Citizens of other countries present should stand at attention. All such conduct toward the flag in a moving column should be rendered at the moment the flag passes.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1498; Pub. L. 110–181, div. A, title V, §594, Jan. 28, 2008, 122 Stat. 138.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
9	36:177.	June 22, 1942, ch. 435, §5, 56 Stat. 380; Dec. 22, 1942, ch. 806, §5, 56 Stat. 1077; July 7, 1976, Pub. L. 94–344, (17), 90 Stat. 812.

EDITORIAL NOTES

AMENDMENTS

2008—Pub. L. 110–181 substituted "all persons present in uniform should render the military salute. Members of the Armed Forces and veterans who are present but not in uniform may render the military salute. All other persons present should face the flag and stand at attention with their right hand over the heart, or if applicable, remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Citizens of other countries present should stand at attention. All such conduct toward the flag in a moving column should be rendered at the moment the flag passes." for "all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes."

§10. Modification of rules and customs by President

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.

(Added Pub. L. 105–225, §2(a), Aug. 12, 1998, 112 Stat. 1498.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
10	36:178.	June 22, 1942, ch. 435, §8, 56 Stat. 380; Dec. 22, 1942, ch. 806, §8, 56 Stat. 1077; July 7, 1976, Pub. L. 94–344, (20), 90 Stat. 813.

EDITORIAL NOTES

REFERENCES IN TEXT

Herein, referred to in text, means sections 4 to 10 of this title.

EXECUTIVE DOCUMENTS

PROC. NO. 2605. THE FLAG OF THE UNITED STATES

Proc. No. 2605, Feb. 18, 1944, 9 F.R. 1957, 58 Stat. 1126, provided:

The flag of the United States of America is universally representative of the principles of the justice, liberty, and democracy enjoyed by the people of the United States; and

People all over the world recognize the flag of the United States as symbolic of the United States; and

The effective prosecution of the war requires a proper understanding by the people of other countries of the material assistance being given by the Government of the United States:

NOW, THEREFORE, by virtue of the power vested in me by the Constitution and laws of the United States, particularly by the Joint Resolution approved June 22, 1942, as amended by the Joint Resolution approved December 22, 1942 [now sections 4 to 10 of this title], as President and Commander in Chief, it is hereby proclaimed as follows:

1. The use of the flag of the United States or any representation thereof, if approved by the Foreign Economic Administration, on labels, packages, cartons, cases, or other containers for articles or products of the United States intended for export as lend-lease aid, as relief and rehabilitation aid, or as emergency supplies for the Territories and possessions of the United States, or similar purposes, shall be considered a proper use of the flag of the United States and consistent with the honor and respect due to the flag.

2. If any article or product so labelled, packaged or otherwise bearing the flag of the United States or any representation thereof, as provided for in section 1, should, by force of circumstances, be diverted to the ordinary channels of domestic trade, no person shall be considered as violating the rules and customs pertaining to the display of the flag of the United States, as set forth in the Joint Resolution approved June 22, 1942, as amended by the Joint Resolution approved December 22, 1942 (U.S.C., Supp. II, title 36, secs. 171–178) [now sections 4 to 10 of this title] for possessing, transporting, displaying, selling or otherwise

transferring any such article or product solely because the label, package, carton, case, or other container bears the flag of the United States or any representation thereof.

RESOLUTION #15-42:

A RESOLUTION ESTABLISHING THE NEIGHBORHOOD ADVISORY COMMITTEE FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.

THAT, WHEREAS, in 2008 the Neighborhood Advisory Committee was created by the late Mayor George Lane to be a liaison and sounding board for the Village Council and to help identify issues and solutions to problems for the Village of Pinehurst; and

WHEREAS, the committee has maintained a dedicated group of volunteers over the last seven years representing various neighborhoods throughout Pinehurst; and

WHEREAS, upon reviewing the structure of the Neighborhood Advisory Committee, the Village Council requested to formally establish this committee as it plays a role in key processes at the Village of Pinehurst; and

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 13 day of October, 2015, as follows:

SECTION 1. The Neighborhood Advisory Committee shall be officially established under the leadership of the Village Council of the Village of Pinehurst.

SECTION 2. The Neighborhood Advisory Committee shall be comprised of neighborhood representatives. The Mayor, elected officials, and designated staff are ex-officio members.

SECTION 3. Representatives' terms on the Neighborhood Advisory Committee are for one year and the representative may annually renew the term based on his/her interest and availability. There are no term limits. Upon a vacancy, the neighborhood shall replace their representative if so desired.

SECTION 4. The Neighborhood Advisory Committee is an advisory committee of volunteer representatives from Pinehurst neighborhoods who routinely communicate information and raise awareness of issues with the Village Council, staff, and residents leading to solutions that result in continuous improvement in the quality of life in all neighborhoods.

a) The Committee shall bring important concerns from neighborhoods to Council and staff for resolution.

b) The Committee shall host regular speakers at meetings to inform the committee on timely, relevant issues.

c) The Committee shall share information across neighborhoods.

d) The Committee shall provide two-way communication with residents in neighborhoods and collect feedback to the degree possible.

e) The Committee shall collaborate with other Village organizations when possible.

f) The Committee shall offer informed advice and recommendations to the Village Council as requested.

SECTION 5. That this Resolution shall be in full force and effect from and after its date of adoption.

THIS RESOLUTION passed and adopted this 13th day of October, 2015.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

	VILLAGE OF PINEHURST **STANDARD PROCEDURE**	
SUBJECT:	Flag and Lamp Post Banner Policy	Effective Date:
Department:	Administration	Policy No.: 52
Prepared by:	Jeff Batton	Revised:
Approved by:	Village Council	# of Pages: 4

DRAFT

PURPOSE: The purpose of this policy is to establish that the Flag of the United States of America (US Flag), the Flag of the State of North Carolina (State Flag), and Military Flags are encouraged and approved for display at City facilities.

POLICY: The Village's policy relative to the display of the U.S. Flag, the State Flag, and Military Flags at Village of Pinehurst facilities shall be in accordance with United States Code (U.S.C.A.), Title 4 and North Carolina General Statutes Chapter 144.

APPLICABILITY: This policy applies to all flags identified herein that are flown at Village of Pinehurst facilities.

PROCEDURE:

Display

1. The U.S. Flag together with the State Flag shall be displayed daily at major Village of Pinehurst operated facilities. Locations at which the Flags are to be displayed include, but are not limited to: Village Hall, Public Safety Facility, Fire Stations, Police Stations, and Public Recreation Facilities.
2. When the U.S. Flag, State Flag, and Military (Flag(s) are displayed with other flags, the U.S. Flag shall be placed in the position of first honor at all times and the State Flag shall be placed in the position of second honor.
3. The U.S. Flag and State Flag shall be displayed only from sunrise to sunset if illumination is not provided. If properly illuminated, the Flags may be displayed twenty-four (24) hours per day.
4. Only all-weather U.S. Flags and State Flags shall be displayed outdoors. Flags displayed on the same halyard shall have the U.S. Flag at the peak, with the State Flag directly

below the U.S. Flag in such a manner as not to interfere with any part of the U.S. Flag. All other flags shall be displayed at a position subordinate to the State Flag.

5. When the U.S. Flag and State Flag are displayed at the same time on a separate flagpoles, the staffs shall be of equal height, the flags shall be of equal size, and the State Flag shall be positioned to the U.S. Flag's left. The U.S. Flag shall be hoisted first and lowered last.
6. The U.S. Flag and State Flag, shall be flown at half-staff during any of the following circumstances:
    - During a National Day of Mourning or remembrance as declared by the President of the United States. The period of time the Flags remain at half-staff shall be determined by Presidential order.
    - During a state day of mourning or remembrance as declared by the Governor of the State of North Carolina. The period of time that the Flags remain at half-staff shall be determined by gubernatorial order.
    - On Memorial Day each year, the Flags shall be displayed at half-staff until noon only, then raised to the top of the staff.
    - Thirty (30) days from the death of the President or a former President; ten (10) days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress.
    - When displayed at half-staff, the U.S. Flag and State Flag shall be first hoisted to the peak for a moment and then lowered to the half-staff position. The Flags shall be again raised to the peak before they are lowered for the day.
7. No other flag shall be displayed above the U.S. Flag.
8. When the U.S. Flag is displayed over the middle of the street, the flag should be suspended vertically with the union (blue field) to the north in an east and west street, or to the east in a north and south street.
9. When the U.S. Flag is displayed with another flag from crossed staffs, the U.S. Flag should be on the right (the flag's own right, the observer's left) and its staff should be in front of the staff of the other flag.
10. The Village of Pinehurst recognizes that any rule or custom pertaining to the display of the U.S. Flag may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever deemed to be appropriate or desirable. Any such alteration or additional rule shall take precedence over the practices set forth in this policy.

Disposal of U.S. Flag or State Flag

When the U.S. Flag or State Flag deteriorates to such a condition that it no longer serves as a fitting emblem of display, it shall be destroyed in a dignified manner, preferably by burning.

Display of Flags Outside Village Hall

The flags displayed in front of Village Hall shall be reserved only for the display of the U.S. Flag and the State Flag. The U.S. Flag shall be displayed in first position of honor at the highest point in the center. The State Flag shall be displayed in second position of honor to the right of the U.S. Flag.

Display of Flags Outside Public Safety Facility

The flags displayed in front of the Public Safety Facilities shall be reserved only for the display of the U.S. Flag and the State Flag. The U.S. Flag shall be displayed in first position of honor at the highest point in the center. The State Flag shall be displayed in second position of honor to the right of the U.S. Flag.

Display of Flags Outside Fire Stations

The flags displayed in front of the Fire Station shall be reserved only for the display of the U.S. Flag and the State Flag. In lieu of the State Flag, the Thin Red Line Flag may be displayed in lieu of the State Flag outside fire stations. During the month of October, in observation of National Fire Prevention Week, a Fire Prevention Flag may be displayed in lieu of the State Flag outside fire stations. The U.S. Flag shall be displayed in first position of honor at the highest point in the center. The State Flag shall be displayed in second position of honor to the right of the U.S. Flag.

Display of Flags Outside Police Stations

The flags displayed in front of the Police Station shall be reserved only for the display of the U.S. Flag and the State Flag. In lieu of the State Flag, the Thin Blue Line Flag may be displayed in lieu of the State Flag outside fire stations. During the month of May, in honor of Peace Officers Memorial Week, the Police Memorial Flag may be displayed in lieu of the State Flag outside police stations. The U.S. Flag shall be displayed in first position of honor at the highest point in the center. The State Flag shall be displayed in second position of honor to the right of the U.S. Flag.

Display of Flags at the War Memorial at Cannon Park

The U.S. Flag and the POW/MIA Flag shall be the only Flags displayed at the War Memorial at Canon Park. The U.S. Flag shall be displayed in the first position of honor, in the center at the highest point. The POW/MIA Flag shall be displayed in second position of honor to the right of the U.S. Flag.

Display of Flags inside Village Hall and Other Facilities

If the U.S. Flag is displayed in a lobby area it must be displayed in the first position of honor. This position is on the left side of the lobby upon entrance.

Display of Flags in the Village Hall Council Chambers

The U.S. Flag and State Flag shall be the only Flags displayed in the Village Council Chambers. The U.S. Flag shall be displayed in the first position of honor. This position is on the Mayor and City Council's right as they face the audience. The State Flag shall be displayed in the second position of honor. This position is on the Mayor and City Council's left as they face the audience.

The Village's Flagpoles

The Village's flagpoles are not intended to serve as a forum for free expression by the public. The Village's flagpoles are to be used exclusively by the Village, where the Village Council may display a commemorative flag as a form of government expression. The Village will not display a commemorative flag based on a request from a third Party, nor will the Village use its flagpoles to sponsor the expression of a third party.

Lamp Post Banners

Commemorative banners and wreaths celebrating special events or occasions may be placed on decorative lamp posts so long as the event is directly sponsored or co-sponsored by the Village of Pinehurst. The cost to produce the banners as well as the labor cost to attach and remove the banners shall be borne by the requesting party(ies).

This policy shall be reviewed during the organizational meeting of current Village Council every year and updated as Village Council deems necessary.

Approved by:

_____	_____
Jeff Sanborn, Village Manager	Date
Resolution # 22-07	_____
Village Council, Resolution	Date

Recommended Regulatory Approaches Concerning STRs

1. Zoning District Locations. Permit in all zoning districts where residential dwelling units are permitted.
2. Define STRs as "whole house"; require minimum 24 hour stay & less than 30 day stay; residence can be used for up to 14 days as short-term rental use without being required to possess an STR permit.
3. Require permit to operate STR; permit STRs through special use permit (SUP) for STR of 8 or more guests; create revocation process for SUPs.
4. Occupancy limits: maximum 2 persons per bedroom (bedrooms per property tax records)
5. Parking requirement of one space for each bedroom. Site maximum number of vehicles per approved parking spaces.
6. Control location of parking off driveways (not in front yard)
7. Prohibit overnight parking in Village right-of-way in all residential areas.
8. Enforcement/Fines: create a tiered and multi-violator violation systems that escalates per property for violations within a rolling calendar year. Pursue collection of violations including a policy of when to elevate collection of fines to civil action.
9. Require basic safety standards:
    A. Smoke and Carbon Monoxide Detectors
    B. Bedrooms have egress windows/two exits
    C. Safety inspection for basic code compliance
    D. Posted floorplan with exits in each bedroom
10. Good Neighbor Guide: Create guide (e.g. Littleton, CO) and send to neighbors, include # of guests and cars allowed and owner's contact info. Require information posted in unit for guests including: max number of guests, parking info, waste pick up days & receptacle info, prohibited activities, emergency contact info, etc.
11. Adopt unruly gathering/party house ordinance (e.g. Los Angeles, CA; Stonecrest, GA); define as a land use in PDO and prohibit in all areas.

1. **Traditional neighborhoods retain their character and remain predominantly occupied by long-term residents.**
    - A. PDO Amendments
        1. Zoning District Locations. Determine whether or not to limit which zoning districts where an STR can be located (e.g. R-5, R-10, R-15, R-8, R-30, R-210, RMF, VCP, VR, VMU, NC, OP). Choose one of the following:
            a. Permit in all zoning districts where residential dwelling units are permitted. **(recommended)**
            b. Permit in all zoning districts via Special Use Permit (can be revoked)
                i. Trigger special use permit if occupancy threshold is triggered (e.g. > 8 persons)**(recommended)**
            c. Prohibit establishment of new STRs in single-family zoned districts
                i. Which Districts?
            d. Make as non-conforming use in single-family zoned districts
                i. Which Districts?
            e. Amortize existing STRs away in single-family zoned districts.
                i. Which Districts?
        2. Limit Concentrations of STRs in single-family zoned districts.
            a. Establish separation requirements between STRs in single-family zoned districts. (e.g. 500 feet apart).
                i. Can create differing separation requirements by district.
            b. Cap the total number of STRs through creation of a zoning overlay district(s).
        3. Define STRs to provide for regulation of the land use.
            a. Define STRs as "whole house" rentals; require a minimum 24 hour stay and less than 30 days; residence can be used for up to 14 days as a short term rental without requiring an STR permit. **(recommended)**
            b. Length of Stay
                i. Less than 30 days **(recommended)**
                ii. Minimum of 24-hour stay **(recommended)**
    - B. Municipal Code Amendments
    - C. Policy/Educational
2. **Short term rental uses do not adversely impact property values in our neighborhoods.**
    - A. Municipal Code Amendments
        1. Prohibit overnight parking in the right of way.
            a. Blanket prohibition in all zoning districts **(recommended)**
            b. Prohibit parking by area.
            c. Prohibit parking by street.
        2. Enforcement/Fines **(recommended)**
            a. Create a tiered and multi violator violation systems that escalates per property for violations within a rolling calendar year.
    - B. PDO Amendments
        1. Permit STRs through special use permit (SUP) in single family zoned districts
            a. Determine which districts to permit by right or through SUP.
            b. Create revocation process.
                or
            c. Or. Establish trigger point for requiring SUP such based on occupancy (e.g. > 8 persons) **(recommended)**
        2. Establish Standards for STRs
            a. Parking. Number of spaces and location of required parking
                i. 1 parking space per bedroom **(recommended)**

b. Occupancy Limits
    i. Bedroom (e.g. two persons per bedroom) **(recommended)**
    ii. By Unit (e.g. max 8 persons per unit)
    iii. By square footage of unit (e.g. 1 person per 500 square feet of heated square footage)
    iv. By location in overlay district (e.g. old town 8 persons, Lake 6 persons, etc.)
    v. Special Use Permit
a. Safety Standards **(recommended)**
    vi. Smoke and Carbon Monoxide Detectors
    vii. Proper exits and other safety requirements
    viii. Posted floorplan with exits in each bedroom
b. Owner/Manager Contact Information **(recommended)**
    a. Post permit and regulations in unit. **(recommended)**

3. Enforcement/Fines **(recommended)**
    a. Create a tiered and multi violator violation systems that escalates per property for violations in a rolling calendar year.

C. Policy/Educational
1. Good Neighbor Guide **(recommended)**
    a. Create guide (e.g. Littleton, CO) and send to neighbors and require posting in unit.
2. Subscription service hotline where nuisances can be reported to service that will then contact STR representative.
3. Pursue Collection of Violations **(recommended)**
    a. Create a policy when to elevate collection of fines to civil action.

3. Short term rental properties are not used as 'party houses' or for large events. Or short-term rental properties do not create nuisances in the neighborhood by being used frequently for events and parties.

A. Municipal Code Amendments
1. Unruly Gathering/Party House Ordinance **(recommended)**
a. Adopted unruly gathering/party house ordinance (e.g. Los Angeles, CA Stonecrest, GA)

B. PDO Amendments
1. Party House Land Use **(recommended)**
a. Identify and develop standards for a party house
b. Define as a land use
c. Prohibit in all districts

C. Policy/Educational
1. Good Neighbor Guide **(recommended)**
    a. Create guide (e.g. Littleton, CO) and send to neighbors and require posting in unit.
2. Subscription service hotline where nuisances can be reported to service that will then contact STR representative.

4. Minimize the negative impact of short-term rentals on the quality of life of long-term residents in the Village's neighborhoods.

A. PDO Amendments.
1. Update parking regulations to require parking to be provided per bedroom.
2. Update parking space location requirements
3. Prohibit parking in front yard unless on approved parking spaces.
4. Establish occupancy limits by unit **(recommended)**
5. Limit STR concentrations through minimum separation requirements

6. Define STR land use and regulate location by district **(recommended)**
7. Amortize away existing STRs in single family zoned districts
8. Only permit through Special Use Permit (SUP) or have trigger occupancy threshold (e.g. > persons per unit) **(recommended)**

B. Municipal Code Amendments
1. Adopt Unruly Gathering/Party House Ordinance **(recommended)**

C. Policy/Educational
1. Good Neighbor Guide **(recommended)**
   a. Create guide (e.g. Littleton, CO) and send to neighbors and require posting in unit.
2. Subscription service hotline where nuisances can be reported to service that will then contact directly contact listed STR representative.

5. Short term rental properties should not have occupancy numbers that exceed what is appropriate for the size of the house and parking spaces included on the property.

A. PDO Amendments
1. Limit Occupancy (one or any combination)
   a. By Bedroom (e.g. two persons per bedroom) **(recommended)**
   b. By Unit (e.g. max 8 persons per unit)
   c. By square footage of unit (e.g. 1 person per 500 square feet of heated square footage)
   d. By location in overlay district (e.g. old town 8 persons, Lake 6 persons, etc.)
   e. Through Special Use Permit > than 8 persons **(recommended)**

B. Municipal Code Amendments

C. Policy/Educational
1. Good Neighbor Guide **(recommended)**
   a. Create guide (e.g. Littleton, CO) and require posting in unit of occupancy limits.

6. Overnight right of way parking for short term rental properties does not significantly congest residential streets.

A. PDO Amendments.
1. Parking. Provide adequate parking based on bedrooms (e.g. 1 parking space per bedroom) **(recommended)**
2. Site maximum amount of vehicles per approved parking spaces.
3. Prohibit parking in front yard unless on approved parking spaces.

B. Municipal Code Amendments
1. Prohibit overnight parking in the right of way **(recommended)**
   a. Blanket prohibition in all zoning districts **(recommended)**
   b. Prohibit parking by area.
   c. Prohibit parking by street.

C. Policy/Educational
1. Create good neighbor policy guide and include parking regulations and post in unit. **(recommended)**
2. Install parking regulation signage

7. Short-term rental properties are not modified in ways that make them difficult to transition back for use as traditional owner-occupied residential properties.

A. PDO Amendments.
1. Control location of surface parking locations

B. Municipal Code Amendments

C. Policy/Educational

8. **Minimize public nuisance behaviors such as noise and trash that are often associated with short-term rentals without creating significant additional work for police and code enforcement staff.**
    A. PDO Amendments.
    B. Municipal Code Amendments
        1. Enforcement/Fines
            a. Create a tiered and multi violator violation process that escalates per property for violations in a rolling calendar year. **(recommended)**
    C. Policy/Educational
        1. Good Neighbor Guide **(recommended)**
            a. Create guide (e.g. Littleton, CO) and require posting in unit.
        2. Subscription service hotline where nuisances can be reported to service that will then contact STR representative.
9. **Help to ensure health and safety of the occupants of short-term rental units**
    A. PDO Amendments.
        1. Limit overall unit occupancy **(recommended)**
    B. Municipal Code Amendments
        1. Require minimum safety requirements and inspection prior to permitting. **(recommended)**
            a. Fire and carbon monoxide detectors.
            b. Hand/guardrails as required and other safety code requirements
            c. Printed and posted floor plans and home fire escape plans from each floor indicating two means of egress
        2. Enforcement/Fines
            a. Create a tiered and multi violator violation systems that escalates per property for violations in a rolling calendar year **(recommended)**
    C. Policy/Educational
        1. Good Neighbor Guide **(recommended)**
            a. Create guide (e.g. Littleton, CO) and require posting in unit
10. **To the extent possible, regulation of short term rentals is accomplished thru standards that apply to the whole Village understanding that some regulations will apply only to short term rental uses.**
    A. PDO Amendments
        1. Define STR as land use **(recommended)**
        2. Regulate location of STR in various districts **(recommended)**
        3. Limit concentration of STRs through minimum separation requirements.
        4. Establish occupancy limits per unit **(recommended)**
        5. Through Special Use Permit > than 8 persons **(recommended)**
    B. Municipal Code Amendments
    C. Policy/Educational
        1. Good Neighbor Guide **(recommended)**
            a. Create guide (e.g. Littleton, CO) and require posting in unit.
        2. Subscription service hotline where nuisances can be reported to service that will then contact STR representative.
11. **Reduce tensions between short-term rental property owners and their neighbors.**
    A. PDO Amendments
        a. Define STR as land use **(recommended)**
        b. Regulate location of STR in various districts **(recommended)**
        c. Limit concentration of STRs through minimum separation requirements.
        d. Establish occupancy limits per unit **(recommended)**
        e. Establish occupancy limits by bedroom **(recommended)**
        f. Regulate required parking placement **(recommended)**
        g. Through Special Use Permit > than 8 persons **(recommended)**

B. Municipal Code Amendments.
    a. Adopt party house unruly gathering ordinance. **(recommended)**
C. Policy/Educational
    1. Good Neighbor Guide **(recommended)**
        a. Create guide (e.g. Littleton, CO) and send to neighbors and require posting in unit.
    2. Subscription service hotline where nuisances can be reported to service that will then contact STR representative.