



City of Hamilton

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE ADDENDUM

Meeting #: 23-017
Date: November 2, 2023
Time: 9:30 a.m.
Location: Council Chambers
Hamilton City Hall
71 Main Street West

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

10. DISCUSSION ITEMS

*10.5 Governance Review Sub-Committee Report 23-004, October 27, 2023



Hamilton

**GOVERNANCE REVIEW SUB-COMMITTEE
REPORT 23-004**

Friday, October 27, 2023

9:30 a.m.

**Room 264, 2nd Floor
Hamilton City Hall**

Present: Councillors T. Hwang (Chair), B. Clark, J.P. Danko, C. Kroetsch, and M. Wilson

**Absent
with Regrets:** Councillor N. Nann – City Business

**THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 23-004 AND
RESPECTFULLY RECOMMENDS:**

**1. Advisory Committee for Persons with Disabilities Logo (CM23029) (City Wide)
(Outstanding Business List Item) (Item 9.1)**

That Report CM23029, respecting Advisory Committee for Persons with Disabilities Logo, be received.

2. City of Hamilton Flag and Sign Policy (CM23014) (City Wide) (Item 10.1)

- a) That the City of Hamilton's Flag Protocol (Report 11-003 to Governance Review Sub-Committee) be repealed and replaced with the City of Hamilton Flag and Sign Policy in Appendix A to Governance Review Sub-Committee Report 23-004;
- b) That the City of Hamilton Flag and Sign Policy be posted on the City website to guide the raising and lowering of flags and lighting of the 3D Hamilton sign; and,
- c) That the City of Hamilton Flag and Sign Policy be brought forward for amendment at such time that the City adopts an official days of recognition policy.

2. Review and Evaluation of Lobbyist Registry By-law (Added Item 11.1)

WHEREAS the City of Hamilton introduced a Lobbyist Registry By-law in 2015;
and

WHEREAS the public interest would be served in having an updated review and
evaluation of the Lobbyist Registry By-law, including its exemptions;

THEREFORE, BE IT RESOLVED:

The staff be requested to report back to Governance Review Sub-Committee in
Q2 2024 with a review and evaluation of the City of Hamilton's Lobbyist Registry
By-law including a scan of best practices in other municipal jurisdictions.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised of the following changes to the agenda:

12. NOTICES OF MOTION

12.1 Review and Evaluation of Lobbyist Registry By-Law

The October 27, 2023 Agenda of the Governance Review Sub-Committee was
approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) July 5, 2023 (Item 4.1)

The Minutes of the July 5, 2023 meeting of the Governance Review Sub-
Committee were approved, as presented.

(d) NOTICES OF MOTION (Item 12)

(i) Review and Evaluation of Lobbyist Registry By-Law (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a motion
respecting Review and Evaluation of Lobbyist Registry By-Law.

(e) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

The following amendment to the Outstanding Business List, was approved:

(a) Items Considered Completed and to be Removed

1. Advisory Committee for Persons with Disabilities Logo
Item on OBL: 21-A
Addressed as Item 9.1 on today's agenda.

(f) ADJOURNMENT (Item 15)

There being no further business, the Governance Review Sub-Committee meeting was adjourned at 9:56 a.m.

Respectfully submitted,

Councillor T, Hwang, Chair
Governance Review Sub-Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

City of Hamilton Flag and Sign Policy

Purpose: To provide direction with respect to Flag and Hamilton Sign etiquette and protocol, the half-staffing and the raising of flags at Hamilton City Hall and City of Hamilton-owned facilities, including the permanent flags on top of City Hall.

Scope: This protocol applies to all properties and facilities owned and operated by the City of Hamilton, as well as the locations of all City-run events, except those where the policies of another government body would take precedence.

Responsibility: The Communications and Strategic Initiatives Division is the owner of this protocol and responsible for periodically reviewing and updating this protocol. The Division is also responsible for the coordination of the raising or lowering of the flags and illumination of the sign as determined by this policy. This team will also prepare appropriate communications to inform the community of the lowering of the Flag. (i.e. social media/information on the City of Hamilton Website).

Definitions:

3D Hamilton Sign: refers to the 3D LED lightable HAMILTON sign in the City Hall forecourt

Half-Staff: refers to when a flag is flown at the half-way point on a freestanding flag pole, often referred to as half-mast.

Current Employee: refers to an individual employed by the City of Hamilton that is actively attending part-time or full-time work duties, on short term or long-term disability, or on a leave of absence from their role at the city.

Use of the Flag and Sign

The flag poles, permanent poles on City Hall, and the 3D Hamilton sign at City Hall are opportunities for the City to raise awareness and show respect for community events, causes, and major events. The City will observe major world events, commemorative dates, the passing of dignitaries and important community members, and the visitation of dignitaries via a raising or lowering of a flag or illumination of the 3D Hamilton sign. Where there are community requests for the same time, preference will be shown to the recognition of visiting dignitaries, including former and current political leaders of other Canadian and international jurisdictions.

Neither option will be used to promote hate, discrimination, oppression, political or religious factions, or other harmful causes. The City of Hamilton retains the right to make this determination on a case by case basis.

Flag Protocol:

All flag raising and lowering will be in line with Federal flag etiquette.

In recognition of the City's affiliations, flags be flown on the roof of City Hall in the following order beginning on the extreme left as viewed from the front of the building:

1. Canadian Flag
2. Provincial Flag
3. Municipal Flag
4. United Nations
5. Franco-Ontarian
6. Courtesy flags subject to change
7. Métis Nation
8. Mississauga of the Credit First Nation
9. Inuit Tapiriit-Kanatami
10. Haudenosaunee Confederacy

As a gesture of respect and friendship, the City of Hamilton will fly the appropriate flag on the occasion of a visiting dignitary, including former and current politicians from other Canadian and international jurisdictions. The flag will be flown from a courtesy flagpole at City Hall for the duration of the visit. In the event that there is a community request for a flag raising on a community pole at the same time, the visiting dignitary's flag will fly in a position of prominence. If there are no courtesy poles available to raise the dignitary's flag, a community requested flag will be lowered in deference to the visiting dignitary. The Canadian, Provincial, Municipal, and Indigenous flags will not be lowered to make space for community requests.

On days of significance, the Canadian Flag flying on the free-standing flagpole at City Hall may be changed, provided it still flies on a permanent pole on top of City Hall.

Flags are also to be flown at the five Municipal Service Centres, on their own masts, with the ability to raise and lower, in the following order:

1. Canadian Flag
2. Provincial Flag
3. Municipal Flag
4. Franco Ontarian Flag
5. Métis Nation
6. Mississauga of the Credit First Nation
7. Inuit Tapiriit-Kanatami
8. Haudenosaunee Confederacy

When there are less than eight flag poles available, preference will be shown to the Canadian, Provincial, and Municipal flag.

Flying of the Flag at Half-staff

Flags are flown at half-staff as a sign of mourning and respect upon death.

If there is more than one flag flying in unison, all flags flown together should be flown at half-staff.

Half-staffing will occur immediately upon notification of a death until sunset on the day of the funeral, or for a period of five business days if no funeral or visitation has been scheduled, for the following occasions:

1. Sovereign or a member of the Royal Family related in the first degree to the Sovereign (i.e. sibling, spouse, parent, child)
2. Governor General of Canada (current/former)
3. Lieutenant Governor of Ontario (current/former)
4. Canadian Prime Minister (current/former)
5. Ontario Premier (current/former)
6. Mayor (current/former)
7. Member of Council (current and former of Hamilton, Ancaster, Dundas, Flamborough, Stoney Creek, Glanbrook)
8. Local Member of Federal or Provincial Government (current/former)
9. All current City employees including Police, EMS and Fire Services to be lowered at the employee's immediate workplace. Should the workplace not fly flags, the flags flown at City Hall will be lowered to half-staff*.
10. A major tragic event, such event or remembrance of fatal natural disasters and mass shootings, at the discretion of the policy owner

**It would be the responsibility of the individual's people leader to notify the Communications & Strategic Initiatives team and coordinate a flag lowering.*

In the event that there are community emergencies which prevent the lowering of the flag on the dates of passing to the funeral, the City may designate a future date to acknowledge the passing with the flag at half-staff. This substitution should be communicated on City communication channels to ensure awareness for the acknowledgment. The determination of this day will be made by the policy owner in collaboration with the individuals' family/friends.

Half-staffing will also occur on events or special circumstances such as events deemed to represent a significant tragedy or a loss of life, including publicly announced Canadian Forces fatality on any Canadian or Canadian-involved mission at home or abroad.

Disposal of Flags

When a flag becomes worn, noticeably faded or otherwise unfit to be flown, it should be disposed of in a respectful manner and immediately replaced. The department of Public Works shall hold responsibility for ensuring this is done.

3D Hamilton Sign Protocol:

With respect to the 3D Hamilton Sign outside of the Hamilton City Hall, sign protocol is that the sign be illuminated in the appropriate colour to reflect commemorative dates identified by the Provincial government, and Federal government, such as

- Provincial or national celebrations
- Days of remembrance or mourning
- Significant days of diversity

Requests for sign illuminations will also be accepted from the community in accordance with the procedure below.

Annual Calendar

The Communications and Strategic Initiatives team, on an annual basis, will review the Federal and Provincial commemorative dates and schedule the appropriate sign lighting and flag raising/lowering. This calendar will be posted for public awareness.

Communications

Sign lighting schedule and flag raising and lowering information will be posted on the City's website, and/or social media channels as appropriate, to ensure community awareness.

Community Requests

In addition to the annual calendar, community members may make requests for flag raising, lowering, and sign lighting.

In general, flags raised through a community request will be raised for two business days. In the event of major awareness months, City of Hamilton staff retain the authority to raise flags for additional dates, where space allows.

The lighting of the sign by community request will be for a single night, from dusk until dawn of the following day. A maximum of two requests will be accommodated per day on a 30-minute rotating basis.

In all cases, flag and sign requests are approved on a first come first served basis, with the exception of visiting dignitaries which takes precedence over community requests.

Request Requirements:

To submit a request, the party must submit their information via webform, including

- Persons name, organizations name, and contact information
- Date and rationale of request
- Colour/flag requested
- Agree to provide a 3 foot by 5-foot flag with grommets, should the City not have the specific flag in storage
- Self-evaluation of the request against proscribed criteria.

The request must be made four weeks ahead of the requested date.

Evaluation Criteria:

Community requests will be evaluated against the following criteria.

1. The request is made by a local, provincial, or national organization
2. The request recognizes a municipally, provincially, nationally, or internationally recognized day or month of significance, cause, or initiative
3. The request does not contradict any City of Hamilton By-Laws, or Provincial or Federal statute.
4. The request does not duplicate a sign lighting/flag raising or lowering already scheduled within a calendar year.
5. The request is supportive of equity, diversity, and inclusion, and does not promote or encourage any hate, discrimination, or negative outcomes to marginalized populations
6. The request does not sponsor or promote the practice of a specific faith denomination or political ideology
7. The request does not imply any allegiance or support for a specific political movement, ideology or other statement of beliefs on behalf of the City of Hamilton
8. The request is not affiliated with any commercial, for-profit, or private entities
9. In the case of flag requests, the request aligns with the approved national days list approved by Global Affairs Canada

Evaluation Process

All requests will be reviewed by City of Hamilton staff and to ensure that they clearly adhere to the protocol criteria. Requests that do not clearly meet the criteria may be brought forward by City staff to other departments to support decision making.

Preference will be shown to the City's annual calendar of recognized days and months of significance. Following this, requests will be considered on a first come first serve basis with a maximum of two sign lightings per day (on a rotating basis).

The City of Hamilton staff have full and final authority to implement the flag raising/lowering and 3D Hamilton Sign Community Lighting Program criteria. By submitting a lighting request for the Flag raising or 3D Hamilton sign, the applicant agrees that the decisions of City staff are final.

Notification of Acceptance and Approval

Staff will endeavor to provide notification of acceptance within two weeks of the date that the request was received via webform.

Requests should not be submitted more than six months in advance.

History

The following stakeholders were consulted in the creation or revisions made to this Policy: Communications & Strategic Initiatives, Government Relations & Community Engagement, the Mayor's Office, and Facilities.

This policy replaces the former policy named the City of Hamilton Flag Protocol dated May 26, 2011.

The policy comes into force January 1, 2024