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Lashway, Lisa

From: Lashway, Lisa
Sent: Friday, February 17, 2012 1:12 PM
To: Greenbaum, Rob; Canning, Sean
Subject: Correspondence - FW: Proper Flag Etiquette

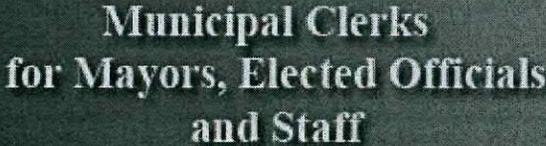
See information below.

Michelle Masser
Deputy Clerk

Township of Mount Olive
P.O. Box 450
Budd Lake, NJ 07828
973-691-0900 Ext. 7290

From: NJLM to Municipal Officials [mailto:njlm-clerks@cityconnections.com]
Sent: Thursday, February 16, 2012 3:56 PM
To: Lashway, Lisa
Subject: Proper Flag Etiquette

To view an online version of this email, click [here](#).



February 16, 2012

Re: Proper Flag Etiquette

Dear Mayor:

President's Day is fast approaching, and before we know it, Memorial Day, Flag Day, the Fourth of July, and the long sunny days of summer will be here.

With those thoughts in mind, we wanted to remind you that the League offers a resource page on flag etiquette, found at http://www.njslom.org/flag_etiquette.html.

That page offers links to several websites that summarize the proper way to fly and care for the flag of the United States of America, which are found in the United States Code at 4 U.S.C. 1-10.

Recently, some mayors have asked whether they are authorized to order the flags in their town to be flown at half-staff. Technically, the United States Code confers that authority only to the President of the United States, and to the Governors of the states, and then only in certain circumstances. However, several federal court decisions have found that “the section relating to proper manner of display of national flag are not intended to proscribe conduct but are merely...advisory.” Holmes v. Wallace, 540 F.2d 1083, see also State of Del. ex rel. Trader v. Hodsdon, 265 F.Supp. 308. (emphasis added). We encourage you to consult your municipal attorney if you have any concerns about changing the display of your flag.

If you have any questions or require further information, please do not hesitate to contact our staff attorney, Matthew Weng, at 609-695-3481 ext 137 or at mweng@njslom.com.

Very truly yours,

William G. Dressel, Jr.
Executive Director

*If you would like to be removed from receiving faxed advisories please contact Shirley Cade at scade@njslom.com or 609-695-3481 ext. 114 with the name of your municipality and fax number. Thank you.

New Jersey League of Municipalities
222 West State Street, Trenton, NJ 08608
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