

 <b>Lake County Policy</b>	<b><i>X.X Flag Policy</i></b>
	<b>Approved by the County Board on: MM/DD/YYYY</b>

**1. Purpose and Intent**

1.1 The purpose and intent of this Policy is to establish guidelines for the display of flags, to include the United States national flag, State of Illinois flag and the Lake County, Illinois flag, in and around Lake County Government facilities.

**2. Background**

2.1 The “Flag Code,” Section 1 of Title 4 of the United States Code (4 U.S.C. § 1 et seq.), provides guidance on the display of the United States national flag and any other flags displayed with the United States national flag.

2.2 The Illinois Flag Display Act (5 ILCS 465/1) provides the guidance and duties of each county board regarding the display of the United States national flag and the MIA (POW) flag.

2.3 On May 10, 2022, the County Board approved a resolution to display the Prisoner of War / Missing in Action (POW / MIA) flag on Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veteran’s Day during calendar year 2022.

2.4 In years 2020, 2021 and 2022, the County Board approved a resolution to display of the Lesbian, Gay, Bisexual, Transgender, and Queer, Plus (LGBTQ+) Pride flag during the month of June for that year.

**3. Scope**

3.1 This policy applies to all Lake County Government facilities over which the Lake County Board has authority.

3.2 This policy shall be interpreted consistent with and subject to applicable law.

3.3 This policy supersedes all previous policies, resolutions, and/or memoranda that may have been issued on subjects covered in this policy. Should any provision in this policy conflict with a specific provision in any other Board approved policy or resolution, the provisions in this policy shall take precedence.

**4. Authority**

4.1 The County Administrator, through the Director of Facilities & Construction Services, is directed and has the authority to enforce this policy.

4.2 The County Administrator has the authority to establish supporting directives to meet this policy’s purpose and intent.

## 5. Policy

### 5.1 General Display of Flags

- 5.1.1 The United States national flag, the State of Illinois flag, and the Lake County, Illinois County flag are the only flags authorized for display in and in front of Lake County Government Buildings.
- 5.1.1.1 No other flags may be displayed unless specifically authorized in paragraph 5.2 of this policy or an exception is specifically granted by Lake County Board action.
- 5.1.1.2 Any single flag poles in front of a County facility shall only display the United States national flag.
- 5.1.2 Lincoln Plaza at the Lake County Administrative Complex in Waukegan is the official exterior flag display for all of Lake County Government. The flags displayed on Lincoln Plaza will be set up as if being viewed from the west, looking east.
- 5.1.3 Authorized flags will be displayed in accordance with the United States “Flag Code,” Section 1 of Title 4 of the United States Code (4 U.S.C. § 1 et seq.).
- 5.1.4 Authorized flags will be displayed in accordance with the Illinois Flag Display Act (5 ILCS 465/1).

### 5.2 Authorized Flags for Limited Display.

*(Note: If the first day a flag listed below is to be flown falls on a holiday or weekend, County Staff may start flying the flag the afternoon of the workday prior. If the last day a flag listed below is to be flown falls on a holiday or weekend, County Staff may stop flying the flag the morning of the first workday after.)*

- 5.2.1 Prisoner of War / Missing in Action (POW / MIA) Flag.
- 5.2.1.1 The POW / MIA Flag is designated in United States Code (U.S.) (36 U.S.C.A. § 902) as the symbol of our Nation’s concern and commitment to resolving the fates of members of the Armed Forces of the United States who are prisoner, missing, and unaccounted for.
- 5.2.1.2 Illinois State Statute (5 ILCS 465/1) states that the County Board may provide for the display of the “MIA Flag.”
- 5.2.1.3 The POW / MIA flag shall be displayed in Lincoln Plaza at the Lake County Administrative Complex in Waukegan on the following days each year.
- Armed Forces Day (third Saturday in May)
  - Memorial Day (last Monday in May)
  - Flag Day (June 14<sup>th</sup>)
  - Independence Day (July 4<sup>th</sup>)
  - National POW/MIA Recognition Day (3<sup>rd</sup> Friday in September)

- Veteran’s Day (November 11<sup>th</sup>)

5.2.2 Lesbian, Gay, Bisexual, Transgender, and Queer, Plus (LGBTQ+) Pride Flag.

5.2.2.1 The month of June is celebrated as LGBTQ+ Pride month.

5.2.2.2 The LGBTQ+ Pride flag (Rainbow Flag) shall be displayed in Lincoln Plaza at the Lake County Administrative Complex in Waukegan in support of the Lake County LGBTQ+ Community during the month of June each year.

5.2.3 Flags of the United States Armed Forces. Specific events with or for members or Veterans of the United States Armed Forces may include a floor standing display of the official flags of the Armed Forces.

5.3 Funding

5.3.1 Funding for the flags required by this policy is not discretionary. All authorized flags shall be the appropriate size, style, and in good repair when displayed.

5.3.2 The County Administrator shall ensure funds are available to the Director of Facilities and Construction for the maintenance of authorized permanent flag poles.

5.3.3 Funds for the installation or removal of a permanent flagpole shall not be authorized or expended without County Administrator approval.

5.4 Enforcement

5.4.1 Unauthorized flags on any Lake County Government facilities over which the Lake County Board has authority shall not be displayed and shall be removed immediately when noticed.

5.5 Policy Updates and Exceptions

5.5.1 The County Administrator shall review this policy as required to ensure the most appropriate and professional display of flags at Lake County Government facilities.

5.5.2 Any proposed modifications or exemptions to this policy shall be provided to the Lake County Board for approval via the Financial and Administrative Committee.

5.5.3 Any request for a specific, one-time exemption to this policy shall be provided to the County Administrator 90 days prior to the requested date to display a flag.

**6. Severability**

6.1 If any section or provision of this policy should be held invalid by operation of law, none of the remainder shall be affected.

**7. Non-Discrimination**

7.1 Lake County prohibits the discriminatory application, implementation, or enforcement of any provision of this policy on the basis of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity housing status, or any other protected category established by law, statute, or ordinance.

**8. References:**

8.1 United States Code (4 U.S.C. § 1 et seq.).

8.2 Illinois State Statute (5 ILCS 465/1)

8.3 United States Code (36 U.S.C.A. § 902)

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Policy History			
Version	Date Adopted	Legistar Item #	Notes
Original	MM/DD/YY		--