

BY-LAW 57-2023

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to adopt a Commemoration Policy for the Corporation of the Town of St. Marys and delegate authority to staff.

- WHEREAS:** Subsection 5(3) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended (“Municipal Act, 2001”) provides that a municipal power shall be exercised by by-law;
- AND WHEREAS:** Subsection 224(b) of the Act states it is the role of Council to develop and evaluate the policies and programs of the municipality;
- AND WHEREAS:** Subsection 224(d) of the Act states it is the role of Council to ensure that administrative practices and procedures are in place to implement the decision of Council;
- AND WHEREAS:** Town Council has determined that it is desirable to enact a By-law that provides a comprehensive list of the Town of St. Marys current commemoration programs and establishes the parameters and criteria for evaluating commemoration requests;
- NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows:
1. That By-law 13 of 2012 is hereby repealed.
 2. That the Commemoration Policy attached hereto as “Schedule A” is hereby adopted and shall form part of this by-law.
 3. That staff be delegated such authority as described in the Commemoration Policy.
 4. This by-law comes into force on the final passing thereof.

Read a first, second and third time and finally passed this 23rd day of May 2023.

Signed by Mayor
Al Strathdee, Mayor

Signed by Clerk
Jenna McCartney, Clerk

Commemoration Policy

Policy Statement

The Town of St. Marys recognizes the importance of innovative community engagement campaigns. The Corporation of the Town of St. Marys will offer a range of programs to: commemorate special occasions; events; individuals and organizations; and to encourage diversity, equity and inclusion.

Purpose

This policy has been developed to:

- Provide a comprehensive list of the Town's current commemoration programs, both initiated and Town initiated;
- Document the process by which commemoration requests are handled and executed in the municipality; and
- Establish the parameters and criteria for evaluating commemoration requests.

Scope

This policy applies to all team members and members of Council. The following internal departments/divisions have assigned duties related to commemorations:

- Administration
- Building & Development
- Public Works
- Communications

Criteria

The Town will consider all commemoration requests that promote:

- Charitable fundraising campaigns organized by registered service clubs, not-for profits, and/or charitable organizations
- Arts and cultural celebrations
- Significant events and achievements of individuals and organizations
- Historic events and global movements
- A local, national or international awareness issue that builds community or is related to community health
- Diversity, equity and inclusion and/or creating conversations surrounding societal issues such as discrimination, cultural exclusions, and other challenges faced by historically disadvantaged peoples.

The Town reserves the right to deny requests that involve:

- Political parties, organizations, events or movements
- Religious organizations, events, celebrations, or movements
- Organizations, events, and/or private purposes with no direct relationship to the corporation or community of the Town of St. Marys
- Celebrations, campaigns, or events contrary to Town plans, policies or by-laws
- Celebrations, campaigns, or events intended for profit-making purposes
- Matters attempting to influence government policies
- Supporting discrimination, hatred, violence or prejudice
- Attempting to defame the integrity of the Town, Ontario, Canada or Sovereign.

Programs & Processes

The following is a list of the current commemoration programs offered by the Town of St. Marys. The list includes formalized programs and informal, internal tools that can be used to provide recognition for important events, individuals, and organizations.

Proclamations

Members of the public may request that Town Council make an official proclamation, provided their request is consistent with the Criteria established in this policy above. Proclamation requests are administered through the Clerk's Department in accordance with the Town's Procedure By-law.

The following policy statements and procedure shall guide how The Corporation of the Town of St. Marys considers requests for proclamations:

1. Requests for proclamations, including the proposed wording of the proclamation and supporting information, must be submitted in writing to the Clerk's office at least four weeks in advance of an event.
2. The Clerk shall review all requests, and if required, may make any appropriate amendments to the wording of the proclamation, which improves the structure and or intent of the requested proclamation.
3. Once a proclamation draft is completed, the Clerk shall list it for consideration on the next available agenda for Council's review and approval.
4. Upon approval, the proclamation may be signed by the Mayor and one copy of the signed proclamation provided to the applicant.

Upon approval by Council, the Clerk will forward the proclamation information to the Communications Department, who shall:

- Prepare a formal proclamation document, as required.

- Share the proclamation details on the Town’s social media accounts.
Notification to the media and advertising is the responsibility of the applicant.

Flags – Half Masting

Flags are flown at the half-mast position as a sign of respect and condolence. The following policy statements and procedure shall guide how The Corporation of the Town of St. Marys considers half-masting of flags:

1. Flags flown at:
 - a) The Town Hall Cenotaph
 - b) Municipal Operations Centre
 - c) Pyramid Recreation Centre
 - d) Lind Sportsplex (seasonally, as applicable)
 - e) Fire Hall

Flags shall be lowered to half-mast position upon the death of the following persons:

- i. The Sovereign, or a member of the Royal Family related in the first degree to the Sovereign (spouse, son or daughter, father, mother, brother or sister);
- ii. The Governor General of Canada or Lieutenant Governor of Ontario;
- iii. A past or present Prime Minister of Canada;
- iv. A past or present Premier of Ontario;
- v. A past or present MP or MPP for the Town’s riding;
- vi. A past or present member of Council for the Corporation of the Town of St. Marys;
- vii. Present day employees of the Town and present-day members of the volunteer Fire Department;
- viii. An individual whose death occurs while functioning as a municipal volunteer or agent;
- ix. As directed by proclamation from the Governor General of Canada or Lieutenant Governor of Ontario;

The Town of St. Marys may also half-mast in the following situations:

- i. Out of respect for an individual, solemn occasion, or other purpose not specifically identified in this section; or
 - ii. In instances of extraordinary significance as directed by Council, or the CAO where time is of the essence.
2. All flags will be flown at half-mast at municipal facilities in accordance with the National guiding principles found at www.canada.ca.

3. Where no specific guidance is provided regarding the length of time for flags to be at half-mast, flags shall remain at half-mast for a period of three (3) days commencing from the first full day after the notification of the death was received.
4. Should the requirement for half-masting of flags occur on a weekend or on a statutory holiday, the flags will be lowered on the first subsequent business day.
5. The flags at the Fire Hall may also be flown at half-mast in recognition of line-of-duty deaths of emergency service workers, at the discretion of the Fire Chief.

When a half-masting is approved, the Clerk shall:

- Notify the Building & Development Department and Communications staff of the need to half-mast the flags and provide all details regarding raising and lowering locations, length of half-masting, etc.
- As deemed required, coordinate a brief ceremony with the Mayor and/or members of Council

Upon receipt of that information, the Building & Development Department shall:

- Plan to half-mast on the appropriate dates

Communications staff shall:

- Share information about the half-masting and any accompanying ceremony through its channels (e.g., website, social media, newspaper, where appropriate)

Flags – Displaying Alternate Flags

Members of the public may request an alternate flag to be raised, provided their request is consistent with the Criteria established in this policy above. The following policy statements and procedure shall guide how The Corporation of the Town of St. Marys considers requests for raising alternate flags:

1. For the purpose of this policy, an “Alternate Flag” is a flag that is not one of the Canadian, Province of Ontario, or Town of St. Marys official flags. Examples of an Alternate Flag may include, but not be limited to: United Way, Canadian Red Cross, Alzheimer’s Society, Community Living, Scouts Canada, Pride Flag, and official flags of nations recognized by the Ministry of Foreign Affairs.
2. Any individual, organization, or community group whose intent for commemoration meets the criteria as set out in the Criteria Section in this policy may complete a request for an Alternate Flag raising, and shall be required to supply the following information at least four weeks in advance of the preferred flag raising date:
 - a. Organization name, contact information, website URL (if available)
 - b. Purpose of flag raising (cause or event that is being commemorated)
 - c. Preferred date/time for the flag raising ceremony
 - d. Image of the flag

- e. Names and titles of individuals who will attend the flag raising event, including names of individuals who will speak at the event.
 - f. Details about educational or ceremonial material that will be available at the flag raising event.
3. The Clerk will receive and approve or deny all external and internal requests to raise an Alternate Flag, having regard to the criteria set out in the Criteria Section in this policy.
4. Requests may be processed in the order in which received and will be considered on a case-by-case basis.
5. When a request is approved, Alternate Flags shall be flown at the Town Hall Cenotaph in place of the Town of St. Marys flag, and in accordance with the National guiding principles found at www.canada.ca.
6. The Town will raise only one Alternate Flag at any time, and if more than one qualified request is received for the same time period, the timing will be at the Clerk's discretion.
7. Alternate Flags will be raised for a maximum of one week. The Town may extend this maximum for its own purposes.
8. An Alternate Flag shall be raised no more than once per calendar year. Organizations and community groups are required to submit their requests on an annual basis.
9. Organizations and community groups requesting to raise an Alternate Flag are required to provide the flag to be raised. The Town will not be responsible replacing damaged, tattered or stolen Alternate Flags.
10. The Town reserves the right to raise an Alternate Flag for any purpose deemed to be of interest or importance to the Town.
11. The Town recognizes the need to develop, promote, and organize innovative and proactive community engagement strategies to foster conversations in the community surrounding societal issues such as discrimination, cultural exclusions, and other challenges faced by historically disadvantaged peoples. To further promote the community of the Town of St. Marys as an inclusive space, the Alternate Flags listed below shall be raised at the Town Hall Cenotaph, Municipal Operations Centre, the Pyramid Recreation Centre, the Lind Sportsplex, and the Fire Hall:
 - a. The Pride flag is an international symbol of inclusivity and will be raised in the month of June each year to recognize the inclusive and diverse community represented by the Town of St. Marys; to acknowledge and respect all people regardless of their colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression, or mental or physical disability.
 - b. A flag honouring Indigenous heritage and promoting Truth and Reconciliation will be raised in the month of September each year to recognize and promote the need for conversations in the community surrounding truth and reconciliation; to encourage the community to become further informed about the traditional lands, Treaties, and history and cultures of Indigenous peoples local to the region; and to commemorate the contributions of Indigenous peoples to Canada's history.

12. Council, or the CAO in situations where time is of the essence, may direct an Alternate Flag to be raised for any purpose deemed important to the Corporation of the Town of St. Marys.

When a request to raise an Alternate Flag is approved, the Clerk shall:

- Notify the Building & Development Department and Communications staff of the need to raise and lower flags and provide all details regarding raising and lowering locations, length of raising and lowering, etc.
- Coordinate a brief ceremony with the Mayor and/or members of Council, along with the individual or group that requested the raising (where appropriate)

Upon receipt of that information, the Building & Development Department shall:

- Plan to raise and lower on the appropriate dates

Communications staff shall:

- Share information about the flag raising and accompanying ceremony through its channels (e.g., website, social media, newspaper, where appropriate)

Lighting of Town Hall

Members of the public may request that Town Hall be lit in a specific colour, provided their request is consistent with the Criteria established in this policy above. The following policy statements and procedure shall guide how The Corporation of the Town of St. Marys considers requests to light Town Hall:

1. Any individual, organization, or community group whose intent for commemoration meets the criteria as set out in the Criteria Section above may complete a request to light Town Hall, and will be required to supply the following information at least four weeks in advance of the date(s):
 - a. Organization name, contact information, website URL (if available)
 - b. Purpose of lighting (cause or event that is being recognized)
 - c. Preferred date(s) for lighting
 - d. Colour(s) to be used
2. The Clerk will receive and approve or deny all external and internal requests to light Town Hall, having regard to the Criteria as set out above in this policy.
3. Lighting requests will not be approved for personal or private occasions (such as birthdays or anniversaries) or for any request that does not meet the criteria set out in the Criteria Section above in this policy.
4. Requests may be processed in the order in which they are received and are considered on a case-by-case basis.
5. If more than one qualified request is received for the same time period, the timing will be at the Clerk's discretion.

6. The Town Hall will be illuminated for a maximum of one week per request. The Town may extend this maximum lighting time for its own purposes.
7. Town Hall shall be illuminated no more than once per calendar year per specific request. Organizations and community groups are required to submit requests on an annual basis.
8. Colour requests will be fulfilled as best as possible using the closest hue that can be achieved through the existing lighting that is provided.
9. The Town reserves the right to illuminate Town Hall for any purpose deemed to be of interest or importance to the Town.
10. Council, or the CAO in situations where time is of the essence, may direct that Town Hall be illuminated for any purpose deemed important to the Corporation of the Town of St. Marys.

When a request to light Town Hall is approved, the Clerk shall:

- Notify the Building & Development Department and Communications staff of the need to illuminate the Town Hall and provide all details regarding lighting colour, length of lighting, etc.

Upon receipt of that information, the Building & Development Department shall:

- Plan to illuminate the building for the required dates and times

Communications staff shall:

- Share information about the lighting through its channels (e.g., website, social media, newspaper, where appropriate)

Downtown Banner Program

The downtown banner program is reserved for Town purposes as part of its strategy to organize innovative and proactive community engagement campaigns. Currently, these spaces are reserved for Town purposes, including:

- Pride banners
- Tourism/Economic Development banners
- Remembrance Day banners

Mayoral Certificates

Members of the public may request a certificate from the Mayor to commemorate significant birthdays, anniversaries, and other achievements. Certificate requests are managed by Communications staff. Upon receiving a certificate request, Communications staff shall:

- Prepare the certificate using details provided by the Mayor or member of the public
- Print and frame the certificate
- Mail the certificate or arrange for pick up or delivery

Tree Donation Program

Members of the public may donate funds toward tree planting efforts in the Town of Marys to commemorate an individual or group. Donors are given an acknowledgement certificate and can purchase a plaque that shall be placed along the walking trail in the memorial forest.

The Tree Donation Program is administered by the Public Works Department and governed by the Town's Tree Donation Program Policy, as amended (PW-P-7181).

Commemorative Benches

Commemorative bench donations will be accepted at the discretion of the Director of Public Works from service clubs and other not for profit organizations, provided that the purpose of their commemoration meets the Criteria set out in this policy. Donated benches must meet the Town's design guidelines and established accessibility requirements. Benches will be accepted in situations where they compliment an existing Town amenity.

Upon accepting a donated bench, the Town will become the owner of the bench, and there shall be no possessory interest of the donee. The Town will perform regular and customary maintenance to donated benches for the duration of their lifecycle but will not replace donated benches at end of life.

Bench donations will not be accepted from private individuals. Persons seeking to commemorate a private purpose shall be referred to the Tree Donation Program.

Additional/alternative commemoration options

A commemoration request may be denied because:

- The timing of the request conflicts with another request that has already been approved.

In such a case, provided the request meets the criteria set out in the Criteria Section above in this policy, other options for commemoration may include:

- A stand-alone post on the Town's social media accounts
- A photo opportunity for the St. Marys Independent and Stonetown Crier e-newsletter
- A message shared on the Town's electronic signs (at the Pyramid Recreation Centre and St. Marys Fire Hall)

Requests for additional or alternative commemorations should be directed to Communications staff, who will use their discretion to determine the best option for sharing the information.

Communication

A copy of this policy will be saved to the Company drive.

Training

Team Members will receive training on this policy during new hire orientation.

References

- Tree Donation Program Policy (PW-P-7181)

End of Document

Rev #	Date	Reason	Initiated	Reviewed	Approved