

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 24-13**

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**AN ORDINANCE ADOPTING SECTION 20-4 (“POLICY AND PROCEDURES FOR THE  
DISPLAY OF FLAGS ON BOROUGH PROPERTY”) TO ESTABLISH A POLICY AND  
PROCEDURE REGARDING THE FLYING OF FLAGS**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood, in the County of Bergen, as follows:

**SECTION 1. Adoption of Code Section 20-4 (“POLICY AND PROCEDURES FOR THE DISPLAY OF FLAGS ON BOROUGH PROPERTY”)**

Borough Code Section 20-4 (“POLICY AND PROCEDURES FOR THE DISPLAY OF FLAGS ON BOROUGH PROPERTY”), be and hereby is adopted as follows:

Section 20-4 - Borough-owned flag poles are not intended to serve as a forum for free expression by the public and are for official purposes set forth herein. The only flag(s) that shall be flown on Borough-owned flag poles shall be:

- (1) The Flag of the United States or of any subsidiary agency or department of the United States government including the official flags of any branch of the armed services;
- (2) The Flag of the State of New Jersey or any political subdivision of the State including the Flag of the County of Bergen and the Flag of the Borough of Elmwood Park;
- (3) The P.O.W./M.I.A (Prisoner of War/Missing in Action)) Flag; and
- (4) Any other flag for which display is required by State or Federal law.

Flags shall be flown in accordance with the United States Flag Code, 4 U.S.C. § 5 et seq., and governing law including N.J.S.A. 40A:12-23 and N.J.S.A. 52:3-10. No other flags shall be displayed by an official action of the Borough.

**SECTION 2. Repealer**

All Ordinances and parts thereof conflicting herewith be, and the same hereby are, repealed.

**SECTION 3. Severability**

If any section, paragraph subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.

**SECTION 4. Effective Date**

This Ordinance shall be effective upon passage and publication as required by law.

ATTEST: \_\_\_\_\_  
Shanee Morris, RMC, CMR  
Borough Clerk

APPROVED: \_\_\_\_\_  
Robert Colletti, Mayor

Introduced: June 20, 2024

Adopted: July 18, 2024