

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**ORDINANCE NO. 2023-36**

**AMENDING THE CODE OF THE TOWNSHIP OF VERONA BY THE  
CREATION OF CHAPTER 222, ENTITLED "DISPLAY OF FLAGS AND  
MUNICIPAL BUILDING COLOR LIGHTING" AND ELIMINATING  
ARTICLE II OF CHAPTER 370 ENTITLED DISPLAY OF FLAGS**

**WHEREAS**, the Township's flagpoles and Municipal Building color lighting are to be used exclusively by the Township as a form of government expression; and

**WHEREAS**, the Township Council desires formalize by ordinance when certain flags should be raised and when the Municipal Building color lighting should be used as a form of government expression.

**NOW THEREFORE BE IT ORDAINED** by the Township Council of the Township of Verona, County of Essex, New Jersey that Chapter 370, Park Rules and Regulations, Article II, Display of Flags is hereby eliminated; and

**BE IT FURTHER ORDAINED**, that the Township Council of the Township of Verona does hereby create Chapter 490 entitled "Township Display of Flags and Municipal Building Color Lighting" of the Code of the Township of Verona to read as follows:

**ARTICLE I  
Display of Flags**

**§ 222-1 Display of Flags.**

- A. In addition to the Flag of the United States, the Township of Verona may display such additional flags on Township-owned flagpoles on public buildings and in public parks and playgrounds as the Township Council may authorize by resolution as a form of government speech, provided the display of same shall not show religious preference.
- B. The Flag of the United States shall be displayed highest and any such additional flags shall be flown below the Flag of the United States. The Flag of the United States shall be displayed in accordance with and in the manner prescribed in Chapter 1 of Title 4 of the United States Code (4 U.S.C.S. §§ 1-10).
- C. The Township's flagpoles are not intended to serve as a forum for free expression by the public. Rather, the Township's flagpoles are to be used exclusively by the Township, where the Council may display a commemorative flag as a form of government expression. The Township will not display a commemorative flag based on a request from a third party, nor will the Township use its flagpoles to sponsor the expression of a third party.
- D. No person shall display or place upon any flagpole owned by the Township of Verona any flag or other object not otherwise authorized as an expression of government speech by the Township Council of the Township of Verona and without the express written permission of the Township of Verona.
- E. Owing to their very nature as expressive locations meant for contemplation and reflection, monuments and memorials shall not be deemed locations for flying expressive flags via resolution.
- F. In addition to the Flag of the United States and such other flags as may be authorized by resolution of the Township Council, the following flags are hereby permitted to be displayed upon flagpoles owned by the Township of Verona as a form of expression of government speech, in the manner set forth above:
  - (1) Flag of the State of New Jersey.
  - (2) Flag of the County of Essex.
  - (3) Flag of the Township of Verona.

- (4) P.O.W./M.I.A. (Prisoner of War/Missing in Action) flag as provided in Title 36, Chapter 9, § 902 of the United States Code (36 U.S.C.S. § 902).
- (5) Killed In Action Flag (required by P.L. 2017, Chapter 188).
- (6) Continental Flag.
- (7) Kings Colors Flag.
- (8) Grand Union Flag.
- (9) Betsy Ross Flag.
- (10) Bennington Flag.
- (11) St. George Flag.

G. The Township Administration shall advertise and schedule public flag raisings at an appropriate time for the following events, raising the flag indicated.

- (1) Irish American Heritage Month - Irish Flag
- (2) Pride Month - Progress Pride Flag
- (3) Juneteenth - Juneteenth Flag
- (4) Disability Pride Month - Disability Pride Flag
- (5) Breast Cancer Awareness Month - Breast Cancer Awareness Flag
- (6) Italian American Heritage Month - Italian Flag
- (7) Verona PBA Police Flag- Police Week

## ARTICLE II Municipal Building Color Lighting

### § 222-2 Municipal Building Color Lighting.

- A. The Township of Verona may utilize the color lighting installed to illuminate the Municipal Building as the Township Council may authorize by resolution as a form of government speech, provided the same shall not show religious preference.
- B. The Township's Municipal Building color lighting are not intended to serve as a forum for free expression by the public. Rather, the color lighting is to be used exclusively by the Township as a form of government expression. The Township will not utilize the color lighting to illuminate the Municipal building based on a request from a third party, nor will the Township use the color lighting to sponsor the expression of a third party.
- C. The Township Administration shall illuminate the Municipal building using the color lighting installed at an appropriate time for the following events by illuminating the Municipal Building the color indicated.
  - (1) The standard is all white.
  - (2) National Wear Red Day (First Friday of February) - Red
  - (3) Irish American Heritage Month (March)- Orange, Green, White
  - (4) Earth Day (April 22) - Green
  - (5) Child Abuse Awareness Month (April) - Blue
  - (6) National Fallen Firefighters Memorial Weekend (May) - Red
  - (7) International Firefighters' Day - (May 4)- Red, Blue
  - (8) Police Week - (Week of May 15)- Blue
  - (9) EMS Week - (3<sup>rd</sup> Week of May) - Black and White
  - (10) Memorial Day Week/Weekend (Last Monday of May) - Red, White, Blue
  - (11) Flag Day - (June 14) - Red, White, Blue
  - (12) Gun Violence Awareness Day (June) - Orange
  - (13) Pride Month (June)- Rainbow Colors
  - (14) Juneteenth (June 19<sup>th</sup>)- Red, White, Blue
  - (15) 4th of July - Red, White, Blue
  - (16) Disability Pride Month (July) - Red, Gold, White, Blue, Green
  - (17) Patriots Day - (September 11)- Red, White, Blue
  - (18) Constitution Day (September, 17) - Red, White, Blue
  - (19) Breast Cancer Awareness Month (October) - Pink
  - (20) Italian American Heritage Month (October) - Red, Green, White
  - (21) Domestic Violence Awareness Month (October)- purple
  - (22) Halloween (October 31) - Orange, White
  - (23) Diwali - Multiple bright colors

- (24) Veterans Day (November 11) - Red, White, Blue
- (25) Christmas (December 25) - Red, Green
- (26) Hanukkah - Blue, White

**SECTION 1: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION 2: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 3: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

**SECTION 4: CODIFICATION**

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.



ATTEST:

*Jennifer Kiernan*  
JENNIFER KIERNAN  
MUNICIPAL CLERK

**NOTICE**

**I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUES OF JULY 15, 2023 AND JULY 28, 2023.**

**JENNIFER KIERNAN  
MUNICIPAL CLERK**

INTRODUCTION: July 10, 2023  
PUBLIC HEARING: July 24, 2023  
EFFECTIVE DATE: August 13, 2023