



**2025  
BOROUGH OF DUMONT  
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
APONTE		✓		
KELLY		✓		
KOURELAKOS	✓			
LaBARBERA	✓			
MORRELL	✓			
PETRY	✓			
MAYOR RUSSELL				
TOTALS	4	2		

Ordinance No. 1646

Date: January 28, 2025

Page: 1 of 2

Subject: Establish Standards for Flags at Borough Hall & Borough Property

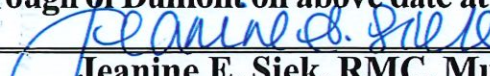
Purpose: Establishing Chapter §351 of the Dumont Borough Code

Dollar Amount: \_\_\_\_\_

Prepared By: Jared A. Geist, ESQ.

Offered by: La Barbera  
Seconded by: Kourelakos

**Certified as a true copy of an Ordinance adopted on 1<sup>st</sup> Reading by the Governing Body of the Borough of Dumont on above date at a Regular Meeting by:**

  
\_\_\_\_\_  
**Jeanine E. Siek, RMC, Municipal Clerk**  
**Borough of Dumont, Bergen County, New Jersey**

**AN ORDINANCE OF THE BOROUGH OF DUMONT, COUNTY OF BERGEN, STATE OF NEW JERSEY, ESTABLISHING CHAPTER §351 OF THE BOROUGH CODE - PROVIDING FOR STANDARDS RELATED TO FLAG USE AT BOROUGH HALL AND BOROUGH PROPERTY**

**§ 351-1. Display provisions.**

A. In addition to the flag of the United States, the Borough may display such additional flags on Borough-owned flagpoles on public buildings and properties as the governing body of the Borough may authorize, by resolution, as a form of government speech, provided the display of same shall not show religious preference.

B. The Borough's flagpoles are not intended to serve as a forum for free expression by the

public. Rather, the Borough's flagpoles are to be used exclusively by the Borough. Where the governing body may display a commemorative flag as a form of government expression, the Borough will not display a commemorative flag based on a request from a third party, nor will the Borough use its flagpoles to sponsor the expression of a third party.

C. No person shall display or place upon any flagpole owned by the Borough of Dumont any flag or other object not otherwise authorized as an expression of government speech by the Borough Council by way of resolution.

D. 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.

E. In addition to the flag of the United States and such other flags as may be authorized by resolution of the Borough Council, the following flags are hereby permitted to be displayed upon flagpoles owned by the Borough of Dumont as a form of expression of government speech, in the manner set forth above:

(1) The flag of the State of New Jersey.

(2) The flag of the County of Bergen.

(3) The flags of the U.S. Army, U.S. Marine Corps, U.S. Navy, U.S. Air Force, U.S. Space Force, and U.S. Coast Guard.

(4) The POW/MIA (Prisoner of War/Missing in Action) flag, as provided in Title 36, Chapter 9, Section 902 of the United States Code (36 U.S.C. § 902).

(5) The KIA (Killed in Action) flag (required by P.L. 2017, c. 1881

#### **§ 351-2. Repealer**

All ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

B. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this article.

C. This article shall take effect immediately upon final passage, approval, and publication as required by law.

ATTEST:

---

Jeanine E. Siek, RMC  
Municipal Clerk

---

John W. Russell III, Mayor