

## Registration of City's Coat of Arms and Flag

### ISSUE

This report recommends registering the City's coat of arms and flag with the Canada Heraldic Authority ("CHA").

### RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that:

1. The City apply to the Canada Heraldic Authority to register the City's coat of arms and flag; and
2. The City Clerk's Office lead the application process.

### BACKGROUND

The City's coat of arms was adopted in 1948 pursuant to Bylaw No. 3081, *The Crest and Coat of Arms Bylaw, 1948* ("Bylaw"). The Bylaw was enacted pursuant to a provision of the now-repealed "*City Act*", which stated that a Council may, by bylaw, adopt a crest and coat of arms.

The City's flag was adopted in 1952 through City Council resolution.

In 1988, subsequent to the City's adoption of the City's coat of arms and flag, the CHA was created. The CHA's *Public Register of Arms, Flags, and Badges of Canada* ("public register"), which is accessible free of charge [online](#), contains heraldic emblems that have been granted, registered, approved or confirmed by the CHA.

During a general review of the City's bylaws, it was discovered that the City's coat of arms and flag are not currently recognized by the CHA and therefore do not appear in the public register. It is unknown why the City did not take action to register its heraldic emblems at the time the public register was established.

With the support and approval of the City Manager, the City Archivist and the City Clerk's Office, the City Solicitor's Office recommends applying to the CHA to register the City's coat of arms and flag.

### DISCUSSION/ANALYSIS

As noted above, the City's current coat of arms is adopted through bylaw and the flag is adopted through resolution. Neither the coat of arms nor the flag are official heraldic emblems as they are not recognized by the CHA.

Information regarding the history of the City's coat of arms may be found on page 46 of the City's [Municipal Manual 2023](#).

### Benefits of Registration

Registering heraldic emblems enables the public to access the emblems through the public register and provides the emblems with copyright protection.

In addition to copyright protection, registration would ensure the emblems are “heraldic emblems” for the purposes of section 340 of *The Cities Act*, which states that “No person shall use the heraldic emblem of a city or anything that is intended to resemble the heraldic emblem without the permission of the council.” While “heraldic emblem” is not defined for the purposes of the Act, obtaining recognition from the CHA would ensure the City’s emblems constitute “heraldic emblems” for the purposes of the Act, enabling the City to rely on the protection afforded by section 340.

Registration of the coat of arms and flag would not preclude the City from exploring potential redesigns to its heraldic emblems in the future.

### Jurisdictional Scan

In Saskatchewan, Regina has added its coat of arms and its flag to the public register, while Prince Albert and North Battleford have added their coats of arms. In Saskatoon, the Saskatoon Police Service and HMCS have added heraldic emblems to the public register. The Province of Saskatchewan has added its flag and coat of arms to the public register.

Of the municipalities outside of Saskatchewan reviewed:

- The following have added heraldic emblems to the public register:
  - Victoria, Edmonton, Winnipeg, Toronto, Montreal, West Vancouver, Ottawa, Quebec City, Hamilton, Halifax, Windsor, Niagara Falls, St. John’s, Kelowna, Charlottetown, Fredericton and Whitehorse; and
- The following have not, to date, added heraldic emblems to the public register:
  - London, Yellowknife, Iqaluit, Calgary, Kitchener and Oshawa.

It appears from the sample of municipalities reviewed that many Canadian municipalities have added heraldic emblems to the public register, and the majority of larger municipalities have done so. All capital cities apart from Yellowknife and Iqaluit have added heraldic emblems to the public register.

### Application Process

While, typically, the City would be required to apply for a “grant” of its heraldic emblems, a more complicated and lengthy process, the CHA has indicated it is willing to allow the City to “register” its emblems, a much simpler process. However, the City’s ability to “register” its emblems is time sensitive and will not be available if not requested soon.

There is an online process to apply to register heraldic emblems. The CHA’s website refers to lengthy wait times; however, the CHA advised the City that it would be able to complete a registration for the City relatively quickly.

As part of the application process, the City would need to submit the following documentation to the CHA:

- The document by which the City was incorporated or otherwise legally established in Canada;
- A summary of the City's history and an outline of its current activities;
- A recent annual report or financial records;
- A high-resolution, full-colour image of the City's coat of arms and flag; and
- A resolution from City Council authorizing the coat of arms and flag to be registered.

### **FINANCIAL IMPLICATIONS**

There is no cost to register heraldic emblems with the CHA.

As noted above, registration is typically an option that is not available to the City. In the event City Council chooses not to register the emblems at this time, but wishes to do so at some point in the future, a cost may be associated. The current cost to apply for a grant of emblems, the typical process that the City would need to undergo, is roughly \$5,000.

### **NEXT STEPS**

If City Council approves the proposed recommendation, the City Clerk's Office will lead the application process.

Once the coat of arms and flag have been added to the public register, the City Solicitor's Office will submit a subsequent report recommending repeal of Bylaw No. 3081, *The Crest and Coat of Arms Bylaw, 1948* as well as corresponding amendments to Council Policy C02-014, *Corporate Visual Identity*.

### **APPENDIX**

#### 1. Sample Images of City's Coat of Arms and Flag

##### Report Approval

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