

## CITY ACCESS CABLE CHANNEL 187

### Policy 2.02

#### 1) PURPOSE

- a) The purpose of this policy is to: ensure that all State and Federal laws are followed; establish guidelines for all users to abide by; assist and educate users of Lakeville Access Cable Channel 187; and to provide for the utmost quality on Lakeville Access Cable Channel 187.
- b) The purpose of the Lakeville Access Channel is to afford an opportunity for local, community-building information to be presented to Lakeville residents.

#### 2) DEFINITIONS

- a) "Lakeville Access Users" or "Users" are defined as residents (age 18 or older), businesses, groups, or organizations residing in Lakeville, or non-profit organizations serving Lakeville, that make proper application for programming to be shown on Lakeville Cable Access Channel 187. Persons residing or doing business outside of the City of Lakeville may have programs submitted by a qualified Lakeville Access User making proper application for programming to be shown on Lakeville Access Channel 187.
- b) "Access Programming" is defined as video or message board material provided to Lakeville Access Cable Channel 187 by Lakeville Access Users.
- c) "Created by" is defined as the individual or group who created the content of the video.
- d) "Submitted by" is defined as the individual submitting a DVD for playback on Lakeville Access Channel 187. Submissions must be made by Lakeville Cable Access Users.
- e) "Community Television" is defined as a public access television operation which provides editing equipment, studio space, cameras, or assistance in the production of Access Programming.
- f) "Sponsorship" is defined as services or grants made by a third party to aid in the production of a show which do not include salary, pay, or any form of profit paid to the producer or crew.

#### 3) GENERAL

- a) Lakeville Access Cable Channel 187 is a designated channel available to local residents for the cablecasting of announcements and programming produced by Lakeville Access Users.
- b) Lakeville Access Cable Channel 187 is not a Community Television operation and does not provide editing equipment, studio space, cameras, or assistance in the production of access programming.
- c) Lakeville Access Cable Channel 187 will provide free cablecasting of programs and placement of announcements on the message board for Lakeville Access Users on a first-come, first-served, non-discriminatory basis.
- d) First priority for both programs and announcements will be given to those created by residents who are qualified Lakeville Access Users. Second priority will be given to programs submitted by qualified Lakeville Access Users. The Communications Manager will determine both eligibility and programming lineup consistent with this policy.
- e) The City will not exercise editorial control over the content of any User's program. The City does not assume responsibility for viewing programming submitted. All program content is the responsibility of the User. Any program will be cablecast unless it is known that it violates these policies.

#### 4) CONTENT OF PROGRAMS AND ANNOUNCEMENTS

- a) Lakeville Access Users will bear full responsibility for all program content. Users will assume responsibility to obtain all necessary rights to program production materials in writing and be able to produce them upon request. This includes all necessary literary, artistic, intellectual, performing, and music rights as well as all necessary clearances from the owners or licensees of

such material. Users must be able to document, in writing, that the cablecasting of such material does not violate the rights of a third party, including the privacy rights of a third party. Each User (or the parent or guardian of any User who is a minor) shall sign an agreement accepting responsibility for program content at the time the User reserves time on the channel (See section 6h herein).

- b) Programs or announcements with any of the following content are not allowed on Lakeville Access Cable Channel 187:
  - i) Content designed to promote the sale or exchange of a good or service.
  - ii) Political advertisements.
  - iii) Solicitation of funds.
  - iv) Content which promotes gambling or lottery enterprises.
  - v) Programming that contains obscenity, or nudity.
  - vi) Content which constitutes libel, slander, invasion of privacy, violation of trademark or copyright, or which might violate any local, state, or federal law.
  - vii) Programming that creates the immediate danger of damage to property or injury to persons; or the substantial obstruction of law enforcement or other governmental functions or services.
- c) Program Disclaimer:

Lakeville Access Cable Channel 187 reserves the right to insert a disclaimer before any program submitted. This disclaimer announces that Lakeville Access is not responsible for the content of the program and that the program's producer accepts all responsibility. In addition, at the discretion of Communications staff, if a program is determined to have material that may offend viewers or may not be appropriate for children, a second disclaimer will state that the program may contain sensitive material and viewer discretion is advised.
- d) To the maximum extent permitted by applicable law, the City reserves the absolute right to label any program with an on-air graphic as to its adult or violent content or cablecast such program in an appropriate time slot after 10 p.m.
- e) A slide listing the name(s) of the person(s) or organization submitting a program for broadcast will be shown at the beginning of each airing of the program.

#### **5) MESSAGE BOARD SCHEDULING**

- a) All announcements submitted by Lakeville Access Users are posted on the message board on a first-come, first-served non-discriminatory basis.
- b) The number of message board slides running consecutively will be determined by the Communications Manager.
- c) Information to be included on the scrolling message board must be submitted as described in the Lakeville Cable Access Channel 187 Message Board Request Form, available from the Communications staff.
- d) Submitted announcements will be posted as space allows and will run no longer than four weeks or until the date of the announced event, whichever comes first.
- e) Announcements must be submitted on a signed copy of the Lakeville Cable Access Channel 187 Message Board request form, available online at [www.lakevillemn.gov](http://www.lakevillemn.gov). Message Board announcements may be e-mailed to [spalm@lakevillemn.gov](mailto:spalm@lakevillemn.gov) or mailed or delivered to City Hall, 20195 Holyoke Ave., Lakeville, MN, 55044. Communications staff reserves the right to cut or condense information if needed.

#### **6) PROGRAM SCHEDULING**

- a) Programs submitted by Lakeville Access Users will be aired at least once.
- b) All programs are posted on a first-come, first-served non-discriminatory basis.

- c) Communications staff retains the right to schedule any program for any timeslot as the schedule allows.
- d) No individual or group may reserve a timeslot or schedule.
- e) Timeslots for programs are not permanent or guaranteed and may be changed or interrupted at any time.
- f) Programs to be cablecast must be received at least one week prior to being scheduled.
- g) Programs must be submitted on DVD. The DVD will not be returned to program producers.
- h) All programs must be submitted by a Lakeville Access User with a signed copy of the Playback Form. This form is available online at [www.lakevillemn.gov](http://www.lakevillemn.gov) or at Lakeville City Hall. If the Lakeville Access User is a minor, their parent or guardian shall sign the playback form and shall accept responsibility for program content.
- i) All Lakeville Access Users shall indemnify and hold harmless the City of Lakeville from and against any damages, liabilities, and costs of any nature including attorney fees and disbursements arising out of or resulting from any action related in any way to User's use of the access channel. This includes, but is not limited to, any damages and liabilities and costs which may arise as a result of User's failure to abide by these policies. Each User (and any parent or guardian of any User who is a minor) shall sign an indemnity agreement available online at [www.lakevillemn.gov](http://www.lakevillemn.gov) or at Lakeville City Hall at the time the User reserves time on the access channel.
- j) DVDs to be played must be in proper technical standards and delivered or mailed to:
  - Lakeville Cable Access Channel 187
  - Lakeville City Hall
  - 20195 Holyoke Ave.
  - Lakeville, MN 55044

## **7) TECHNICAL STANDARDS FOR PROGRAMS**

- a) All programs submitted for playback must meet minimum technical standards for cablecast. Audio and visual signals must be stable and of a quality as to permit playback and viewing without severe distortion and must be in compliance with all applicable FCC regulations.
- b) Unacceptable Quality - The City may refuse to play programs with the following video/audio difficulties:
  - i) The DVD is in poor physical condition;
  - ii) Video level is not properly adjusted or the picture is too bright or too dark;
  - iii) The video level is inconsistent;
  - iv) Video displays too much generational loss;
  - v) The picture is too noisy, snowy, or grainy;
  - vi) The video is unstable, the picture jumps or flickers frequently;
  - vii) Loss of control track;
  - viii) Audio has a loud hum or buzz;
  - ix) The audio level varies greatly from scene to scene;
  - x) Time code has not been stripped from the program; or
  - xi) The audio level is too low or distorted.
- c) The City reserves the right to refuse any request for playback if these minimum technical standards set forth above are not met.
- d) All programs must be accurately timed: cue time (delay), event time (start), and TRT (total run time).
- e) Programs must have at least one minute of black at the end.
- f) Programs may be pulled from playback if inaccurate times are given, resulting in "dead" airtime.

## **8) SPONSORSHIPS**

- a) Sponsorship is defined as goods, services, or grants in aid of production provided to a Lakeville Access User by a third party. Residents requesting program placement on behalf of non-Lakeville Access Users are not considered sponsors. Failure to follow the sponsorship guidelines set forth herein will result in the program being withdrawn from channel playback. Sponsorship must meet IRS Guidelines.
- b) An acknowledgment of sponsorship may be made, but any acknowledgment of sponsorship shall be made only in writing at the end of the program in the same type style as the other program credits. The acknowledgment shall be stated as follows: "Special Thanks To (name of sponsor)" for (goods, services, or support provided); or "This program made possible by a grant from (name of sponsor)." No business name, logo, or brand identification can be displayed or mentioned during a program in exchange for goods, services, or a grant in aid of production.
- c) Any User who produces a program concerning a service or product which the User sells commercially or which the User has a direct or indirect financial interest in promoting may not mention the cost of the product or service, where or how it may be purchased, or include an acknowledgment for any business which offers the product or service in which the User has a direct or indirect financial interest.

## **9) POLITICAL PROGRAMMING**

- a) The City will not limit the availability of Lakeville Cable Access Channel 187 on the basis of the content of the programming submitted for cablecast unless it violates the provisions of section 4b. Qualified candidates for public office are free to present programming on Channel 187 but may not submit political advertisements or solicit funding or contributions. Unless specifically required by applicable law, Channel 187 is not subject to equal time requirements which may apply to other broadcasters.